REPORT 6 /2016





TENURE RESPONSIVE LAND USE PLANNING

A Guide for Country Level Implementation

SECURING LAND AND PROPERTY RIGHTS FOR ALL

UN-HABITAT FOR A BETTER URBAN FUTURE

giz Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

Technische Universität München

GLTN GLOBAL LAND TOOL NETWORK

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ACRONYMS

AU	African Union
BMZ	Federal Ministry for Economic Cooperation and Development of Germany
CBPU	Urban Parcellary Map (for Chile)
CEDIZ	Digital Zoning Certificate Programme (in Chile)
CIDA	Canadian International Development Agency
CLUP	Comprehensive Land Use Planning
DFID	Department for International Development (UK)
EC	European Commission
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
FIG	International Federation of Surveyors
GIS	Geographic information system
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit (formerly GTZ)
GLTN	Global Land Tool Network
GMA	Game Management Area
GMP	Game Management Plan
GPS	Global Positioning System
GTZ	German Technical Cooperation (now GIZ)
IFAD	International Fund for Agricultural Development
ILC	International Land Coalition
ITPA	Instituto Terra de Preservação Ambiental
KFW	Kreditanstalt für Wiederaufbau
LGMA	Lupande Game Management Area (Zambia)
LUP	Land Use Planning
MDG	Millennium Development Goal
MDC	Mambwe District Council (Zambia)
NAFRI	National Agriculture and Forestry Research Institute (Laos)
NDF	Nordic Development Fund
NGO	Non-governmental organization
NORAD	Norwegian Agency for Development Cooperation
OECD	Organization for Economic Co-operation and Development
PDR (Lao)	People's Democratic Republic
PILaR	Participatory and Inclusive Land Readjustment
PRA	Participatory Rural Appraisal
SDF	Spatial Development Framework
SDGs	Sustainable Development Goals
SOLA	Solutions for Open Land Administration
STDM	Social Tenure Domain Module
TS	Tenure security
TUM	Technische Universität München
UNDP	United Nations Development Programme
UNECA	United Nations Economic Commission for Africa
UNECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme
UN-Habitat	United Nations Human Settlements Programme
USAID	United States Agency for International Development
USEPA	United States Environmental Protection Agency
WWF	World Wide Fund for Nature
ZAWA	Zambia Wildlife AssociationExecutive Summary

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PREFACE

In recent decades, an extensive body of literature has emerged on the definition of poverty. However, poverty remains an extremely contentious concept, and at the same time, a critically undebatable reality. It is a controversial concept because it evokes different images or ideas in different societies. It is a reality because, no matter how it is defined, the evidence is obvious that several individuals and households around the world live under conditions of extreme lack of resources and unequal opportunities. Improving these challenges will depend on how people use land. How people use land will determine the direction of human and physical developments. From an urban and rural development perspective, this makes the planning of land uses and land tenure security improvement pertinent issues for achieving a number of Sustainable Development Goals (SDGs).

> *Land use planning is a very contentious term. No matter how it is defined, it involves decisions and activities that represent the future uses of land and attempt to organize these uses in ways that will be beneficial to people who live on or use the land and the environment. Relevant to land use planning is the issue of land tenure,commonly "the relationship among people as individuals and groups on land and other natural resources.*

Land use planning is a very contentious term. No matter how it is defined, it involves decisions and activities that represent the future uses of land and attempt to organize these uses in ways that will be beneficial to people who live on or use the land and the environment. Relevant to land use planning is the issue of land tenure, commonly "the relationship among people, as individuals and groups on land and other natural resources". And the manner in which land rights are held. How people use and exercise rights over land has a tremendous influence on the direction of their development. Most importantly, the pattern of land allocations and the level of tenure security people have can determine the quality of their development. This makes land use planning and land tenure security pertinent issues for developing countries, where land tenure security will always be a defining feature of socioeconomic improvements. Although land use planning often exists in developing countries, it lacks sufficient connection with tenure security.

This guide is a starting point for developing practical knowledge on how to improve tenure security through land-use planning, with a particular focus on applications in developing countries. This guide is based on reviews of publications on land use planning and land tenure security previously published by FAO, Cities Alliance, GIZ, GLTN, IFAD, Urban LandMark, UN-Habitat, the World Bank, among many others. It builds on expert deliberations held at multi-stakeholder workshops on Tenure Responsive Land Use Planning. The guide also builds on knowledge and experiences gained from country specific case studies reflecting tenure security in land use planning conducted in Asia, South America, and sub-Saharan Africa.

The case studies offer a basis for the elaboration of key aspects considered in land use planning from different perspectives, including for tenure security improvement particularly for vulnerable groups. The e-learning package that complements this guide supports the efficient didactic coordination of knowledge, effective learning and knowledge dissemination. This work was undertaken through a joint endeavour with the Chair of Land Management at Technische Universität München (TUM), the Sector Project Land Policy and Land Management of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and UN-Habitat through the Global Land Tool Network (GLTN).

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INFORMATION ABOUT THE GUIDE

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1.1 OVERVIEW

As the period for the achievement of the Millennium Development Goals ends, the issues raised by land tenure insecurity will remain in the post-2015 era. The current generation has not only inherited the land from previous generations, but also the challenges associated with it. These include the responsibility of eradicating or reducing poverty, food insecurity, tenure insecurity, environmental risks, climate change mitigation and adaptation, and others. People will continue to face these challenges (whether as individuals, groups, communities or nations) unless actions for improvement are scaled up.

Land access and land tenure security are at the heart of the development of all rural and urban areas in the developing world. Owning, using, accessing privileges and exercising rights to land are crucial dimensions of wealth creation. This is true in rural, peri-urban and urban areas and these imbue land with environmental, economic, social, political and cultural functions. How people use and exercise rights over land has a tremendous influence on the direction of their development. Most importantly, the pattern of land allocations and the level of tenure security people have can determine the quality of their development. This makes Land Use Planning and land tenure security

Mobility, especially with motorized transport, requires an increasing share of land, both within cities and in rural areas
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pertinent issues for developing countries, where land tenure security will always be a defining feature of socioeconomic improvements. Understanding issues and concepts surrounding land is crucial to ensure security of tenure, which can then expedite poverty reduction or eradication. In this regard, Land Use Planning is an important concept for understanding and dealing with many of the global and local landrelated challenges encountered in land management. Land Use Planning done strictly to determine or allocate land uses without addressing people's needs, particularly land users' needs, is not sustainable, especially when the poor and disadvantaged groups within a community are not involved in the process.

It is important that land-use plans deliver pro-poor outcomes and that they consider appropriate measures to cater for the needs of the billions of people in developing countries. One of the key needs is tenure security - a driving force for pro-poor development and a primary concern for all landowners, users or right holders. Secure land tenure is a pre-requisite for sustainable maintenance and investment in land assets and thus has strong implications for sustainable land uses as well as for social relations and the sustainability of livelihoods. Though Land Use Planning and tenure security are equally important and interlinked issues for development, very often the two issues are addressed separately in Planning and development practices. One reason for this might be the very specific dynamics of land tenure issues. If not managed carefully, land tenure issues in a Planning process can result in unanticipated outcomes and even worsen the situation because land rights and tenure security are sensitive issues that can trigger severe conflicts or stimulate land grabbing. Further, the issue of land rights is often associated with the establishment of comprehensive land registers and cadastres, entailing lengthy and complicated procedures. This operational guide has been prepared to provide information on how to sensitize stakeholders to tenure security and attend to it in appropriate ways through holistic Land Use Planning practices.

Though Land Use Planning and tenure security are equally important and interlinked issues for development, very often the two issues are addressed separately in Planning and development practices.

1.2 WHAT IS THIS GUIDE ABOUT?

This guide is a starting point for developing practical knowledge on how to improve tenure security through land use planning, with a particular focus on applications in developing countries.

In line with the GLTN capacity development strategy, this guide aims to increase the capacity of its users by enhancing their understanding of and ability to implement Land Use Planning approaches, which includes tenure security improvement in developing countries. The guide is a GLTN publication and is accompanied by an e-learning training package and together they are a tool for education, training and capacity development on how to improve tenure security as an integrated objective of Land Use Planning in developing countries.

How this Guide was developed

This guide is based on reviews of publications on Land Use Planning and land tenure security. It includes contents on Land Use Planning and land tenure security previously published by FAO, Cities Alliance, GIZ, GLTN, IFAD, Urban LandMark, UN-Habitat, the World Bank, among many others. It builds on expert deliberations held at multi-stakeholder workshops on Tenure Responsive Land Use Planning by the GLTN, TUM and GIZ and their partners. It also builds on the knowledge and experiences gained from country specific "real life" case studies on Tenure Responsive LUP conducted in Asia, South America, and sub-Saharan Africa.

Who is this Guide for?

The purpose of this guide is to assist practitioners, students or learners, trainers and organizations involved in Land Use Planning and tenure security to understand how Land Use Planning can incorporate the improvement of tenure security in developing countries. It will also help government officials and practitioners to evaluate land use policies and make informed decisions about strategies to improve tenure security.

1.3 HOW TO USE THIS GUIDE: SCOPE AND LIMITATIONS

Land Use Planning and tenure security issues are multidisciplinary, multi-policy and cultural in both theory and practice. This guide addresses those who are involved in Land Use Planning and land tenure security to help them to adopt and apply Land Use Planning to improve tenure security. The guide provides a generic view of concepts and procedures and serves as a guide for orientation only. This implies that its users should customize the practical application of Tenure Responsive Land Use Planning for local or regional needs and circumstances. Users should interpret its content within their specific legal frameworks and policies, as well as their social and cultural contexts.

The e-learning package that complements this guide supports the efficient didactic coordination of knowledge, effective learning and knowledge dissemination. The guide is not a systematic manual on either Land Use Planning or land tenure security. Because of the complexities of Land Use Planning processes and the specific conditions for a Planning area, users will not find all the answers to critical questions on Land Use Planning and tenure securityin this guide. It also does not offer a comprehensive review of all issues concerning Land Use Planning and tenure security. Such comprehensive reviews on

Box 1: This guide is neither a handbook nor a manual on land-use Planning, about which there is much more information than is presented here.

There are many aspects of Land Use Planning not included in this guide, and it is assumed that users (practitioners, policymakers, groups, organizations or individuals) who are involved in Land Use Planning have a theoretical background. For further details on Land Use Planning processes, the following publications should be consulted:

Guidelines for land-use Planning, by FAO (1993)

Safer Homes, Stronger Communities: A Handbook for reconstructing after natural disasters, World Bank (2010)

Planning Sustainable Cities, UN-Habitat (2010)

- Handbook on Participatory Land-Use Planning: Methods and tools developed and tested in Viengkham District, Luang Prabang Province in Lao PDR, by NAFRI (2012).
- Land Use Planning - Concept, tools and applications, by GIZ (2012)
- Participatory Rangeland Resource Mapping in Tanzania: A field manual to support Planning and management in rangelands including in village land-use Planning, by ILC (2013)
- Manual on Watershed-based Participatory Land Use Planning for Nagaland, by UNDP (2014)
- How To Do Participatory Land-Use Planning, by IFAD (2014).

Many other manuals and handbooks do exist and can be consulted for full details on land use Planning activities, procedures and processes.

the subject are available from documents published by organizations such as Habitat for Humanity, FAO, UNEP, Urban Landmark, GIZ,BMZ, GLTN, IFAD and UN-Habitat. The reference section (Further Reading) of this guide provides information on some of these.

1.4 STRUCTURE OF THE GUIDE

The guide is organized into nine chapters, with a list of references and supporting documents at the end.

Chapter 1	Introduction presents information on the use of the guide.
Chapter 2	Introduces the concepts of Land Use Planning and tenure security. It describes the Land Use Planning process and presents an overview of tenure security as a challenge faced by developing countries.
Chapter 3	Provides a conceptual framework on how Land Use Planning can enhance tenure security and a framework for doing Tenure Responsive LUP.
Chapter 4	Provides details on how to combine Tenure Responsive LUP and other selected land tools that already exist. The chapter stresses the potential for Land Use Planning to be a stand-alone tool, but also shows how it should be incorporated into existing instruments to make it most useful and to enhance synergies.
Chapter 5	Highlights the possible areas of application for Tenure Responsive LUP.
Chapter 6	Presents some concrete crosscutting issues that are involved in land-use Planning , and hence are necessary for Tenure Responsive LUP. In addition, it outlines the preconditions for successful Tenure Responsive LUP.
Chapter 7	Presents the conclusions and provides a way forward. The chapter summarizes the important role that Tenure Responsive LUP can play in future efforts to improve tenure security.
Chapter 8	Features case studies where tenure aspects have been considered during land-use Planning.

PART II

BACKGROUND ON TENURE RESPONSIVE LAND USE PLANNING

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2.1 OVERVIEW

Land use Planning is one of the most sensitive political issues in any country because it affects people's livelihoods and the essential needs of communities. This makes it complex in political, social, cultural, technical and legal terms. Differences arise in the ways politicians and communities view land-use Planning; politicians usually consider it from a national and regional economic perspective, while communities see it from the perspectives of culture, local livelihood provision and local infrastructure needs.

Experiences in Ghana (see case study 1) show that communities in peri-urban areas view Land Use Planning from two major perspectives: development control and protection. Governments, on the other, hand see it as a regulatory process. In Laos, (case study 2), livelihoods dominate the need for tenure security and the form of tenure in rural areas. Political or government views on land tenure security tend to ignore or negate the functionality of customary land practices, which creates a sense of insecurity in communities. For instances, many governments often view customary tenure systems as economically unproductive. This negates other important aspects of community life in developing countries that attach traditional uses, values and interests that empower people to their relationship with land. Issues concerning heritage, identity, prestige, and land sharing (among others), for example, have a tenure aspect that can give communities a sense of livelihood, equality and empowerment. Government views reflect a disconnection between policy and local realities that leads to conflicts and results that are not responsive to the needs of the poor.

Political or government views on land tenure security tend to ignore or negate the functionality of customary land practices, which creates a sense of insecurity in communities.

Empirical studies carried out in developing countries over the last decade show that security of tenure is one of the most useful mechanisms for alleviating poverty.

Land use Planning has a powerful influence on policy and practices regarding the use of land. Tenure Responsive LUP is a process that takes land use planning a step further towards improving tenure situations. It is based on the idea that land use Planning can become a method of improving tenure security in developing countries. Empirical studies carried out in developing countries over the last decade show that security of tenure is one of the most useful mechanisms for alleviating poverty.

This chapter elaborates on the basic concept and principles of Land Use Planning as well as on tenure security, and outlines the main objectives of Tenure Responsive LUP.

2.2 BASIC CONCEPT AND PRINCIPLES OF LAND-USE PLANNING

The term Land Use Planning does not have one definition. Instead, different organizations - GIZ, FAO, UNEP, World Bank, GLTN, IFAD, UN-Habitat etc. - different countries and even specific regions within a country can have their own definition. Moreover, Land Use Planning definitions may change over time with new developments or new technology. The fact that many different definitions exist reflects the very broad field of applications for Land Use Planning and the flexibility of the concept to adapt to the specific needs and circumstances of a Planning area. Thus, Land Use Planning can focus on agricultural, environmental and infrastructure aspects etc., or on tenure aspects. Frequently, it addresses a mixture of the many

Today, such top-down Land Use Planning approaches with no participatory involvement in decision-making still exist and are based on the premise that the regulation of land use is a primary function of local governments.

characteristics of places through a cross-sectoral, multi-disciplinary and integrated approach. Nevertheless, the common concept of Land Use Planning is that its overall aim is to regulate the use of land and spaces, and the resources and utilities on them.

This guide does not provide additional definitions of land-use Planning. Rather, it summarizes existing definitions for its multi-disciplinary users, particularly in the context of Tenure Responsive LUP. It views Land Use Planning as a culmination of all activities and decisions related to the allocation and use of land that lead to improvements in peoples' way of living and their environment.

Similar to the definition, Land Use Planning has a different history in every country, with different approaches over time. In the United States, for instance, Land Use Planning has its roots in the first zoning plans of the late nineteenth century, which aimed to regulate land use.

The need for Land Use Planning in developing countries – tackled through international development assistance - has derived from concern about the world's decreasing resources and increasing population, expressed in the Stockholm Conferences 1972 (UN Conference on the Human Environment). As a result, land-related problems in developing countries have had increasing attention and different concepts of Land Use Planning have evolved. GIZ (2012) distinguishes three major stages in Land Use Planning approaches that still co-exist to some extent in different countries or within a country. For setting the framework for Tenure Responsive LUP, it is worth understanding the traditional approaches (see GIZ, 2012, pp. 43-44) and putting Tenure Responsive LUP in context to avoid mistakes made in the past.

The first phase of Land Use Planning was a rather scientific, top-down Planning approach, with the plan elaborated by experts. Due to the absence of modern information technology, especially geographical information technology, much time was spent on the preparation of maps using manual methods. Participatory approaches were seldom used and the integration of other sector plans was uncommon. A major lesson from this stage was that the approach may have produced a lot of new scientific information, but it also caused a lack of ownership of the decisions entailed in the plans. Consequently, most of these plans disappeared with little impact on development. Today, such top-down Land Use Planning approaches with no participatory involvement in decision-making still exist and are based on the premise that the regulation of land use is a primary function of local governments.

The second phase included participatory approaches through the involvement of villages and communities, driven by the development of participatory Planning tools (e.g. participatory rural appraisal). At the beginning, participatory Land Use Planning was isolated, and was applied in specific areas / villages or in specific development projects. Broad repetition of developed approaches in other areas or countrywide, as well as integration into higher level plans, did not happen. Mechanisms to document and to project and generalize to higher levels had to be developed. Not least, the development of spatial information technology such as geographical information systems (GIS), remote sensing and a global positioning system (GPS) enabled the easy capturing, validating and projecting or superimposing of participatory information and its integration into different plans. In the advanced stage of this phase, new concepts and mechanisms for integrated Land Use Planning were developed (Haub and Boguslawski, 2000).

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Based on these experiences and thanks to the benefits of new concepts, the third phase of Land Use Planning approaches includes clearly the broad repetition of Land Use Planning for larger areas or nationwide and the scaling-up of participatory land-use plans into other plans from the beginning. Due to the "integrated" approaches, Land Use Planning is incorporated into the overall development management.

The following describes some typical features of land-use Planning.

The form of a Land Use Plan

A typical Land Use Plan will consist of several components reflecting all or some (or more) of the contents shown in Figure 1. A land-use plan is commonly a report with descriptive text, maps, statistics and graphics, which reflect the uses, developments and potential of land and the restrictions and responsibilities tied to it. A land-use plan is the primary output and documents the outcome of the Land Use Planning process. It is an instrument for managing, regulating and optimizing land development and the spatial organization of improvements and uses of land. A land-use plan includes numerous data and information on land uses and their associated development in the present and in future. Some typical questions that a land-use plan can answer are:

- What kinds of land use currently exist and are being applied?
- Who is responsible for land uses and for what?
- What should the land use look like in the future?

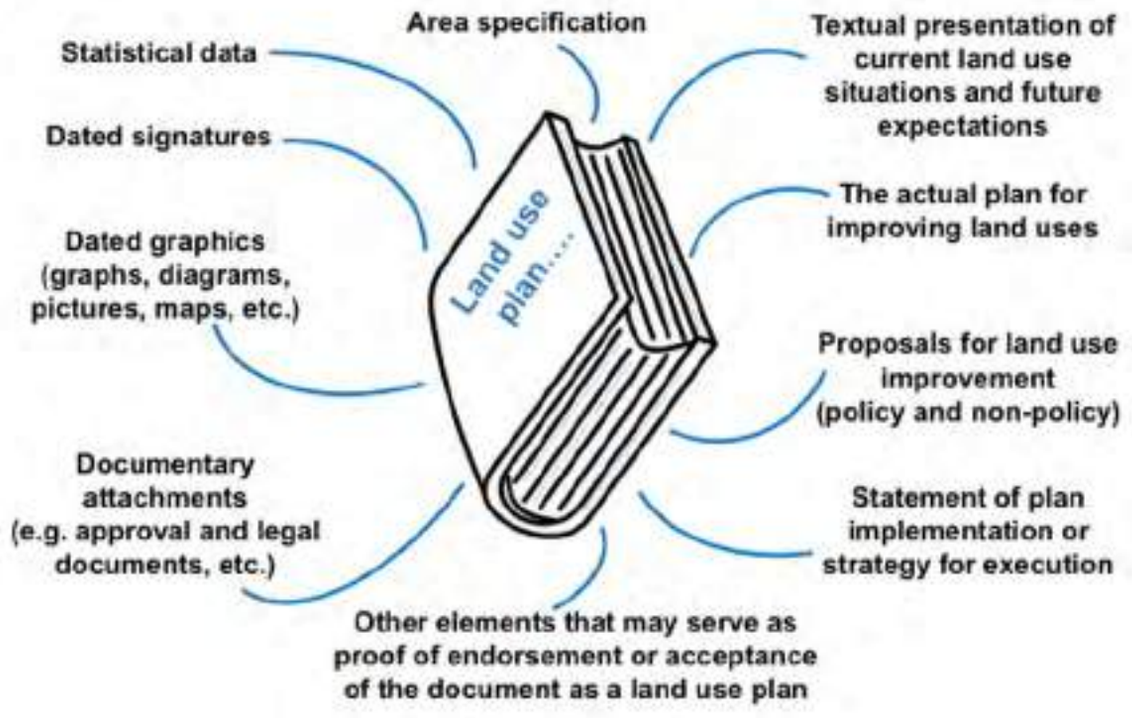

Figure 1: The various kinds of information contained in a land-use plan. Most of these are also required for tenure aspects

- What types of land should be used, by whom and for what?
- What types of land should be protected?
- What kinds of rights are allowed for public, pri-vate or group interests?
- Where should the different types of land use be located?

A land-use plan should be endorsed and accepted by all participants and stakeholders for it to become a legally and / or socially binding document for land users and decision-makers.

Objectives of Land Use Plans

The objectives of a land-use plan are established by the specific circumstances of the Planning area and are reflected in different goals that the land-use plan intends to attain. The specific cultural, social, economic, environmental and geographical conditions, as well as related resources and problems, determine the objectives of a Land Use Planning intervention. Thus, one of the first steps in a Land Use Planning process is a thorough analysis of the conditions and characteristics of the Planning area to identify problems and causes in order to set realistic objectives. Some objectives of Land Use Planning include, but are not limited to the following:

- Protection of land, water and mineral resources;
- Supply of land and provision of orderly use of land and the natural attributes of a place;
- Conservation of natural environment (e.g. forests, landscape, biological diversity, etc.);
- Provision of social and physical infrastructure for groups or communities;
- Protection or conservation of heritage objects (e.g. cultural sites, monuments, etc.);
- Enabling mobility and accessibility (e.g. the provision of integrated communication infrastructure and through transport networks, etc.);
- Definition of physical borders of land activities to encourage spatial functionalities;
- Improvement of agricultural production for food security or economic purposes.

Key principles of Land Use Planning

The level of success of a Land Use Planning exercise depends primarily on pre-defined principles and rules of conduct. Such principles will guide the entire process as overall values. Some general principles refer to any Land Use Planning (a comprehensive list of general Land Use Planning principles is provided in Deutsche Gesellschaft für Internationale Zusammenarbeit (2012, pp. 32–34), but these principles vary, depending on the Planning environment and the objectives being pursued in any particular Land Use Planning exercise at a particular period (see above). Thus, some key principles might not be of core relevance for a specific intervention, while other important principles may be added due to the set objectives. However, some of the major principles are:

- Land Use Planning is applied in context with the regional or local situation;
- Land Use Planning aims at sustainability and is balancing social, economic and environmental needs;
- Land Use Planning promotes civic engagement through active local participation, is based on local knowledge, is oriented towards consensus building and involves stakeholders in decision making;
- Land Use Planning integrates sectors and fosters interdisciplinary cooperation ("horizontal integration");
- Use Planning integrates bottom-up aspects with top-down aspects ("vertical integration" of Planning levels);
- Land Use Planning relates to spaces and places ("spatial orientation");
- Land Use Planning is implementation-oriented through the collaboration of stakeholders.

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Participation is a principle that is embedded in the Land Use Planning process. It enables the Planning to achieve its objectives, especially in a pro-poor context, because to reach consensus and achieve results, all activities (or sub-processes) within Land Use Planning demand people's participation. The interests and objectives of all concerned stakeholders constitute a necessary aspect of the process; hence, the mechanism of participation is inbuilt.

Participation entails the involvement of people or communities in expressing their objectives and needs in action and/or words. This can take different forms, for instance passive or active involvements, and consultative or mobilizing engagements. Other, less intense forms of participation, such as simple "information" or "consultation" meetings have not been successful in empowering communities because of the absence of dialogue. Land Use Planning processes that embrace participation are characterized by communication and cooperation of everyone involved. This makes Land Use Planning a collaborative and interactive process through multi-stakeholder decision-making in which all relevant stakeholders, including disadvantaged groups, take part. This allows "all participants to formulate their interests and objectives in a dialogue, which leads to decisions and activities in harmony with each other" (GIZ, 2012, p. 153).

Participatory involvement enables transparency in decision-making procedures and helps to "build trust, promote accountability, strengthen commitment of all stakeholders towards improved governance, and directly limit the potential for corruption" in Land Use Planning (UN-Habitat, 2004b). Participation "bridges the gap between the government, civil society, private sector and the general public, building a shared understanding of the local situation, priorities and programmes" (UN-Habitat, 2004b). This provides an enabling environment for the achievement of Land Use

Participatory Land Use Planning in Nepal © UN-Habitat

Figure 2: Land Use Planning at different possible levels

Planning objectives. As a result, participatory Land Use Planning helps to mediate between different interest groups and to identify compromises in the uses, rights, ownerships and interests they have in land.

Figure 2 shows the possible levels of Land Use Planning applicable around the world. Decisions at these different levels usually result in different scales of plans on land use. There are variations in the administrative structures of different countries, based on their legal framework and the scale of decentralization or devolution of authority. District and regional levels can be the same or separate levels in some countries. Some sub-Saharan countries (e.g. Uganda and Ghana) have districts and regions. In other countries, provinces might be combined into larger "Planning regions". Likewise, there may be Land Use Planning at village level in some countries (e.g. Tanzania) but this may not apply in others. The different Planning levels should be linked through top-down and bottom-up mechanisms in order to align the development approaches at different scales. This is of specific importance as Land Use Planning is not a stand-alone activity.

Different Land Use Planning levels

In all countries, governments are divided into different administrative levels, commonly local, regional and national. In some countries, the regional level is split into further administrative layers such as districts and/or provinces. The influence of these administrative levels on Land Use Planning is based on their respective functions (see box 2, below).

There are also supranational levels and a global level of decision-making that combine the interests of several countries and influence Land Use Planning throughinternational agreements, which will be

Box 2: Administrative and Planning levels in a country

Governments are grouped into administrative levels based on their roles and responsibilities, commonly in local, regional and national levels. While local authorities might have authority over building regulations for instance, the national level is responsible for the national transport network. These responsibilities can be separate or complementary and depend on the degree of decentralization that is in place. Accordingly, the different administrative levels have to deal with different kinds of issues, challenges and problems. The national level approaches issues from a "macro-perspective" and considers the development of the entire country; regional levels have "meso-perspectives", with a focus on regional issues; and local levels have "micro-perspectives", focusing mainly on the development of their own villages or communities.

Even though the nature and magnitude of problems and issues of the respective levels differ, decision makers at a given level must at all times bear those in mind that apply to other levels. In other words, the national level must consider local needs and constraints when formulating policies and regulations; on the other hand, the local and regional levels are bound by policies and regulations that are established by national government. (Haub, 2009, p. 10).

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Table 1: Land Use Planning roles and institutions in charge at different Planning levels

Levels of Land	Key roles in Land Use Planning	Institutions
Global	Define worldwide or transcontinental guidelines for land management, land-use and spatial Planning. Initiate treaties and conventions for sustainable land use and related issues.	Global organizations – e.g. UN-Habitat, UNECA, UNEP, FAO, World Bank, etc.
Continental	Define worldwide or transcontinental guidelines for land management, land-use and spatial Planning. Initiate treaties and conventions for sustainable land use and related issues.	Inter-ministerial committees, legal frameworks, designated ministries and technical authorities
Regional	Define national Planning systems, policies on land and resource uses, infrastructure, national programmes and directives on land use, spatial development and Planning.	Administrative and political committees, land sector agencies, technical services, etc.
District	Where districts are the same as regions, interpret national guidelines into district strategies. Where districts are below regional levels, derive district strategies from regional guidelines and implement strategies.	Administrative and political committees, land sector agencies, advisory boards, technical services, etc.
Municipal	Preparation of action-based land-use plans, coordinating physical implementation of land-use Planning, plan approval, monitoring compliance to land-use plan, etc.	Municipal Planning department, municipal council, local committee for land-use Planning, etc.
Village	Preparation of local land-use plans and action plans, representing village members in Land Use Planning activities, community plan endorsements, coordinating physical implementation of land-use Planning, plan approval, implementation of land-use plan, monitoring compliance to land-use plan, etc.	Village Planning team; village council, village committees for land-use Planning, etc.

translated into national policies. As a process for orderly arrangements and uses of land for sustainable development, Land Use Planning is applicable at global, supranational, national, regional, district, municipal and village levels (Figure 2).

Land Use Planning is an integral part of a wider development approach, embracing land-based and spatial needs. Moreover, decisions taken at one level of Land Use Planning influence activities at other levels. At continental and global levels (dotted in Figure 1), it is a non-binding issue with participation limited to national representatives of interest groups. One example of global-level land initiatives that may influence land-use decisions in countries around the world are the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (FAO, 2012). The guidelines specifically recommend that "transactions of tenure rights to land, fisheries and forests should comply with national regulation of land use and not jeopardize core development goals" (FAO, 2012, p. 19). For countries that adopt and operationalize these guidelines, land-use aspects need to be integrated into national spatial/Land Use Planning for it to have an effect on land use at the regional, municipal and village levels.

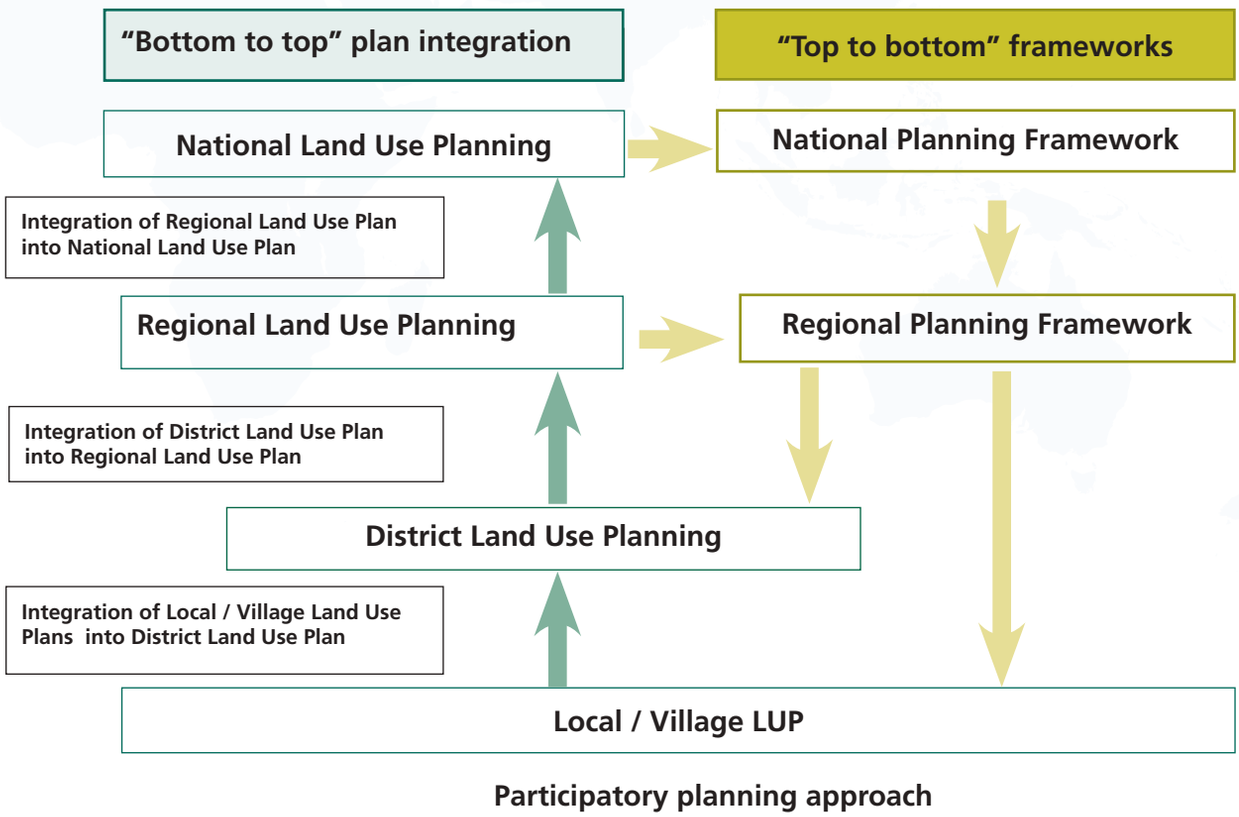

Figure 3: Model of "bottom-to-top" and "top-to-bottom" integration of different Land Use Planning levels in a country (Adopted from Haube, 2015)

An example for the supranational level is the African Union's (AU) Land Policy Initiative. This is a continental land policy aimed at invigorating the process of development in African countries.

Since Land Use Planning applies to multiple levels, each level promotes its own principles and practices depending on the roles, tasks and institutions at those levels. The information provided in Table 1 is generic (concerning country to village levels) and may differ from country to country. At the village level, land-use plans can only be legally binding if they are approved by a higher level. This can be at municipal, regional or district levels depending on each country's administrative system. In addition, the adoption of land-use initiatives at the global or supranational levels may also be non-binding for nations, except where they incorporate them into their legal system.

The Land Use Planning process

Current needs for sustainable development through land management demand real life responsiveness to problem solving. Planning procedures need to be flexible enough to adapt and adjust to unforeseen circumstances or developments, rather than be rigid Planning steps since the latter are unresponsive to human needs. "Land Use Planning is not a straight step-by-step procedure, but is iterative and cyclical. Such a process allows learning from experience and quick adaptation to changing circumstances. Approvedobjectives need to

> *Land Use Planning is not a straight step-by-step procedure, but is iterative and cyclical. Such a process allows learning from experience and quick adaptation to changing circumstances.*

be constantly rechecked and changed when they are no longer appropriate" (GIZ, 2012; p. 102). Rather than focusing on defined steps, effective Land Use Planning involves a number of activities that are iterative in nature and are carried out with all stakeholders through participatory practices (Figure 4).

Planning in general means to carry out a sequence of actions to shape the future with the aim of designing developments in an organized and coordinated manner through a structured process. It is guided by considering these questions: What is the present situation? What is the situation we want to have? How do we reach that situation? The process of preparing a land-use plan includes "the assembly and analysis of information, the formulation of objectives and goals, and the development of specific interventions" (UN-Habitat, 2008b; p. 6). The functions of a land-use plan should express the needs or aims of a specific Planning area and are addressed through the Land Use Planning process. They can vary from country to country and community to community. There are several characteristics of land-use Planning, which can be addressed and directly linked to tenure security:

- Its function to identify or determine land areas, parcels, uses and users and respective documentation, including also rights, restrictions and responsibilities.
- Through the involvement of all stakeholders, including the active participation of communities, tenure related issues, for instance the compensation of claims can be directly addressed during the Planning process.
- The determination of a certain use for specific land areas or parcels as such can already lead to a perception of secure tenure.
- Its impact on land value, land markets and credit opportunities.

The sequence and intensity of activities carried out under a Land Use Planning project can vary from project to project and depends on the legal framework, objectives and local circumstances. However, in general, the process has five major stages, which are arranged in a cycle (for further details see FAO, 1993; GIZ, 2012; Haub, 2009)

During the **organizational or preparatory stage**, the Land Use Planning team will be set up to steer and coordinate the entire process, facilitators or other staff will be contracted, permits requested, a Planning strategy developed, etc.

The analytical stage aims to collect existing data in the form of maps, statistics, etc. and analysethem. An assessment of the area and structuring of database systems are typical tasks at the beginning of the

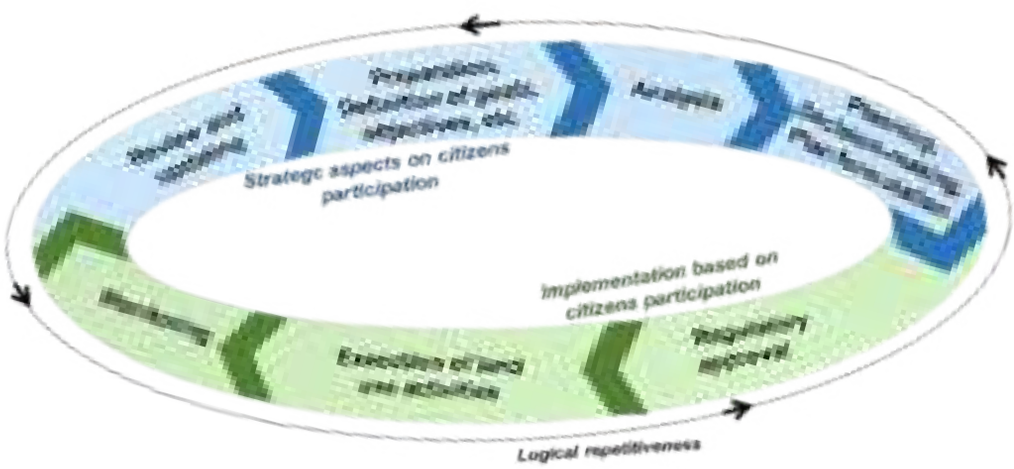

Figure 4: Cyclic Planning (of land use) as an iterative and participatory process

Box 3: What is Land Use Planning?

Land Use Planning is "a culmination of all activities and decisions concerned with guiding the allocation and use of land in patterns that enable improvements in people's way of living" and their environment (Chigbu and Kalashyan, 2015, p. 8).

There are many objectives for land-use Planning. In most cases, its outcome involves "allocation and zoning of land for specific uses, regulation of the intensity of use, and formulation of legal and administrative instruments that support the plan. A land-use plan may be prepared for an urban area, a rural area, or a region encompassing both urban and rural areas" (World Bank, 2010; pp. 108-9).

"Poor Land Use Planning associated with insecurity of tenure and incompletely specified land rights leads to problems of air and water-borne pollution from agricultural and industrial land uses" (UN-Habitat, 2008).

analytical stage. Participatory stakeholder involvement is crucial from the beginning, for instance for the collection, interpretation and communication of information. Therefore, one of the first activities in this stage is a thorough stakeholder analysis. Other Planning tools that may be applied at this stage are a SWOT analysis (strengths, weaknesses, opportunities, threats), participatory appraisal workshops, field visits etc.

Once the typical environment of the Planning area is identified - problems, root causes, available resources etc. - the first task of the actual Planning stage is to define the objectives of the land-use plan; the land-use process aims to find options and alternatives for future-oriented changes. Workshops, meetings and other kinds of interactions with all stakeholders are imperative in this phase, which should establish a long-term vision and strategies for proposed interventions. The intended changes are checked for their consistency with other development goals, laws and policies.

Participatory processes during the decision-making stage aim at getting consensus among all stakeholders on future-related decisions. At this stage of the Land Use Planning process, negotiations and mediation are the core activities.

The approval of the land-use plan and identified activities and projects by responsible authorities, as well as the plan's execution, are part of the implementation stage. During implementation,monitoring and evaluation and plan adjustment is important to accommodate unexpected or unforeseen developments.

What approach or which steps in Land Use Planning would be applied to what extent and with which tools depends on the specific project. The process enables flexibility in quickly recognizing, avoiding or rectifying mistakes, and in dealing with unwanted developments. For instance, unforeseen circumstances discovered at the stage of execution can lead to the redefinition of objectives.

Further information about Land Use Planning processes and procedures in general, including issues concerning financing and institutional capacities, are provided by Food and Agricultural Organization of the United Nations, FAO (1993), Deutsche Gesellschaft für Internationale Zusammenarbeit (2012) and International Fund for Agriculture and Development (2014).

2.3 DIMENSIONS OF TENURE

Land tenure refers the way people hold, own and enjoy rights to land. It defines (socially, legally or customarily) how people relate to land, either as individuals or as groups. These relationships come with many challenges; foremost among them are issues relating to loss of ownership, uses and the many privileges and rights people exercise over land. One major way of resolving these challenges is to ensure tenure security. Tenure security entails: "The right of all individuals and groups to effective government protection against forced evictions" (GLTN/UN-Habitat, 2011, p. 5). It can manifest in various forms, for instance in "an agreement between an individual or group, which is governed and regulated by a legal and administrative framework (the

legal framework includes both customary and statutory systems)"[…]"Security of tenure derives from the fact that the right of access to and use of the land and property is underwritten by a known set of rules, and that this right is justifiable" (UN-Habitat, 2004a, p. 31). Providing tenure security requires the recognition of diversity of land rights ranging from the most informal types of possession and use to formal ownership (Figure 5).

In the everyday life of a people, different types or levels of tenure security may prevail because of the rules, social practices and laws within a particular land jurisdiction. Land rights are not static but are manifest in various forms across a continuum of types of rights. A continuum of tenure rights exists in many developing countries where different options for land access and use patterns coexist. The concept of the continuum of land rights considers various forms of land rights in the range between informal and formal rights. Promoting a continuum of rights concept in tenure practices leads to a "robust tenure system that can protect people from eviction and give parents the right to pass theirland on to their children" (Sietchiping et al., 2012, p. 1). Different tenure arrangements (usually consisting of a range of options) can apply to millions of people around the world in developing countries. For instance, people who have homes in urban slums and rural areas, those who live on city pavements and those who rent rooms or land and property, have a different place on the continuum of land rights.

The effects of insecure tenure in developing countries have led to the exclusion of a significant portion of households from legal protection, which in turn leads to a reduction in prospects for economic development. People living in fear of eviction are less likely to realize their full potential as workers or as citizens and are unlikely to invest in improving their land, homes and their neighbourhoods (Payne and Durand-Lasserve, 2012). Secure land and property rights for all are crucial for reducing poverty.

Apart from creating the basis for household wealth, improved tenure security can foster social inclusion within communities because secure land tenure and property rights enable people to invest in their homes and livelihoods. Secure tenure also helps to promote good environmental management, improve food security, and it assists directly in the realization of human rights".The search for ways to improve tenure security on land has become a socially just and ethical issue. Over time, responses and policies for improving tenure security have included the promotion of customary land rights, tenure regularization and formalization, incremental tenure change, policy support for adverse possessions and perceived or de facto security of

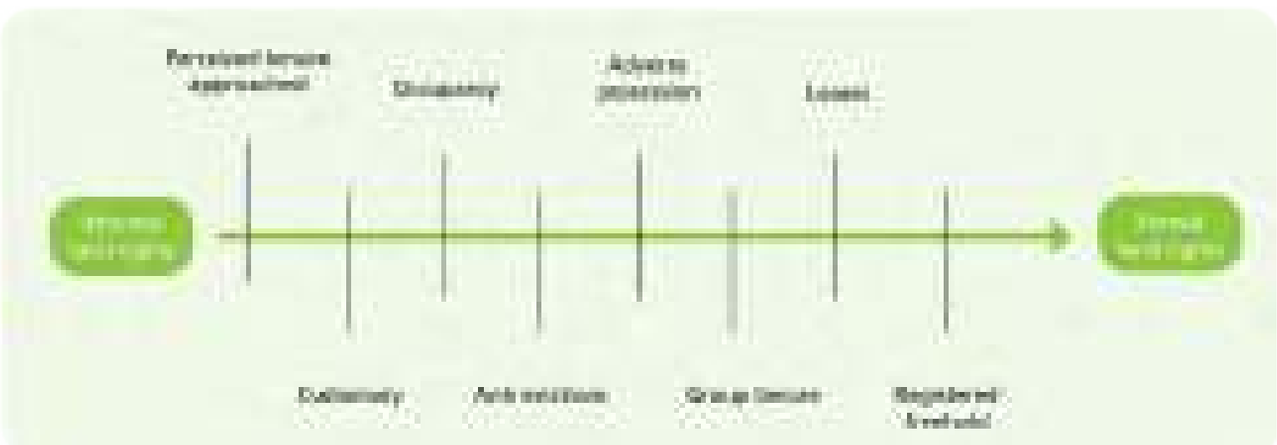

Figure 5: The continuum of land rights. (UN-Habitat/GLTN, 2008a)

tenure, and the adoption of anti-eviction laws for the protection of informal settlement residents. These attempts to improve tenure security have focused on the acquisition of documents as evidence of the legal status of families who own land. No matter the nature of their status (be it de jure or de facto), it was necessary to authenticate their legal claims with documentary evidence. This practice made the titling approach appear to be the only way to secure tenure (for details on tenure security, see GLTN/UN-Habitat, 2011).

Formal titling (traditionally based on land registration and a cadastre) is still the most reliable means of securing tenure. Land registration and cadastres play crucial roles in improving tenure security, but they are not enough to guarantee secure tenure for the poor. In fact, they have not been completely successful due to a lack of capacity, the high cost and the long implementation period necessary to set up these systems. Experiences from the World Bank's vast programmes on tenure security indicate that "formal titles are a necessary condition to developing a fully functional housing market, particularly a housing finance system, but they are not a sufficient condition to unlock the trillions of dollars that are said to be locked up in dead assets" (World Bank, 2006, p. 30).

At present, only 30 per cent of the land in developing countries is registered and at the current pace it would take up to 600 years to register all land in developing countries. Maintaining the status quo (that is, securing tenure through land titling) would have serious implications for poverty alleviation and eradication – a key aspect of the Sustainable Development Goals and the post-2015 agenda. Moreover, simpler approaches to improving tenure insecurity are available and,depending on the existing constraints, there is "a variety of tenure instruments that can be employed to convey property rights or freedoms" (Buckley and Kalarickal, 2006, p. 30). One example is effective community participation in the Planning of land uses and the common (voluntary) implementation of key projects, which creates ownership and a certain security

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of tenure. Tenure Responsive LUP is a new approach that can provide opportunities for securing tenure for poor people. The approach is important for developing countries because of its potential to cater for the needs of the poor without disrupting the interests of the wealthy.

2.4 MAJOR OBJECTIVES OF TENURE RESPONSIVE LAND USE PLANNING

Land Use Planning is an approach that has been developed and modified over decades as a technology, and is now regarded as a "central prerequisite for any (spatial) development that aims at social, ecological and economic sustainability" (GIZ, 2012: p.13). An important characteristic of the core concept of Land Use Planning is that procedures and methods are modified to suit particular needs and circumstances (see section 2.2). Therefore, Land Use Planning is applied in many different areas with numerous specific goals such as environmental protection, food security, rural development, climate change mitigation etc., considering also the multiple functions of land as a cultural, ecological and economic resource. Accordingly, the objectives of a land-use plan are very specific for each intervention. GIZ (GIZ, 2012) and FAO / UNEP (FAO / UNEP, 1999) define the main objectives of land-use Planning, summarized with the following statements:

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- to assess the physical, socio-economic, institutional and legal potentials and constraints for optimal use of land resources;
- to create preconditions for the use of land resources to create preconditions for the use of land resources
- to meet people's needs and demands;
- to activate social processes and empowers people to make decisions and build consensus;
- to use and protect private communal and public lands.

Land tenure (section 2.3) is the combination of social relations and the rules that affect the way land is owned and used (Payne et. al., 2012). The nature of rights, and the extent to which people have confidence that they will be honoured and recognized by public authorities and concerned communities, have a direct impact on how land is used (UN-Habitat, 2003). Tenure security is affected by the legal framework, social norms and cultural values of a society. The nature, character and organization in the allocation of rights to land differfrom society to society and there are as many systems of land tenure as there are societies (Payne et. al., 2012).

In view of the complex nature of tenure security and its multiple forms, Land Use Planning is an ideal platform to tackle tenure issues due to its sector-integrating, flexible, adaptive and iterative characteristics.

The objective of the Tenure Responsive Land Use Planning tool is to improve tenure security in a specific area, through the integration of tenure specific goals in the general Land Use Planning process.

The objective of the Tenure Responsive Land Use Planning tool is to improve tenure security in a specific area, through the integration of tenure specific goals in the general Land Use Planning process. Tenure Responsive Land Use Planning considers the various functions and forms of uses of land in this area, as well their influences on tenure security through a specifically designed process that is based on the core principles of land-use Planning.

The "rules of conduct" for carrying out Tenure Responsive LUP combine the basic concept of Land Use Planning and the requirements for tenure security:

1. Design according to needs and adjust to local conditions

The objectives, procedures and methods of Tenure Responsive LUP will adapt to the specific circumstances of the Planning area. Tenure Responsive LUP will be designed to suit the needs and demands of the target group; it considers local capacities and meets the administrative and regulative requirements.

Box 4: How lack of secure land rights undermines development

Excluding a significant proportion of urban and rural populations from legal shelter and secure land rights undermines prospects for economic development, as it reduces incentives for investment and imposes significant costs on government when addressing the consequences:

- People who fear eviction are not likely to operate to their maximum potential or invest in improving their homes, farms, villages or neighbourhoods.
- Tenure insecurity in rural areas undermines farm productivity, food production and the sustainable use of natural resources people rely on for subsistence and livelihoods. Source: UN-Habitat (2008: p. 14)
- Uncertainty and unclear land rights associated with insecure tenure may hinder local and inward investment in both urban and rural areas.
- Local and central governments are denied revenues from property taxes and service charges, which could help to improve urban living environments and the provision of essential services.
- Poor living conditions have adverse impacts on people's health, with possible impacts on the wider community.

2. Participation and civic engagement

Active participation in Planning and decision-making by all stakeholders will create ownership of the plan and this will ensure its sustainable implementation. Local knowledge through civic participation will identify problems and develop solutions.

People should be involved from the very beginning of the process. Their roles may involve providing information on social practices and land tenure, contributing to analysis and interpretation of data and information, and developing ideas and options on the best ways to ensure everyone's rights are respected and recognized.

3. Integration and Inclusiveness

Tenure Responsive LUP is multi-sectoral; it includes all sectors and related institutions and organizations. Thus, it is based on inter-disciplinary cooperation and sector coordination. It also includes all stakeholders and stakeholder groups such as land users, landowners, NGOs, private sector organizations etc. Inclusiveness ensures that all stakeholders can express their needs and concerns and that they benefit from Tenure Responsive LUP in fair and equitable ways. It is also important toachieve gender equality, equity and recognition through the appropriate involvement of women and the inclusion of relevant gender aspects. Women and men should have equal opportunities in the decision-making process in order to consider women's needs and interests and resolve challenges related to gender.

4. Good land governance

Land governance entails the rules, processes and structures through which decisions about the use of and control over land are made, the manner in which the decisions are implemented and enforced, and the way that competing interests in land are managed. Thus, good land governance is a basic principle for improving tenure security. Land represents wealth, social influence and power in many cultures and communities. Decisions concerning land will be holistic and will benefit everyone. In the context of Tenure Responsive LUP, land-related decisions support equitability, tenure security, the rule of law, accountability, human rights, women's inclusiveness, corruption intolerance and sustainability.

People should be involved from the very beginning of the process. Their roles may involve providing information on social practices and land tenure, contributing to analysis and interpretation of data and information, and developing ideas and options on the best ways to ensure everyone's rights are respected and recognized.

Those norms apply in all aspects and stages of Tenure Responsive LUP – from conceptualization, assessment activities, documentation and resolution of claims, concretization of the plan, endorsement, approvals and monitoring and evaluation processes. Good land governance depends on effective and efficient intra- and inter-governmental coordination of the Planning process. Political strategies and community visions (and the political will to implement them) are important aspects and therefore determine the success of Tenure Responsive LUP.

5. Adaptation to the continuum of land rights

Land rights are usually not absolute or clear. Tenure Responsive LUP recognizes the wide range of existing land rights that are reflected in the continuum of land rights (Figure 5) and distinguishes between different tenure forms, ranging from formal to informal rights. There are usually restrictions and state regulations that influence tenure securityin different countries. By conducting Tenure Responsive LUP according to the continuum of rights principles, a variety of possible tenure options may be identified, recognized and secured.

6. Recognition of social, administrative and legal tenures and rights

The legality and recognition of social tenure and rights on land are at the heart of tenure security improvement through Tenure Responsive LUP. At the same time, this

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requires social, administrative and legal recognition and "ownership" of the land-use plan. Such ownership is established through participation and negotiation. Instruments that manifest such ownership are local regulations, agreements and detailed management plans that accept the tenure and rights forms within the continuum of land rights for the Planning area. These agreements should be confirmed by the respective administrative, social and legal authorities in the area. However, in reality, the recognition of all land right forms by the different systems is problematic.

Recognition by (local) administrative authorities may involve specific policy instruments since local systems are embedded within the wider and overall administrative system of a country. However, there are possibilities for locally accepted "administrative regulations" that give citizens a sense of security about the rights and tenure they hold in land. Legal recognition may involve using existing laws to grant a legal status to a community or an individual. Depending on the administrative system, this may involve national, regional and/or local legislation. Social recognition entails the acceptance of tenure security through customary practices on land that are accepted or practised by local societies / communities. Socially recognized mechanisms of improving tenure security can be the entry point for the modification of legislation. The means of tenure recognition can create a diversity of options; for instance, a right that is not recognized by the legal system may be recognized by a social (customary) or administrative system. This will lead to different stages of tenure security within the continuum concept of tenure and land rights.

7. Capacity Development

The improvement and development of individual and institutional capacities is a crosscutting aspect and is crucial for sustainability, especially when introducing innovations such as the tenure responsive land-use plan tool. The field of capacity development in the context of Tenure Responsive LUP is wide, since the approach itself covers many sectors as a multidisciplinary instrument. Subjects for capacity development address cross-sectoral management capacities, process-steering, multi-stakeholder coordination, community development approaches, participatory moderation skills, workshop facilitation and organization and many others. "Capacity development and Land Use Planning can go hand in hand. Individuals can learn and procedures can be developed in parallel by actually conducting a participatory land-use plan and organizing its implementation" (GIZ, 2012, p. 181). Consciously adopting capacity development as a key principle in the process may be crucial to achieving improved results over time. Inclusiveness and participation of people in processes such as land-use mapping and inventory (assessments), land rights enumeration, leadership and steering through Planning committees and other activities, may lead to capacity improvements through "learning by doing". Other instruments for capacity development include coaching, hands-on assistance or training and lecturing courses.

PART III

HOW TO DO TENURE RESPONSIVE LAND USE PLANNING

PART III

HOW TO DO TENURE RESPONSIVE LAND USE PLANNING

3.1 OVERVIEW

Current challenges in rural and urban areas around the world adversely affect land use and security of tenure, yet, Land Use Planning is often carried out in developing countries with insufficient connection to tenure security. Most governments in developing countries are investing in land registration systems and the improvement of land administration systems with the aim of reducing land conflicts and attaining efficient land markets. Many of them channel huge amounts of money in these projects but the impact on poverty reduction and economic development by land titling is vague and the experiences regarding tenure security through land titling differ (Payne et. al, 2009). With the introduction of formal registration, especially in areas where customary tenure systems exist, unpredictable effects may occur (Larmour, 2002; see also section 2.3). If the cost of formal registration processes is also considered, a more efficient initiative for governments would be to use Land Use Planning to widen the margins of tenure security improvements in their countries and, where necessary, they should stop treating Land Use Planning and tenure security as two entirely different issues.

People-centred development is not sustainable in the absence of secure tenure on land. Land Use Planning can be a practical way to improve tenure because of its effectiveness in defining appropriate land-use classifications. In addition, its role in enabling efficient allocation, functional patterning and balanced distribution of land resources can have profound impacts on social, economic and environmental development.

It is acknowledged that land tenure security status has a significant impact on land prices and hence affordability. Land Use Planning has a similar effect, which makes it a practical way to improve tenure security. Combining Land Use Planning and tenure security in land management practices may have a greater impact on tenure security, leading to significant impacts on land markets and the ability of households to obtain access to secure land.

People-centred development is not sustainable in the absence of secure tenure on land. Land Use Planning can be a practical way to improve tenure because of its effectiveness in defining appropriate land-use classifications. In addition, its role in enabling efficient allocation, functional patterning and balanced distribution of land resources can have profound impacts on social, economic and environmental development.

Tenure Responsive LUP cannot be implemented by a top-down approach as the full participation of affected people (landowners, tenants, land users etc.) and other stakeholders such as politicians, local chiefs etc. is vital. It differs from other Land Use Planning approaches mainly because its key objective is tenure security. However, tenure security has to be addressed in context with other relevant land-related issues.

3.2 INTEGRATING TENURE ASPECTS IN LAND USE PLANNING

The potential of Land Use Planning to improve tenure security is derived from practical experiences in developing countries. Generally, the preparation of a land-use plan includes several steps and outcomes that are required when addressing tenure security issues. This creates the potential to link both issues and to include tenure security in the Land Use Planning process. These links are based on the following functions, characteristics and features that have the potential to address tenure security:

Reconciling viewpoints in a dialogue through Land Use Planning

Bringing different stakeholders together with a common goal creates a meeting point for politicians (through policy makers and local administrators) and

communities to negotiate for common ground and a way forward. A process in which a balance is reachedand communities' views on tenure security concerns are adopted usually leads to pro-poor land tenure. Thus, the dialogue in a Land Use Planning process creates a forum for reconciling viewpoints in an environment in which poor community members are less fearful about losing the rights they have on land. It reduces the fear people have that others could encroach on their land uses and land rights.

> *The participatory processes in Land Use Planning can play a big part in resolving conflicting land claims through stakeholder negotiations. Participation helps to create positive relations between different actors with conflicting rights and interests in land. Pro-poor land tenure cannot be achieved by negating communities' views about their needs, customs and priorities for land uses.*

Participation as an instrument for linking land right issues with land uses through Land Use Planning

In developing countries, Land Use Planning is often carried out as a socio-political process that reflects "the ideologies and interests of dominant actors" (Lane, 2006, p. 386) and involves a top-down Planning process, thereby lacking "ownership" and making it repressive for minority groups. Despite that, tenure security can be enhanced when Land Use Planning processes shift from "state-imposed, modernist prescriptions, towards a more transactive, participatory approach" (Lane, 2006, p. 386), meaning to conduct it as an interactive, iterative, communicative, consultative and collaborative process. Such a process will promote community participation and involves stakeholders with various interests in land, in order to lead to equitable and empowering outcomes for different individuals and groups involved in land use. The participatory processes in Land Use Planning can play a big part in resolving conflicting land claims through stakeholder negotiations. Participation helps to create positive relations between different actors with conflicting rights and interests in land. Pro-poor land uses. It is only achievable when all citizens are treated equally with regard to access to land and services. Land and property rights are not mere physical and intrinsic properties. They constitute social relations within cultures and between community members, people and the government. These social relations influence how people construct their sense of identity in relation to their culture, household structures, social class, social systems, gender, political systems, etc.

Accordingly, pro-poor land tenure promotes principles and actions that take into account the plight of people living in poverty and it embrace the rules that regulate activities related to land. The involvement of communities is imperative, bearing in mind the socio-political, economic and cultural concerns that impede tenure in community planning. The participatory procedures included in Land Use Planning consider these principles of tenure security and connect Land Use Planning with land right issues as a key element to negotiate for pro-poor land tenure. Its role in removing inequitable principles on land tenure through stakeholder involvements can directly improve tenure security.tenure cannot be achieved by negating

Box 6: How participation in Land Use Planning connects it to tenure security and helps improve tenure security

Legally binding local land-use plans that have been prepared in a participatory manner and that are officially recognized local agreements on the use of land can increase the chances of people being safe from "land grabbing", especially when these plans and agreements also address the issue of tenure security, as is the case in Laos and Cambodia. Land Use Planning can also be a platform to solve land conflicts that result from large-scale land acquisition. Local administrative bodies need to invite the foreign investor as well as the responsible members of their government to negotiate land-use compromizes in the respective area. Technical cooperation could play a role as a mediator and/or provide support to the local community. (GIZ, 2012, p. 14).

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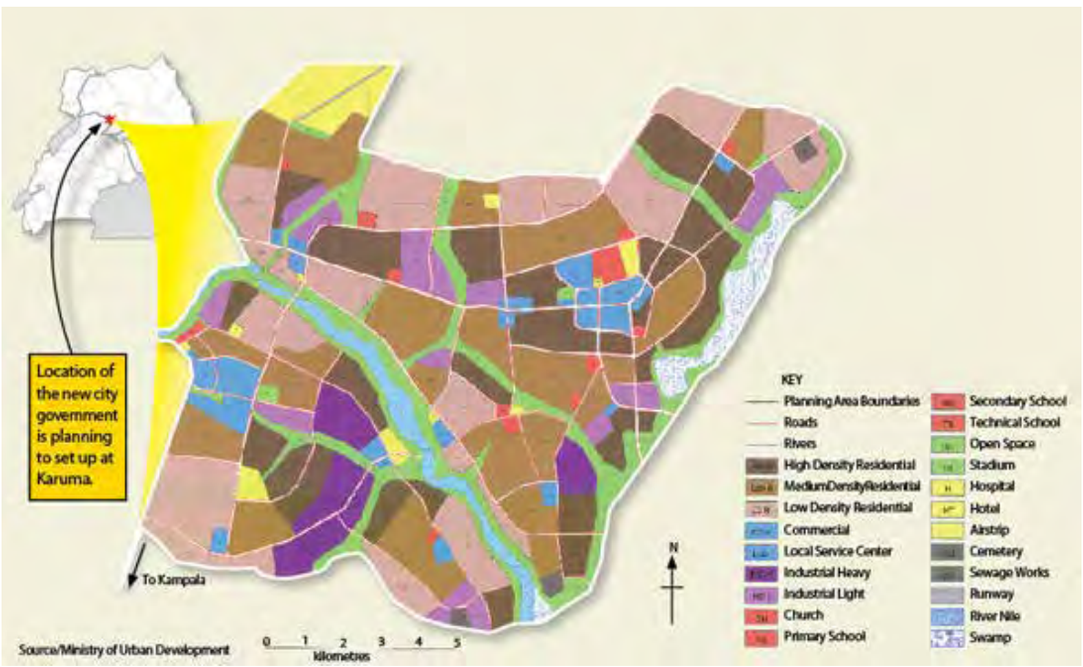
Participatory mapping provides the means to capture and document local knowledge about locations, boundaries, land uses, land ownership etc. Here, local representatives are engaged in a mapping exercise for capturing information in a geographic information system at Poblacion Barangay Assembly in Muntinlupa, Philippines. © Philippines Alliance



Land Use Planning provides a model of different land uses in a city and guides residents on where and how to access facilities. This image shows a proposed land-use plan for building a modern city in Karuma, some 300 kilometres north of Kampala, Uganda. Note the pattern of land allocation and the use of colours to designate different land uses. © Ministry of Lands, Housing and Urban Development, Uganda

communities' views about their needs, customs and priorities for land

Documentation of land rights Land Use Planning

Land Use Planning includes various documentations of land rights, which enhances tenure security since most of the information, data and records captured are also required when addressing tenure issues.

> Throughout the Land Use Planning process, numerous records on the use, ownership etc. of land are collected through mapping activities that delineate land uses, land areas and/or parcels. These records can be used to remedy unclear land borders to address tenure security issues. For a land-use plan, these records are commonly compiled in a generalized form. When including tenure aspects in the Land Use Planning process, respective records can be detailed (to a certain extent) and / or enhanced. Under certain circumstances, such records could be of use later in registration or titling proceedings (see case study 1). Concerns about land titles being the ultimate goal of tenure security are discussed in section 2.3.

By including data and documentation on existing ownership and rights, a land-use plan adds detailed information on tenure. In rural areas, especially communal lands, the restriction to certain uses identified through a land-use plan can provide tenure security through the perception by the land users. In such cases, the land-use plan does not need to include parcel-related data and details about landowners.A specific process on collecting land-related information is participatory mapping, commonly applied during land-use Planning. Participatory mapping has the advantage of collecting information about land and its resources from the perspective of the core stakeholders (i.e. the land users). At the same time, it improves confidence in people and the perception that their parcels of land captured by a land-use plan are protected from vested interests.

Considering the continuum of land rights for organizing land use regulations through Land Use Planning

Land Use Planning as a means to secure tenure builds on the symbolic and practical role of Land Use Planning as the key to land-use organization and the regulation of private and public spaces. When done to improve tenure security, Land Use Planning can refer to the concept of the continuum of rights (section 2.3) and the incremental improvement of tenure. Since Land Use Planning is gaining official recognition through laws, government policies, administrative actions and community participation, it is an ideal tool to consider tenure as being on a continuum and to prepare regulations and reach agreements accordingly.

Using the continuum of land rights as reference for tenure aspects through Land Use Planning provides options to gain the social, legal and administrative recognition of land rights as part of the process. This sort of recognition may not necessarily lead to full tenure security, but land users, tenants and owners cantake an incremental movement from tenure insecurity towards different levels of tenure security. One tool

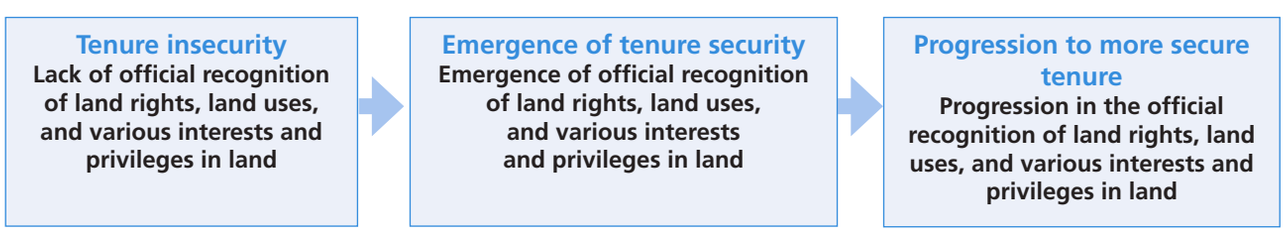


Figure 6: Stages for incrementally securing tenure.

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Migration from rural areas leads to informal settlements and slums on the periphery of cities, where service provision is one of the big challenges. Residents of Korogocho slum line up for water © Julius Mwelu/UN-Habitat

that could be integrated into Land Use Planning to improve tenure security is, for instance, the issuance of occupation certificates. In general, administrative actions by authorities that recognize local practices and customary rights improve confidence against evictions.

Include new urban Planning principles in Land Use Planning

Land Use Planning enables the integration of slums into the city by adopting and promoting principles of new urban Planning. In many cities in developing countries, "urbanization has become synonymous with slum formation" (UN-Habitat, 2010, p. 3). Well-conductedLand Use Planning practices in developing countries have the potential to adopt "approaches based on innovative land ownership, public space upkeep, soft mobility and slum integration" (UN-Habitat, 2010, p. 3). This is only possible by conducting Land Use Planning based on equitable principles. UN-Habitat (2010, p. 3) has identified ten essential principles for "new urban Planning":

1. Promote sustainable development
2. Achieve integrated Planning
3. Integrate plans with budgets
4. Plan with partners and stakeholders
5. Meet the subsidiary principles

6. Promote market responsiveness
7. Ensure access to land
8. Develop appropriate Planning tools
9. Be pro-poor and inclusive
10. Recognize cultural diversity.

Section 2.2 summarizes the key features of the Land Use Planning concept. Having also elaborated on the linkages between land use Planning and tenure security, Tenure Responsive LUP can be understood as a special form of land-use Planning, which includes land rights issues from the onset. Chapter 2 sets out the key features of Land Use Planning (section 2.2); it indicates the specific features of Tenure Responsive LUP and outlines its operational structure.

Impact on land values through Land Use Planning

Land Use Planning can influence land values and, with this, credit opportunities. Land Use Planning assigns specific or multiple functions to land areas and can plan for infrastructure developments on or around land parcels, which affects land prices. The uses and designated purposes of land in a land-use plan influence its value and attract investments in economic activities within urban, rural or peri-urban neighbourhoods. Thus, Land Use Planning can provide location advantages for land parcels; identify areas for specific uses, impose restrictions on certain uses, and protect economic and social resource values. Land Use Planning can also trigger socio-economic development by identifying regional land-use opportunities. Development on land or improved land uses influence regional and local enterprise development or the establishment of industrial hubs, increase employment opportunities, improve residential housing, etc.

3.3 OBJECTIVES, PRINCIPLES, LEVELS AND PROCESS OF TENURE RESPONSIVE LAND- USE PLANNING

Though one of the key objectives of the Tenure Responsive LUP tool is to improve tenure security, the tool adheres to the principal concept of the general Land Use Planning concept and includes also other key objectives. Thus, Tenure Responsive LUP is inclusive in the way that it addresses all relevant land-use related issues. Thus, the approach considers three major aspects:

1. The actual Land Use Planning process
2. The aspect of land tenure security in the proposed Planning area
3. The local realities in countries or communities where a Land Use Planning initiative is being carried out (i.e. the frame conditions)

Section 2.2 summarizes the key features of the Land Use Planning concept. Having also elaborated on the linkages between land use Planning and tenure security, Tenure Responsive LUP can be understood as a special form of land-use Planning, which includes land rights issues from the onset. Chapter 2 sets out the key features of Land Use Planning (section 2.2); it indicates the specific features of Tenure Responsive LUP and outlines its operational structure.

Setting concrete objectives for a Land Use Planning

Tenure Responsive LUP combines the achievement of two significant goals into one single process: organizing land use sustainably and achieving security for land rights. Though both goals are connected (Chapter 2), both are commonly addressed through different processes (section 1.1). The challenges of a tenure

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responsive land use policy therefore involve promoting orderly allocation, pattern and preservation of land, while protecting users' ownership, rights and interests from threats to their rights on their land.

If tenure security is an issue, or is revealed as a relevant issue, in the Planning area during the Land Use Planning process, it has to be made an objective of the land-use plan. This objective should reflect an outcome that would be realistically achievable. When addressing tenure in land-use Planning, it should relate to the continuum of land rights. Integrating the continuum of rights principles and practices makes any plan tenure security sensitive and attentive "to land tenure in Land Use Planning programmes so that they embrace or become closely associated with land rights issues" (Chigbu et al., 2015, p. 9). Thus, an analysis of the current situation should identify existing tenure forms, and the agreed solutions should consider the appropriate form of land rights in the given context.

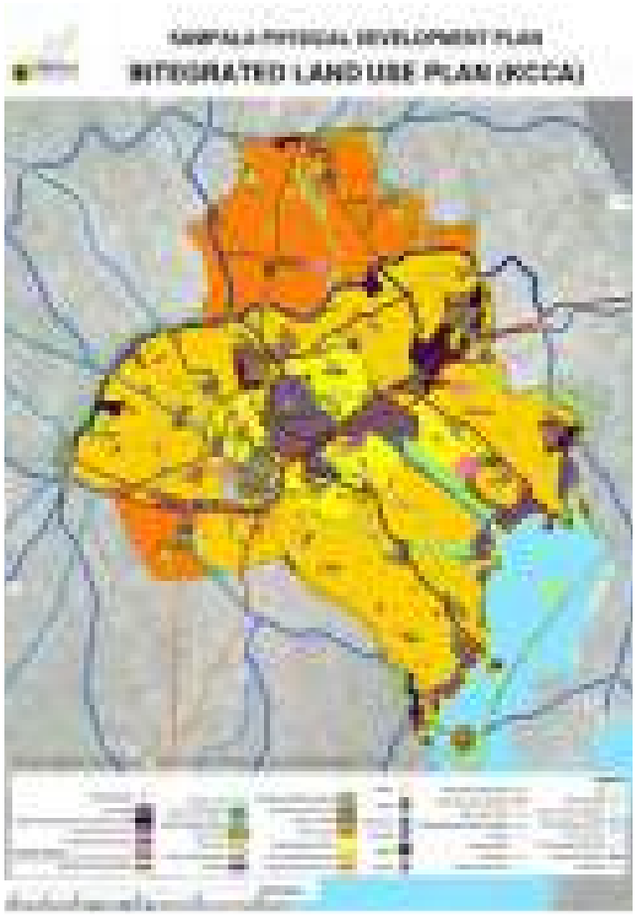
Principles of Tenure Responsive Land Use Planning

The principles of Tenure Responsive LUP relate to the basic rules, norms or values that are necessary in any Land Use Planning process. They include people-centeredness, public interest, sustainability, continuity, participation, inclusiveness, gender responsiveness, climate-change responsiveness, transparency, pro-poor, among others. With all of these issues, participation stands out because of its capacity to be a spring board for attaining pro-poor goals (see also section 2.2). It enables all stakeholders to reach consensuses on the best use of land.

Considering the importance of land rights and tenure security and their impact on the sustainability of land uses (Chapter 2), Land Use Planning has to be responsive to tenure security for it to be effective in poverty eradication or alleviation. Responsiveness to tenure security should therefore be a key principle of land-use Planning. For details on principles of land tenure, see Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (FAO, 2012).

Process considerations for Tenure Responsive Land Use Planning

A Land Use Planning process follows a specific sequence (section 2.2). Throughout the process, the weighting and importance of tenure-related aspects in the Planning area have to be identified and possible solutions discussed. Depending on the circumstances and conditions related to the Planning area, tenure-related issues or problems can be very clear from the beginning of the process (during the organizational stage, see section 2.2) and their solutions might be the core objective of the plan. However, it can also be the case that tenure-related issues are not clear or are



Integrated Land Use Plan for Kampala City ©KCCA, KPDP 2012

Land Use Planning has to be responsive to tenure security for it to be effective in poverty eradication or alleviation

unknown when starting the process. Therefore, the process of a tenure responsive land-use plan includes an investigation on tenure aspects in the analytical stage (section 2.2). Tenure-related issues can be identified, for instance, through the review of documents or during a field trip. Above all, the principle of participation has to be seen as the most important tool for identifying and analysing tenure issues during the analytical stage as it considers the perceptions and perspectives of all stakeholders (e.g. land users, landowners, politicians etc.). Moreover, tenure aspects can become relevant during the Planning stage, for instance through planned interventions, which might have relevance for land-rights issues. Hence, the entire process has to be sensitive to any existing or upcoming tenure-related aspects in order to address them with the appropriate tools (see Chapter 4).

Finally, there might also be cases where Land Use Planning is carried out in areas where tenure and land ownership is clearly defined and tenure security does not need to be addressed in the land-use plan.The process of a Land Use Planning initiative for improving tenure security should be "iterative and integrated

Box 7: Example of a Participatory Land Use Planning Process (PLUP) in Namibia

Centralized and sectoral steering of development in Namibia, combined with the absence of sector coordination and holistic development strategies, leads to conflicting and overlapping land uses with challenging land-use patterns. In order to achieve coordinated development and reduce land-use conflicts, the Ministry of Lands and Resettlement (MLR) in Namibia developed and implemented an approach for Integrated Regional Land Use Planning (Haub and Mujetenga, 2012). The process also addresses sub-regional / local issues through participatory Land Use Planning. Thus, it combines two different Planning levels in one concept. The following summarizes the process for a participatory Land Use Planning workshop in the Hardap Region (Namibia), as part of the Hardap Regional Land-Use Plan.

The objective of the PLUP was to improve farm management on communal land in central Namibia and it followed these steps:

1. Preparatory PLUP Meeting with key stakeholders to identify the major land-use challenges in the area and to prepare the PLUP interactions.
2. Participatory Planning workshops with participation of the entire farming community of the area. The workshops provided the following outputs:

- Problem Tree: Major challenges on the livelihood situation of the farming community were captured in the form of a problem tree.
- Community Sketch Map: Following discussions of the challenges on the problem tree, the participants prepared a sketch map of the community to locate resources and problems related to access to and control over natural resources.
- Venn diagram: The roles of important organizations, institutions and stakeholders were identified through a Venn diagram.
- Solution Tree: Discussions among the community members led to the preparation of a solution tree to provide solutions for each of the identified problems.
- Action Plan: The community prepared an action plan for the implementation of concrete activities and allocated required resources, responsible institutions and a time frame.
- Vision Map: In support of the action plan, the community prepared a vision map of the Planning area to visualize the planned improvements, but also a broader development vision for their area. The map is basis for further development Planning and will be used for the monitoring of the action plan. The Vision Map was incorporated into the Integrated Regional Land-Use Plan.

The PLUP identified two major problems: scarcity of clean water and limited availability of suitable farmland. The activities in the action plan addressed these problems with the improvement of water infrastructure, sustainable water use and improved farm management, such as controlled livestock movement etc. The implementation of activities has been assigned to responsible organizations, identified in the Venn diagram. Progress monitoring and process facilitation were assigned to the Constituency Development Committee representing the community. (Scholler, 2012)

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Box 8: Embedding Land Use Planning in an overall planning system

Because Planning is a core instrument for regulating and managing development and land uses in a country, an overall Planning system guides the link between the different sector plans ("horizontal integration") and between the Planning levels ("vertical integration"). Thus, a Planning system draws distinctions between local-level Planning, regional/district Planning and national planning.

Ideally, a local-level land-use plan with its projects and regulations is reflected in a national land-use plan, for instance through a national land-use classification or respective policies and laws. Thus, a complementary flow of information and regulations from the local "bottom-level" to the national "top-level", and vice versa, is required in meaningful planning. In this, the local levels express their needs, challenges and visions in the land-use plan and the national level considers these through overall policymaking. Thus, Land Use Planning becomes a mouthpiece of civil society and an instrument for the people, by the people (Haub, 2009, p. 10).

– cutting across different sectors and bringing multiple stakeholders together" (IFAD, 2014, p. 2). Thus, it is a participatory Land Use Planning process with the intention of improving tenure. Success can only be achieved by understanding the land-use interests and needs of local communities in relation to their land tenure systems. While top-down Planning approaches can take several weeks or months, a participatory approach can take several months, if not years (depending on the size of the project area and the issues at stake). The timeframe for a tenure responsive land-use plan may be long because of additional procedures that could arise during the process and because of the conflict potential in addressing land-rights issues. Additional activities, such as conflict resolution and resolving compensation issues, are to be expected. Therefore, in order to achieve acceptable solutions, there is a need to invest time in the process. Moreover, issues related to finance and institutional capacities are crucial for conducting successful tenure security sensitive land-use Planning.

When addressing the improvement of tenure security, it is important to include implementation activities at the end of the Planning process to create trust and ownership in the plan and its intended measures.

Planning levels and existing guiding frameworks for Tenure Responsive Land-Use Planning

The various levels of planning (section 2.2) are an important component of an operational framework and influence each other in the way Land Use Planning is carried out at the different levels. Understanding the role these levels play in is important for sensitizing tenure security during the local implementation process. To operationalize Tenure Responsive LUP, the different Planning layers (refer to Figure 2 and 3, Table 1) should provide an enabling environment for a Land Use Planning led approach to tenure security to materialize at the local level. The following are important roles that each level of Planning can play.

Local and country-specific realities for Tenure Responsive Land-Use Planning

It is mandatory to recognize country specific contexts in Land Use Planning and tenure security issues. Different prevailing tenure security and Land Use Planning realities exist in developing countries and tenure has a country-specific context. Capturing many and different legal forms of tenure is important for achieving feasible and viable plans.

In the attempt to regulate land uses, Land Use Planning has common rules, guidelines and / or policies, which support or restrict certain land uses. Regulative aspects such as restrictions and the responsibilities of land usersand owners, as well as land rights (in the context of the continuum of rights, see Chapter 2) can be included and will also discourage forceful evictions and avoid expropriation.

Figure 7: The major aspects of the Tenure Responsive LUP concept

A major issue in developing countries is the spatial development framework (SDF), which guides overall spatial distribution of current and desirable land uses within a municipality, province, region or country with a common set of objectives, rules, regulations and policies. A SDF can also outline specific potential, restrict specific uses (e.g. for environmental protection) or can promote certain uses. Ideally, the SDF also regulates the inter-connection of spatial plans, between higher and lower administrative levels and the integration of sector plans. SDFs can extend to a countrywide land-use classification. Though many countries do not have a defined SDF – and if a country has a SDF, it might be entirely different in terms of structure and contents from the SDF of another country – it can be a guiding framework that supports pro-poor development. If a SDF does exist, the tenure responsive land-use policy should be embedded in it. Through its lower level plans (ranging from spatial development plans and local area plans to land-use plans), it guides both land-use decisions and development frameworks (Todes et al., 2010). In improving tenure security through Land Use Planning, a spatial development framework can serve as a statutory or policy development guide for local level development. It can enable other regulatory frameworks to link with land-use decision-making in ways that support tenure security. Thus, it can ensure an enabling environment for the implementation of a successful tenure responsive land-use plan.

The linkages between the Planning process, tenure security and local realities shape the Tenure Responsive LUP concept, which should, in all cases, focus on local realities when aiming to improve or secure tenure through a Land Use Planning process (Figure 4).

This entails (re)assessing how people use land and people's relationships with land and other natural resources. Tenure Responsive LUP identifies tenure security as an essential issue necessary for alleviating or eradicating inequalities and livelihood issues emanating from land uses, landholdings, social practices related to land, enjoyment of privileges on land and the exercise or management of land rights and restrictions. Eventually, Tenure Responsive LUP should provide interventions that lead to or evoke recognizable rights over land that individuals and groups can identify with. Such interventions may include discouraging forced evictions, enhancing dispute resolutions, recognizing the continuum of tenure rights, and strengthening institutional and organizational frameworks. Other interventions through Tenure Responsive LUP are recognizing informal tenure, improving capacity development, adopting local knowledge, and time or post Land Use Planning documentation.

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Guiding frameworks to be considered for Regional Tenure Responsive Land Use Planning

- **Global or international guidelines on urban and rural planning.** At the global level, international guidelines for addressing land use and tenure security issues are provided. UN-Habitat's (2015) proposed that International Guidelines on Urban and Territorial Planning (2005) could play a strong role in this. FAO's (2012) Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the context of National Food Security is another important framework for governing tenure aspects. UN-Habitat's (2015, p.1) International Guidelines on Urban and Territorial Planning guides the improvement of policies, plans and designs for more compact, socially inclusive, sustainable, better integrated and connected cities and territories.
- **Supranational land governance initiatives in support of land access, sustainable land uses and tenure security improvements:** At the supranational or continental level, different continental government bodies in Africa, Asia and South America promote good land governance on their continents. One example is Africa's Land Policy Initiative, which aims to enable sustainable land-use as a means of driving development on the African continent. Such initiatives can influence national policies to embrace sustainable Land Use Planning and tenure security sensitiveness.
- **National spatial Planning and development guidelines:** The national frameworks for development should consider global and supranational frameworks to develop activities and Land Use Planning within their respective countries. The national framework should provide guidelines on how to plan in support of all aspects of nationwide development. It should guide the Planning for all sectors as they relate to different spatial units within the entire country. National guidelines should also support tenure security improvement as a strategy for grassroots development.
- **Regional (or district) Planning and development guidelines:** Following the national policies, a regional framework is necessary for overall strategic Planning guidelines for sub-national areas. At the same time, the regional level connects strategic Land Use Planning with practical implementation and should identify and carry out priority initiatives (pilot projects). Regional Planning facilitates comprehensive sub-national planning with the aim of promoting sustainable land uses and development planning processes at the local level. It should integrate Planning for all sectors as they relate to all spatial units within a region.
- **Local (municipal or village) guidelines and implementation activities:** Derived from the national and regional guidelines, local guidelines are necessary to establish operational procedures for making the policy visions for land uses become a reality. This level should aim towards implementing the key activities and decisions that improve efficient and effective land uses and tenure security. To be tenure security sensitive, Land Use Planning should provide practical entry points for people (individually and groups) to attain more secure land tenure while practising sustainable land-use cultures.

3.4 A FRAMEWORK FOR SENSITIZING TENURE SECURITY THROUGH LAND USE PLANNING

Because the success of Land Use Planning as a means to securing tenure will vary from country to country and region to region, a blueprint for making it successful in a specific place cannot be given. What works in one place may not work in another, which is why a generic operational framework that summarizes the key ideas and activities for implementation and offers opportunities that can be adapted to different situations and circumstances is important. The framework presented here is designed to assist implementing agencies to prepare their individual

operational framework and procedures for improving tenure security through a Land Use Planning process. In order to operationalize Land Use Planning as a means for securing tenure, nine important steps (illustrated in Figure 8) are necessary. Each step includes several specific activities. The different steps are explained in the following graphic.

Step 1: Initiating the Land Use Planning project – constituting a Tenure Responsive Land Use Planning project team

The process of Tenure Responsive LUP starts with constituting a team to coordinate and organize the process. One of the first tasks is to carry out a detailed stakeholder analysis to find out who has what kind of interests. For the purpose of coordination and communication with all stakeholders that have interest in the process, it can be helpful to establish another team made up of representatives of the stakeholders. The stakeholder team could be elected or made up of people nomination by local land users. The election process could be done in preliminary meetings between community members and local government administrators.

Step 2: Setting objective – identifying specific Tenure Responsive LUP objectives

The constituted stakeholder team should define the specific objectives of the project. Such objectives should be clear and realistic and based on the needs of local communities. Relevant aspects on tenure security improvement have to be integrated thoroughly into the process. Activities to carry out during this step are, for instance, a SWOT analysis; Planning needs assessment and participatory stakeholder workshops for sensitizing tenure security objectives. Formulating clear objectives will determine the necessary data to be collected in the next step.

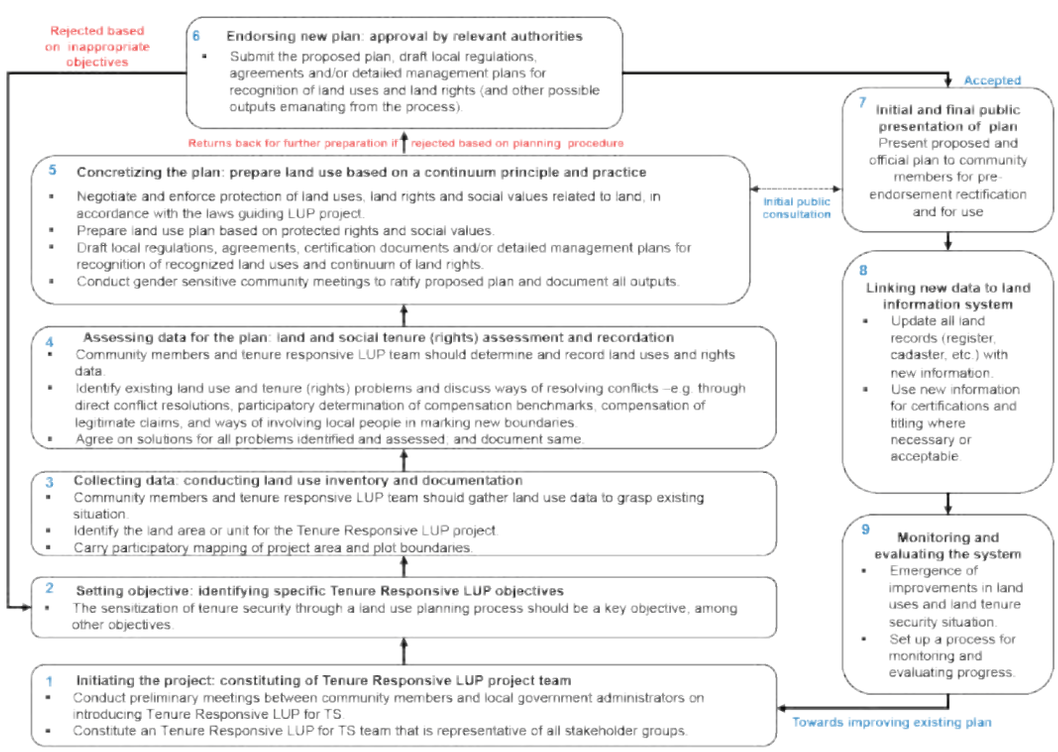

Figure 8: Operational framework for sensitizing tenure security through land use Planning

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It is likely that some concerns or resistance will be raised about including tenure security as an explicit objective of Land Use Planning since most practitioners have been trained to focus squarely on space allocation and because, conventionally, the overriding concern of Planning has been less on equity. Even land titling programmes, which are specifically tenure targeted, have resulted in inequities and tenure insecurity because those (actors and sectors) that are more powerful are better able to formalize their claims than the less powerful ones. The challenge will be to convince policymakers and implementers to target tenure security as one of the key objectives of a land-use plan. The approach should be to argue for tenure security as a legitimate objective.

Step 3: Collecting data – conducting a land-use inventory assessment and its documentation

The process of data collection should aim at identifying data and information needs, where to get these data andhow to acquire relevant data. The first use of the data is in an initial assessment, which might reveal the need for further information. This can include GPS field surveys or participatory exercises for mapping the project area and specific features. The data must relate to land use, land tenure, environmental, legal, cultural, land rights and political and socio-economic information on land matters. The interpretation and analysis of data involves the use of technical and analytical tools such as land capability classifications, mapping of natural resources, trend and historical analysis, use of aerial photographs, GIS data, satellite images and topographic maps. Collecting land-use data is important for grasping existing land-use and tenure security issues. Spatial data, especially, are collected in a clearly identified land area, the Planning area for the Tenure Responsive LUP project.

Land Use Planning team preparing for a reconnaissance trip through Central Namibia ©Olaf Haub

Box 9: Procedure for negotiating a land-use plan

Decisions on including tenure security improvement in a preliminary land-use plan should be taken in a forum in which all those who will participate in the Planning process are present. Local people, especially the poor and less advantaged groups, should be present because they are the most affected by tenure insecurity. If they have a strong voice (and they should if the process is participatory), they will support any ideas that protect their interests, including tenure security as a key objective of Land Use Planning. They are the key beneficiary groups.

Negotiating processes do not always take place at the same time with all stakeholders. In fact, it should be viewed as a continuous activity throughout the entire process of Land Use Planning. However, there must be an agreement to include tenure security at the early stage of objective setting.

Step 4: Assessment data for the plan – doing land-use and social tenure (rights) enumeration and recording

Having collected relevant data for the documentation of land-use and tenure related aspects, the data should be analysed to identify the nature of underlying problems, especially the causes and effects, as well as other resources. Though tenure responsive land-use-Planning includes tenure aspects, it is still a Land Use Planning aspect and needs to include other land-related development aspects. A thorough analysis of the problems will help to develop effective strategies. In addition to a general problem analysis, it is paramount to assess, enumerate and record findings that are related to land use and social tenure (rights) in the context of land use and tenure security challenges. The community members and the Tenure Responsive LUP Stakeholder Team (see step 1) should discuss ways to resolve conflicts related to existing land-use and tenure (rights) problems, e.g. through direct conflict resolution, participatory determination of compensation benchmarks, compensation of legitimate claims, and ways of involving local people in marking new boundaries. Stakeholders have to agree on the solutions for all problems identified and assessed.

A participatory mapping exercise for Land Use Planning in southern Namibia.

The satellite imagery and existing farm boundaries served as a reference for the participants of a mapping workshop. Local land users supplemented the satellite data with detailed local knowledge on land uses and ownership issues. As a result, land-use conflicts and other land-related problems have been identified. The methodologyincluded overlaying transparent paper on the satellite image. Thus, the hand-drawn information was referenced to a geographical coordinate system and could be captured in a GIS database.

Step 5: Concretizing the plan – preparing a land-use plan based on the continuum of land rights concept

The final land-use plan is the core output of the process. "Depending on the objectives of the Land Use Planning process and the scope of the plan, different levels of detail about land-uses might be required. The information collected through participatory approaches has to be consolidated and documented in maps and data that form the basis of the plan. A simple methodology is to zone the land into future priority uses. Zoning (defining delineated zones for specific land uses) can be done by local land users and is the basis of their community action plans for livelihoods development" (IFAD, 2014, p. 8). Negotiations can address the protection of land uses, land rights and social values related to land and in accordance with the law. Local regulations, agreements, certification documents and/or detailed management plans are instruments for recognizing existing and planned land uses as well as the intended form of land rights. Gender-sensitive community meetings can support the ratification of the proposed plan. In order to achieve the intended outcomes of the land-use plan, the plan

needs to provide details on the roles and responsibilities of the different stakeholders in implementing the plan, as well as a timeline and details on the required resources for carrying out the respective activities (e.g. human resources, finances, material etc.) The plan should mainstream crosscutting issues such as gender, climate change adaptation and disaster risk management (IFAD, 2014, p. 8). The final plan should be presented to the public for final feedback and revision before being submitted for approval to the relevant authorities. If the public has concerns, these should be addressed prior to seeking official endorsement.

Step 6: Endorsing the new plan – approval or disapproval by relevant authorities

The proposed plan should be submitted to the relevant authority for endorsement. Any other documentation arising from the plan should be made available as an addendum to the authorities for recognition. Additional documents that can help enhance tenure security are draft local regulations on land uses, agreements between communities and individuals on contested claims, compensation documents, detailed management plans for recognition of group and individual land uses and land rights. Once the plan is accepted and endorsed, it should be presented again to the public as a final plan (step 7). The data collected or produced during the Planning process should be integrated into existing land information systems (step 8).

If the plan is rejected because of procedural issues, it should return to the previous level for consideration and revision in line with accepted procedures. If the plan is rejected on the grounds of unacceptable objectives, then it should return to the level of objective setting for reformulation of objectives.

Apart from the new plan, there may be other possible tenure outcomes from the process, but this will largely depend on the land-use choices made due to the country-specific political, social, legal and cultural context. For example, in a country where communal ownership is available under customary law, the new plan could strengthen communal tenure through a specific land use identified in the process. As a result, other tenure instruments (such as land titles, communal or individual, leases, co-management agreements, local ordinances, budget proposals, area management plans, etc.) could emanate as possible outcomes.

Step 7: Final presentation of plan (and other possible outputs) to the public

After its endorsement by relevant authorities, the plan should be presented to the community members and all stakeholders who were involved. A forum could be created for this purpose, considering also possible involvement of monitoring and implementation of the land-use plan. The public can now obtain copies of the endorsed plan (and accompanying maps) for their respective uses.

Step 8: Linking its data to an existing land information system

The next step will be to link data from the new plan to existing land and / or other information systems. This should especially include the updating of all land records (register, cadastre, etc.) with the new information, which can be used for land agreements, certifications and titling where necessary or acceptable.

Step 9: Monitoring and evaluating the system

Once the plan is approved, endorsed or accepted, the organization, agency or group responsible for its implementation needs to establish a monitoring system to track the progress on plan implementation. The monitoring and evaluation system measures the progress of the planned activities and the impact of intended changes through a participatory process. Thus, participatory stakeholder involvement will be a key objective, even after the finalization of the plan. For Tenure Responsive LUP, the success and impact on tenure security is, of course, the core objective

Participatory Land Use Planning exercise in Nepal © Patrick Meier

Box 9: Procedure for negotiating a land-use plan

Decisions on including tenure security improvement in a preliminary land-use plan should be taken in a forum in which all those who will participate in the Planning process are present. Local people, especially the poor and less advantaged groups, should be present because they are the most affected by tenure insecurity. If they have a strong voice (and they should if the process is participatory), they will support any ideas that protect their interests, including tenure security as a key objective of Land Use Planning. They are the key beneficiary groups.

Negotiating processes do not always take place at the same time with all stakeholders. In fact, it should be viewed as a continuous activity throughout the entire process of Land Use Planning. However, there must be an agreement to include tenure security at the early stage of objective setting.

- Qualified personnel and equipment;
- Iterative plan to guide the process;
- Motivated and technically competent personnel;
- Long-term financial security.

Key institutional responsibilities and capacities must be established in the following:

- Rules and regulations to guide the entire process;
- Functions;
- Responsibilities;
- Planning systems;
- Coordination systems;
- Monitoring and reporting systems;
- Tools and mechanisms of motivation and penalties. the key beneficiary groups.

Negotiating processes do not always take place at the same time with all stakeholders. In fact, it should be viewed as a continuous activity throughout the entire process of Land Use Planning. However, there must be an agreement to include tenure security at the early stage of objective setting.

to be monitored and evaluated. The monitoring and evaluation system also considers effective feedback mechanisms for adaptions, improvements, re-planning, or plan update.

3.5 INSTITUTIONAL RESPONSIBILITY AND CAPACITY FOR TENURE RESPONSIVE LAND-USE PLANNING

The success of Tenure Responsive LUP implementation depends largely on the capacities of all actors, particularly of the lead agency responsible for the project and all other institutions or groups who have a role. "The responsibilities for planning, implementation, financial and administrative handling can be concentrated in one organization (e.g. the Planning agency if in place) or split amongst two or three different organizations. As a general rule, the integration into existing public institutions having the official mandate for Land UsePlanning – no matter how weak they may be – should always have priority over the creation of new separate structures. The latter should only be considered in exceptional situations and as a temporary solution." (GIZ, 2012, p. 180).

If possible, existing institutions should be entrusted with the implementation of a Tenure Responsive LUP project. If no appropriate institutions exist (and this is generally unlikely), a new organization (perhaps a temporary one) should be created and equipped with basic resources (e.g. financial and personnel capacities) tad the process.

The amount of available funds for land use Planning can have an impact on its outcome. Experiences show that if the Planning is linked to extensive finances, huge organizational and administrative processes will be involved. Such additional processes (or tasks) cannot be taken on as a side-project by most of the participating organizations. It would require the organization in charge to make additional capacities available (GIZ, 2012: p. 181), which would usually involve training and capacity building.

Box 11: When Might Tenure Responsive Land Use Planning be used?

- When the existing Land Use Planning is insensitive to the tenure security concerns of local community members.
- When there is no existing land-use plan and people feel highly insecure concerning land tenure.

This provides an opportunity for integrating land-use and tenure security concern through a tenure responsive Land Use Planning approach.

Who Implements Tenure Responsive LUP?

The most probable or common initiator and implementer of a tenure responsive Land Use Planning project should be the local government or municipality. This is because it usually has the power to deal with land management and urban Planning issues. In fact, the implementing organizations may vary from country to country or even within a single city or rural municipality. For instance, an international agency or NGO can initiate it together with local people. Local chiefs of traditional authorities or heads of local communities may be initiators in communal areas. A department of the national or provincial government can also initiate it.

PART IV

HOW TO INCORPORATE TENURE RESPONSIVE LUP WITH OTHER LAND TOOLS AND APPROACHES

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HOW TO INCORPORATE TENURE RESPONSIVE LUP WITH OTHER LAND TOOLS AND APPROACHES

4.1 OVERVIEW

Tenure Responsive LUP is a land tool that supports pro-poor tenure security improvements. Essential concepts of the tool are to embrace participation by all stakeholders and to embed tenure security objectives as a core priority in a Land Use Planning process. When applied, Tenure Responsive LUP has to be adjusted to the respective needs and frame conditions. Because of the multi-disciplinary, political and cultural nature of land-related topics (see section 1.3); Tenure Responsive LUP is very flexible and can be easily customized to the individual situation. In line with the criteria of GLTN, it is considered to be a "land tool" because it serves as a "practical way to solve a problem in land administration and management" and it "puts principles, policies and legislation into effect" (GLTN, 2014, p. 3).

Tenure Responsive LUP is not a "stand-alone tool" as Participatory and Inclusive Land Adjustment (PILaR) or Social Tenure Domain Model (STDM). The incorporation of land tools is an effective way to use resources efficiently to meet land management and administration challenges. The combination of several land tools can help producing more robust, more diversified and effective processes and outcomes. It also considers crosscutting aspects, such as gender responsiveness and capacity building as it "strengthens, creates, adapts and maintains capacity over time" when applied in participatory ways (OECD, 2006, p. 12).

In most cases, the integration of tenure-related land tools in Tenure Responsive LUP will constitute the major difference from common Land Use Planning. Therefore, the major land tools and their possible application within the context of Tenure Responsive LUP are described in this present chapter.

Tools or approaches that will be combined with the Tenure Responsive LUP tool ideally include the following functional capabilities:

The incorporation of land tools is an effective way to use resources efficiently to meet land management and administration challenges. The combination of several land tools can help producing more robust, more diversified and effective processes and outcomes.

- The capacity to provide for tenure security aspectsfor the poor, or at least to not hinder or to oppose tenure security.
- The possibility to harmonize data compilation procedures and formats and enable consistent data collection between the two (or more) tools. The database system should be compatible and should enable common data entry and database management between the different tools.
- Enable the integration of social mapping activities and inventories on land-related assets that promote Tenure Responsive LUP is not a "stand-alone tool" tenure security.
- Data sets that can be managed and updated over time.
- Data that can be used as evidence of rights during adjudication.

These characteristics refer to land tools such as Social Tenure Domain Model (STDM), Gender Evaluation Criteria, and Participatory Enumerations Capacity Development Strategy, Grassroots Mechanism, Land Mediation and Youth Responsiveness Criteria to Land, which can be easily combined with Tenure Responsive LUP. It also refers to other GLTN land tools which are still under development, for instance the Methodology for Monitoring Tenure Security in City, How to Conduct Land Inventory, Pro-Poor Land Recordation, Customary Tenure Security, Participatory and Inclusive Land Readjustment (PILaR), and others. It can also be combined with non-GLTN tools for land management, such as FAO's Solutions for Open Land Administration (SOLA) and related approaches. To combine any of these tools with the Tenure Responsive LUP, it is important to link them to related operational aspects

of Tenure Responsive LUP. With reference to steps 3, 4, 5 and 8 of the operational framework (Figure 8), the operational aspects of Tenure Responsive LUP are:

- Collecting data – conducting a land-use inventory and documentation.
- Assessment and analysis of data for the plan – doing land-use and social tenure (rights) enumerations and recordation.
- Concretizing the plan – preparing a land-use plan, land-use proposals and land-use regulations based on a continuum principle and practice.
- Linking or importing data into an existing land information system.
- The following sections explain how and why existing GLTN's and other land tools can be combined with the Tenure Responsive LUP tool, and at which stage of the operational framework of the tool they can be incorporated (see Figure 8) as a reference for the incorporation of other land tools.The following sections explain how and why existing GLTN's and other land tools can be combined with the Tenure Responsive LUP tool, and at which stage of the operational framework of the tool they can be incorporated (see Figure 8) as a reference for the incorporation of other land tools.

4.2 HOW TO COMBINE TENURE RESPONSIVE LUP WITH THE PRO-POOR LAND RECORDATION TOOL

Pro-poor land recordation is a tool to cater for a continuum of rights through a continuum of land recording. It is a more affordable, simpler and credible land recordation system. Both tools, the Tenure Responsive LUP and the Pro-Poor Land Recordation are based on community-driven processes and land recordation which supports the tenure security objectives of the Tenure Responsive LUP. Thus, both tools complement each other and their combination is ideal. In fact, the "design of a pro-poor land recordation system is based on a community-driven process that involves community leaders, a barefoot land officer and a local record keeper" (GLTN, 2012b).

Two major activities or steps in Tenure Responsive LUP can be operationalized alongside Pro-Poor Land Recordation or some of its components as their enabling tools. In the data collection stage of Tenure

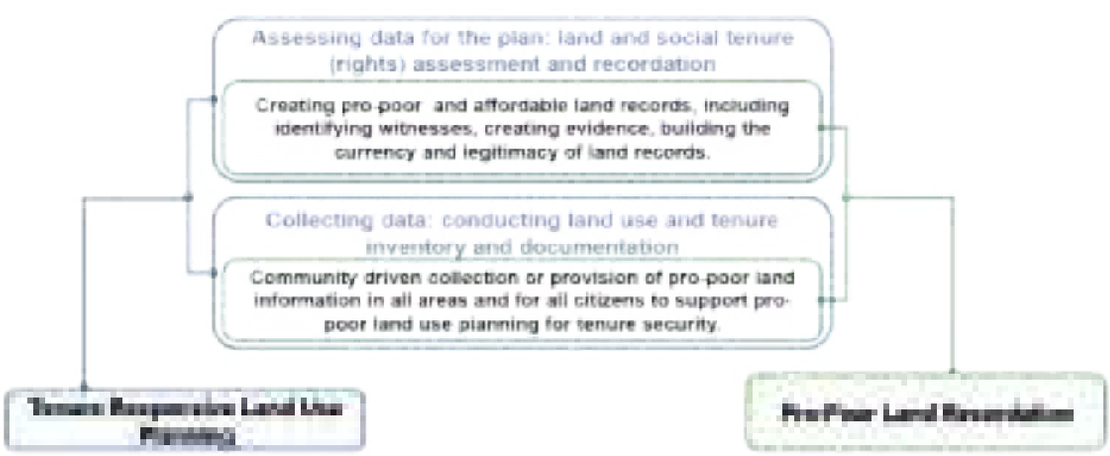

Figure 9: Ways of Incorporating Pro-Poor Land Recordation with the Tenure Responsive Land Use Planning tool

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Responsive LUP, community-driven collection or the provision of pro-poor land information can be carried out through pro-poor land recordation. Where land recordation has already been carried out or is ongoing, its data could be used to augment land use inventories for Tenure Responsive LUP. In addition, pro-poor land recordation can play a strong role in creating pro-poor and affordable land records (including identifying witnesses, creating evidence, building the currency and legitimacy of land records) at the assessment and recordation stage of Tenure Responsive LUP.

4.3 HOW TO COMBINE TENURE RESPONSIVE LUP WITH THE TOOLS PARTICIPATORY ENUMERATION AND PILAR

"Participatory Enumeration is a data-gathering process which is, to a significant extent, jointly designed and conducted by the people who are being surveyed" (GLTN, 2010, p. 7). The tool is intended to collect data about informal settlements with the involvement of residents.

Participatory and Inclusive Land Readjustment (PILaR) is a tool which aims to combine land units with different owners and claimants into one area. PILaR is based on a participatory and inclusive process for unified planning, re-parcelling and development.

Both these land tools are designed for urban Planning and can be included in the Tenure Responsive LUP for tenure aspects in informal settlements and for re-parcelling when appropriate. The stages at which these tools and the Tenure Responsive LUP tool can be incorporated is shown in Figure 10. The key issues involved in incorporating Tenure Responsive LUP with PILaR and participatory enumeration tools are explained below.

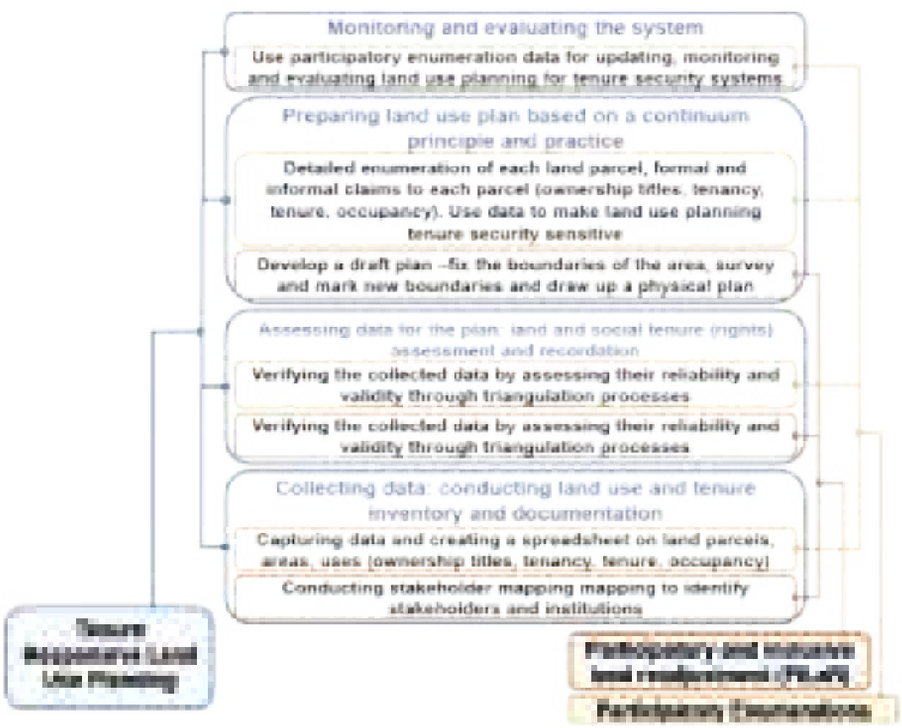

Figure 10: Ways of incorporating land-use for tenure security tool with PILaR and participatory enumeration tools

Incorporating Participatory Enumeration with Tenure Responsive LUP

Participatory enumeration can be incorporated with Tenure Responsive LUP at four different stages: data collection, data assessment, the preparation of the land-use plan, and the monitoring and evaluation stage. At the data collection stage, participatory enumeration enables the capturing of data and creating of a spreadsheet about land parcels, areas and uses (ownership titles, tenancy, tenure, occupancy). At the data assessment stage, enumeration of land tenure helps to verify the collected data by assessing their reliability and validity through triangulation. In preparing the land-use plan, the detailed enumeration of land areas and parcels provide relevant social tenure data for Planning and integration into the final draft of the plan. Moreover, the information about formal and informal claims for each parcel (ownership titles, tenancy, tenure, occupancy) can sensitize those involved to tenure security in the Land Use Planning process. At the monitoring and evaluation stage, data from the participatory enumeration are useful for updating, monitoring and evaluating the implementation and tenure systems. Further participatory enumerations of land rights can also be conducted to collect data for improving the overall Tenure Responsive LUP system.

Incorporating PILaR with Tenure Responsive LUP

PILaR is designed for re-parcelling land units in urban areas, where different people claim tenure rights. It can be incorporated with Tenure Responsive LUP at three points: for data collection, for the data assessment, and for the actual Planning stage. At the data collection stage of the Tenure Responsive LUP, it can be included for capturing data and creating a spreadsheet on land parcels, areas, uses (ownership titles, tenancy, tenureand occupancy). During the data assessment stage, it can support verification of the collected data by assessing their reliability and validity through triangulation. For the land-use plan preparation, detailed records for each land parcel (formal and informal claims, ownership titles, tenancy, tenure, and occupancy) can support decisions on tenure security.

4.4 HOW TO COMBINE TENURE RESPONSIVE LUP WITH GENDER EVALUATION CRITERIA, GRASSROOTS MECHANISM AND LAND MEDIATION TOOLS

Gender Evaluation Criteria (GEC), Grassroots Mechanisms and Land Mediation are three of the GLTN land tools that address cross-cutting issues (gender aspects, grassroots participation) and/or specific situations (post-conflict land mediation). Incorporation of these tools in the Tenure Responsive LUP is possible in four aspects or stages: data collection, data assessment, land-use plan preparation, monitoring and evaluation (Figure 11). As cross-cutting tools, the GEC and the Grassroots Mechanism should have already been applied during the overall process design stage of the Tenure Responsive LUP.

Incorporating Gender Evaluation Criteria (GEC) in Tenure Responsive LUP

The Gender Evaluation Criteria (GEC) tool aims to assess the gender responsiveness of other land tools and provides options to adapt various dimensions of gender issues. GEC is a framework, which includes 6 criteriaand 22 evaluation questions. It provides also possible indicators that can be adapted by land tools to a wide range of different situations. GEC can be

> *The Gender Evaluation Criteria (GEC) tool aims to assess the gender responsiveness of other land tools and provides options to adapt various dimensions of gender issues*

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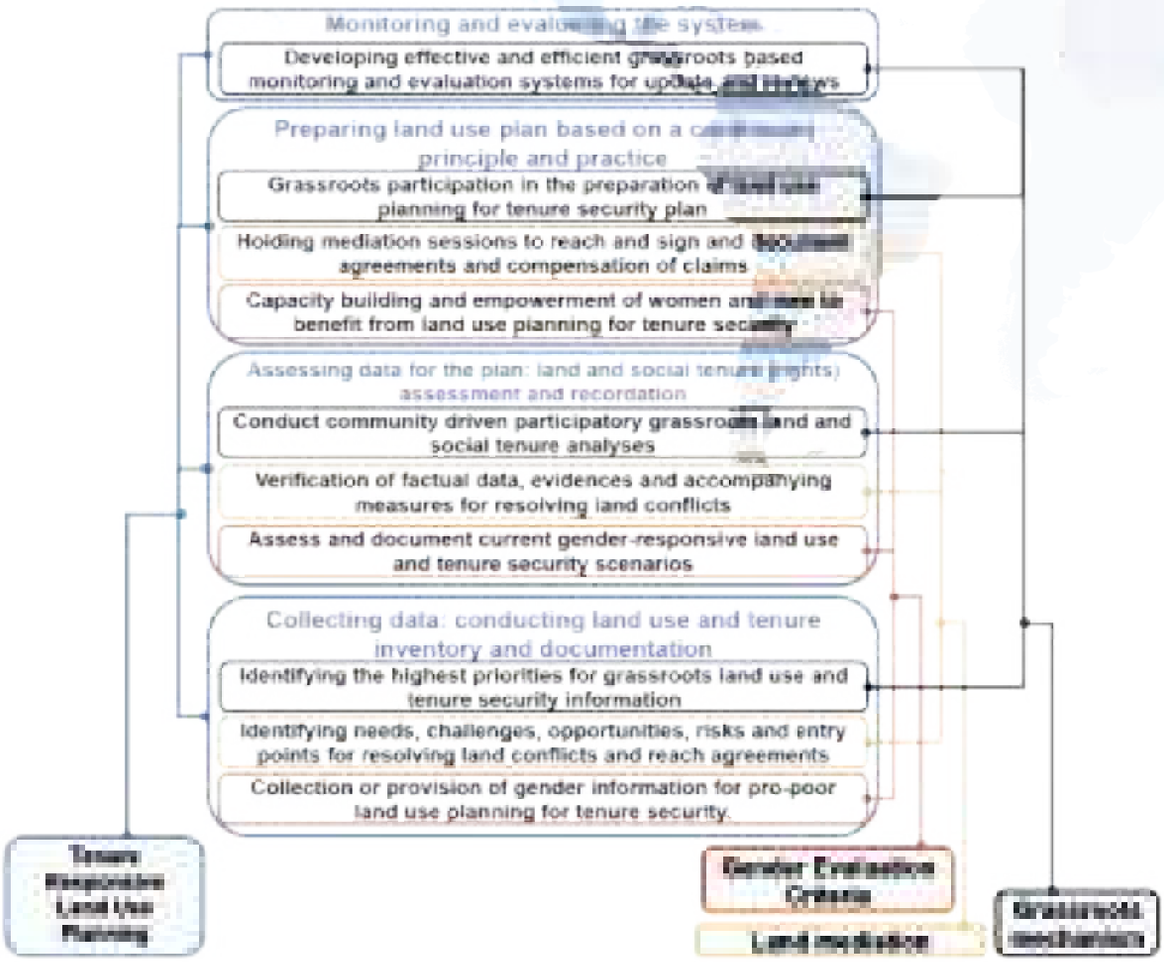

Figure 11: Ways of incorporating Tenure Responsive Land Use Planning with the Land Mediation, Grassroots Mechanism and Gender Evaluation Criteria tools

incorporated into a Tenure Responsive LUP at three stages: data collection, data assessment and the preparation of the land-use plan. The inclusion of gender evaluation criteria ensure equal participation by women and men, and a gender-responsive Tenure Responsive LUP process. It will also create gender awareness, provide capacity development and will support the organization and empowerment of women and men to use, access and benefit from the Tenure Responsive LUP process.

Incorporating land mediation with Tenure Responsive LUP

Solving land conflicts is an integral part of land management and is often part of the Land Use Planning process. Particularly in post-conflict situations, Land Use Planning can be more contentious or controversial when it focuses on tenure security as one of its core objectives. In such situations, the intervention of a third party (that is neutral and does not have any decision-making power) to mediate is important.The Land Mediation tool provides practical guidance for the land mediation process. It is a set of tools, processes,

harmonized standards and mechanisms to guide a mediation process, which can be long and complex (UN-Habitat, 2013). If required, the Land Mediation tool can be incorporated in Tenure Responsive LUP at three stages: data collection, data assessment and preparation of the land-use plan.During data collection, detailed information on existing conflicts and their background helps to identify needs, challenges, opportunities, risks and entry points for resolving land conflicts and to reach agreements. At the assessment stage, a problem and situational analysis, and verification of factual data and evidence support the identification of possible solutions and accompanying measures for resolving land conflicts.

Gender and grassroots mechanisms are key entry points for tenure security improvement in the Land Use Planning process. A woman learning how to use satellite imagery and draw the boundary of her land in Dolakha district. @ UN Habitat/Shristee Singh

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At the preparation stage of a Tenure Responsive LUP, consensus-finding mechanisms, mediation sessions etc. aim to reach agreements and compensation of claims for achieving pro-poor outcomes, including the signing of documents and process documentation.

Incorporating the Grassroots Mechanism with Tenure Responsive LUP

The Grassroots Mechanism tool supports grassroots groups having a major guiding role during process implementation. Most of the time, "land interventions are based on an exclusive, top-down approach that fails to involve the grassroots communities they are meant to serve. Implementation is also frequently top-down. Grassroots communities play a purely passive role: they are seen as objects of data gathering and, later, as beneficiaries" (UN-Habitat, 2012b).

The Grassroots Mechanism is a framework for assessing land tools and their practical implementation, and provides mechanisms to ensure grassroots participation throughout the process. Thus, the Grassroots Mechanism tool is applied during a preparatory stage, prior to the Tenure Responsive LUP intervention, and refers more or less to all stages of the process with the aim of identifying the core stages at which grassroots participation is crucial and how grassroots participation is applied in specific cases. The main stages for the Tenure Responsive LUP tool when grassroots participation is crucial for all interventions are: the data collection stage, the data assessment stage, land-use plan preparation stage, and during monitoring and evaluation. At the data collection stage, it needs to beensured that participants at the grassroots level are fully involved in gathering information on tenure security. During the assessment stage, information is analysed accordingly and specific community driven participatory interpretation (e.g. "interpretation and analysis workshops" with grassroots level participation) is included on related land and social tenure information. The results from these analyses will influence the consensus-finding and decision-making process for the preparation of the land-use plan, which becomes a community driven and pro-poor plan. For monitoring and evaluation of the land-use plan, the collected information serves as baseline data for impact and progress monitoring of plan implementation through effective grassroots-based monitoring and evaluation systems. Grassroots participation during monitoring and evaluation is important to ensure an effective and efficient update and review of overall plans for future improvements towards grassroots level consideration.

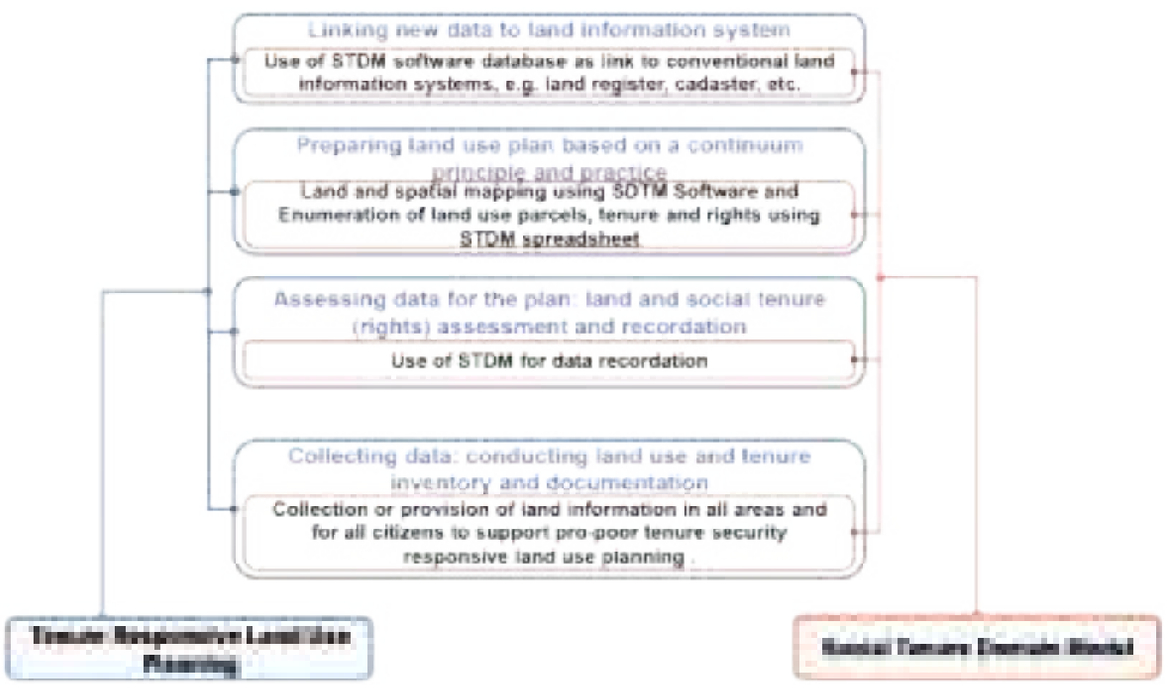
4.5 HOW TO COMBINE TENURE RESPONSIVE LUP WITH STDM TOOL

The Social Tenure Domain Model (STDM) is a pro-poor, gender responsive and participatory land information system developed by GLTN. It supports GIS-based mapping of social tenure and has four main impacts on land administration systems. It is:

- A new way of thinking about land recordation;
- A free and open source software package to record information about land;

- An approach to collecting data about land;
- A way of using and disseminating information about land.

Bearing in mind that "where there is little land information, there is little or no land management" (Lemmen, 2010, p. 7), STDM enables the recordation of all possible types of land tenures as observed on the ground and as agreed to within local communities. STDM can be incorporated into the Tenure Responsive LUP tool because both tools have similarities in their objectives and operational framework. Their main operational activities centre on providing pro-poor tenure security for people, through the understanding of social tenure relations between people and land, and the mapping of land or spatial units.All four major activities and steps involved in Tenure Responsive LUP can be operationalized alongside STDM or with STDM as their enabling tool. As a land information system, STDM can support Tenure Responsive LUP throughout the entire Land Use Planning process. It provides information on both land uses and tenure status, which can be used for interpretation, assessment, planning, monitoring and evaluation (Figure 12). STDM can be used for capturing and recording land and tenure-related information, land mapping and capacity development.



PART V

POSSIBLE FIELDS OF APPLICATION FOR TENURE RESPONSIVE LAND USE PLANNING

05

5.1 OVERVIEW

The expected outcome of Tenure Responsive LUP goes beyond the production of a pro-poor land-use plan. It addresses spatial and sectoral contexts, as does any land-use plan, but Tenure Responsive LUP also aims to produce evidence of documentation, agreements and recordation of tenure – with a number of written rules and legal documents necessary for understanding the tenure specific objectives of the Tenure Responsive LUP process. If Tenure Responsive LUP is done this way, it would serve as a tool for the delineation of different land uses – e.g. agriculture, industrial reasons, building purposes, open spaces, watercourses, community facilities, protected areas, transportation, etc. – but it would also include improved tenure. This makes the scope of its application very wide. Based on the many functions of Land Use Planning in general, there are some possible areas of application for Tenure Responsive LUP.

5.2 RURAL DEVELOPMENT

Rural areas in developing countries, apart from being highly dependent on land and natural resources, have undergone tremendous changes in recent decades. Various land and agricultural development activities involve clearing, and land tenure issues (such as inheritance rights and customary subdivisions) leading to land fragmentation. These activities are part of development and use of land for settlement purposes in rural areas.

On the one hand, poor rural economic growth puts specific pressure on rural land and competing land uses, for example infrastructure development, rural industrialization, energy and utility supply, housing, environmental conservation, agricultural use, recreation and heritage conservation. On the other hand, migration from rural areas leads to inadequate human resources for hands-on work in rural community development. Worst of all, all these changes are happening in a period when increasing environmental challenges (e.g.

Tenure Responsive Land Use Planning is a key tool for housing and slum upgrading projects. Urban renewal project in Turkey.

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Rural land-based livelihood activities can have strong economic potential with secure tenure, addressed through LUP. A Rural Ethiopian Farmer ©Adugna Mekonnen

climate change and natural resource degradation) are occurring around the world. Considering that rural land consists mainly of land assets and natural resources, renewed rural development is very important for achieving sustainable living in rural areas. In this regard, Tenure Responsive LUP can play a very important role by providing an opportunity to tackle tenure security and sustainable land use challenges.

5.3 PERI-URBAN DEVELOPMENT

Peri-urban areas are not spatial units or settlements that are clearly geographically defined. They are highlycharacterized by features that exist in both urban and rural areas, yet they have distinct features that make them different from urban and rural areas. This

Box 12: Communal Land Registration in Namibia – support to rural development and tenure security

Land in Namibia is classified as state land, communal land or commercial land and each category has certain rights and responsibilities for land users and landowners. Urban and rural land may fall within any of these categories. Communal land areas are formally "owned" by the state and is kept "in trust for the benefit of the traditional communities"' living in those areas. Based on traditional rights, Traditional Authorities used to allocate land rights in accordance with their customary tenure systems. These allocations were not documented and were considered biased. One result of this was that some people were allocated large land parcels which they were allowed to fence off, while others did not receive such benefits. There were also cases of multiple allocation of land rights. Thus, the land tenure system was characterized by land disputes, boundary disputes, self-extensions and illegal fencing and tenure insecurity.

As the formal owner of communal land, the state developed a system for registering customary land rights and facilitating a proper and uniform land administration with secure land tenure for all, that minimizes land disputes in communal areas. The registration recognizes two broad categories of land rights in communal land: customary land rights and rights of leasehold. Customary land rights are rights to residential units and to crop farming units. They refer primarily to small-scale and subsistence activities. Leaseholds cover all the rights for specific commercial purposes. The rest of the land is referred to as commonage and can be used for grazing by the local community.

For the registration of land rights, the Ministry of Lands and Resettlement (MLR), with technical and financial support from the European Commission (EC), DED and GTZ (now both GIZ) and KfW, developed methods based on the use of aerial photos in combination with GPS to fast track the process of land registration. (Meijs, et al 2011.)

also implies that they have challenges that may or may not exist in urban and rural areas. Land management challenges in peri-urban areas relate to growing pressure from environmental challenges, agricultural production, sociocultural and development demands. Conflicts between applicable land uses and land tenure, especially infrastructural improvements, are the types of challenges that make Tenure Responsive LUP necessary in peri-urban areas. It will present an opportunity for (re)defining land uses and tenure systems, leading to clearer physical and tenure boundaries.

5.4 URBAN DEVELOPMENT

Due to the built-up spaces and people, urban areas or cities have very limited land uses. The need to adjustdevelopment options to fait within limited spaces has led to an on-going global shift "toward appropriate mixes of compatible uses (e.g., residential with small businesses, institutional with offices). From an earlier approach of flat, low-density urban development, there is a shift towards more compact cities with variable density, correlated with urban transport systems" (World Bank, 2010, p. 114).

In line with these paradigm shifts in urban development, Tenure Responsive LUP can play four major roles in facilitating sustainable urban development:

- Firstly, since built-up areas characterize the urban system, Tenure Responsive LUP can provide for the availability of multiple land uses, as well as their functional linkages for effective and efficient urban systems.
- Secondly, Tenure Responsive LUP in urban areascan have a direct impact on land values and location advantages. This is because the land can be assigned to specific or multiple functions. It also aims to locate infrastructures close to land parcels. This attracts investments and important economic activities on land parcels in urban neighbourhoods. The clarification of tenure in the process will directly

Housing, transport, utilities and issues related to mobility and accessibility are some of the concerns of Land Use Planning, Rio de Janeiro, Brazil © Julius Mwelu/UN-Habitat

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Different modes of pro-poor local transport options within a human settlement. A market in Achara Community, Nigeria
© U.Chigbu

boost the value of land parcels in the urban land market.

- Thirdly, Tenure Responsive LUP processes activate participation in urban development. Considering that public participation is complex in urban areas, the diverse interests of urban stakeholders can be integrated into the Tenure Responsive LUP process to save time and costs that would have otherwise been particularly invested in isolated issues of participation.
- Fourthly, Tenure Responsive LUP can engender a control mechanism for effective tenure recordation (and documentation), sustainable land use and natural resource use in urban areas. This is possible where the process stipulates the various uses and allocation of land, as well as the rights (including ownerships, privileges and restrictions) that holders should enjoy in land. It can play a leading role in identifying and resolving (through stakeholders' negotiations in the Planning process) conflicts pertaining to property, land, development and natural resource.

5.5 TERRITORIAL DEVELOPMENT

Experiences from rural, urban and regional development practices in past decades have led to renewed approaches for the development of human settlements in line with sustainable environmental, social and economic principles. One area of application where Tenure Responsive LUP can play a major role is in territorial development.

"Territorial development means the improvement of livelihoods in a territory defined by political, administrative, natural or cultural delimitation going beyond the traditional rural-urban boundaries/ dichotomy […It involves] "linking activities of different policy areas using existing structures of government, private sector and civil society on local, regional and national levels and fostering the participation of the population in the development process" (GIZ, 2012, p. 67).

Secure tenure is the basis for appropriate and sustainable land uses. Here, an Agrarian Reform Beneficiary ploughs his field after newly acquiring the status of a landowner. Southern Quezon Province, Philippines © Olaf Haub

Tenure Responsive LUP will provide opportunities for an effective design of territories and its implementation. It would enable the land-rights interests of different user groups in a defined territory (e.g. communities, farmers, herdsmen, mining companies etc.) to be catered for during an area-wide development that involves different spatial or administrative levels.

5.6 SUSTAINABLE NATURAL RESOURCE MANAGEMENT

Sustainable natural resource management involves investigations into how resources are used, what affects them and how they can be best used, protected and preserved. It aims to improve the way communities deal with natural resources to ensure their sustainable availability and functionality. Erosion control, water shed management, biodiversity protection, environmental conservation, combating desertification, protected area management, forestry (and many others) are key components of sustainable natural resource management. In social and legal terms, natural resources also form part of land as they are located on, below or above land.

Tenure Responsive LUP can help in defining the general allocation and uses of natural resources. It provides opportunities for tenure security improvements in issues relating to water and forest tenure. It can also lead to the generation of technical and cultural information related to land tenure. These can serve as control measures for the prevention of natural resource conflicts.

5.7 SUSTAINABLE AGRICULTURE AND FOOD SECURITY

Sustainable agricultural production and food security are directly linked. Sustainable agriculture entails the production of food, fibre and animal food based on technological (including economic, environmental and social) principles that enable continuity in the environmental, social and economic aspects of human

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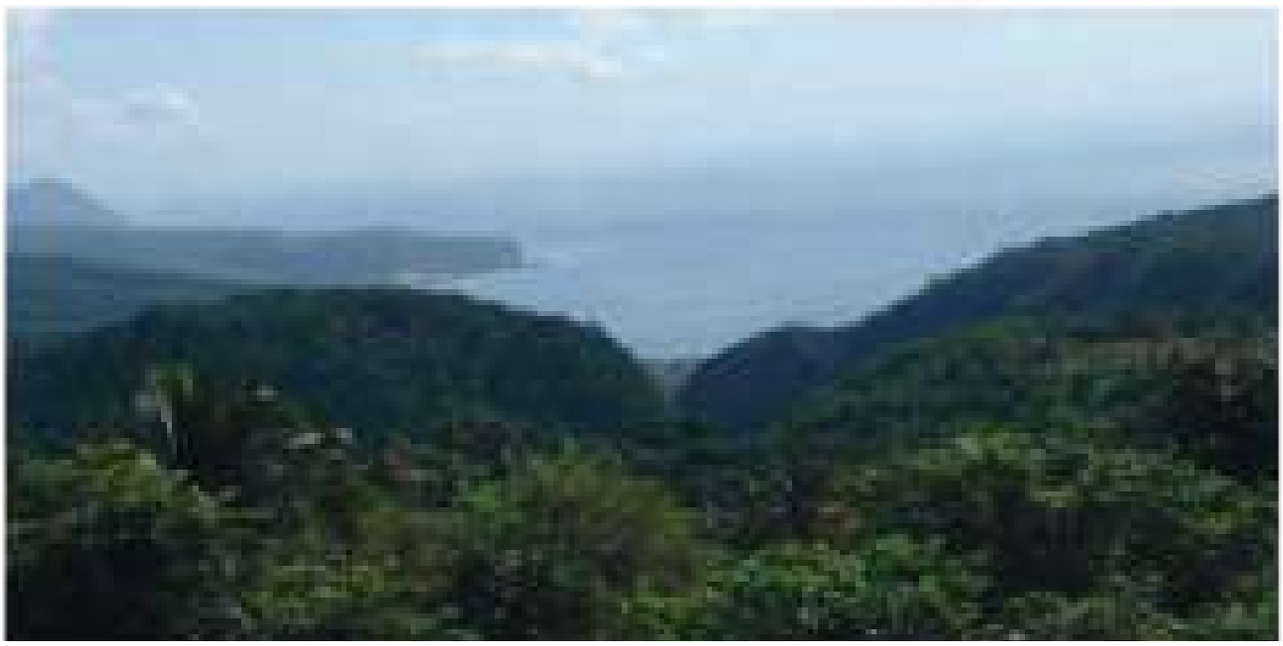

It is important to manage coastal resources with appropriate knowledge to maintain their ecological balance and usefulness to communities. This picture shows thee coastal resources of Rouseau, Dominica. © Iris Proske

life. Food security is all people at all times having access to a regular intake of food in the quantity and quality (balanced nutrient) that meets their dietary needs for healthy living. Land Use Planning and tenure security plays crucial roles in both sustainable agriculture and food security.

Land Use Planning makes land available for among other things, sustainable agricultural production within a specific nation, region, municipality or village. However, land availability cannot lead to food security unless there is security in land tenure for the poor. The key to food security lies with improving tenure – see the dependencies in the following illustration:

Secure land rights ◄►Tenure security◄►mproved land use ◄►Better investment incentives ◄►Increased land productivity◄►Food security

Tenure security (gained by securing land rights) has very strong forward links to food security. Likewise, food security can result in securing land rights. Hence, Tenure Responsive LUP caters for the availability and tenure security aspects of land challenges. Its application

> *Climate change is a worldwide environmental concern. Unsustainable use of land and increasing competition for land resources are key contributors to climate change.*

can help in (re)organizing land and improving tenure security for agricultural production. In general, Tenure Responsive LUP would help in enhancing spatial distribution and linkages to infrastructure for post-harvest promotion, distribution and marketing todifferent regions of a country – leading to food being available and accessible to local people.

5.8 CLIMATE CHANGE ADAPTATION AND MITIGATION

Climate change is a worldwide environmental concern. Unsustainable use of land and increasing competition for land resources are key contributors to climate change. Tenure Responsive LUP has the potential to contribute to adaptation to and mitigation of climate

change because it can enable the identification of areas affected by climate change such as forests, biodiversity, agricultural production or intensification and environmental threats.Tenure Responsive LUP can enable climate change adaptation when it integrates the assessment of impacts and inappropriate uses and includes land right aspects. The process can help to identify areas for carbon sequestration as well as appropriate sites for renewable energy production (e.g. solar energy farms, hydropower plants, offshore wind and tidal bases, and onshore windmill parks). This makes it very relevant for preparing communities to deal with their current and future risks due to climate change.

5.9 COSTAL AREA AND COASTAL RESOURCES MANAGEMENT

The process of Tenure Responsive LUP incorporates knowledge of the natural and built environment. It is crucial in determining, allocating or shaping where development occurs and where it should not. This is critical for dealing with open spaces, protected areas or preservation areas, etc. The Tenure Responsive LUP approach can enable the protection or conservationof land areas (or habitats of endangered species) that will be environmentally constrained by future damage. Tidal basins or coastal areas are some of the areas that can benefit from the initiative, particularly by making coasts resilient.

The Tenure Responsive LUP approach can help to identify liveable shoreline zones, storm water areas, sediment areas, areas prone to geological hazards (e.g. erosion, ground shaking, landslides, liquefaction, etc.), and alternative shoreline stabilization areas. Using land-use techniques (e.g. smart growth, flood plain identification and management, conservation easements, building codes and zoning) can enable the identification and subsequent implementation of rules on where to build and where not to build. Defining tenure helps to make public the different rights within

Coastal towns are vulnerable to climate change impacts. Port Moresby, Papua New Guinea © UN-Habitat/Bernhard Barth

PART V

POSSIBLE FIELDS OF APPLICATION FOR TENURE RESPONSIVE LAND USE PLANNING

a coastal area (and for whom) and provides information on the best way to manage such rights.

5.10 POST-DISASTER RECONSTRUCTION AND RISK REDUCTION

Communities, regions and nations regularly deal with natural disasters and their recovery is made more difficult by inappropriate land uses and tenure insecurity. This makes Land Use Planning and tenure security a core issue in post-disaster recovery efforts. Tenure Responsive LUP can be an effective approach. A major purpose for post-disaster Land Use Planning is to identify strategies, policies, roles and responsibilities to reduce the risk of future natural disasters. Tenure Responsive LUP can play a strong part in assessing disaster risks before or after natural disasters in the following ways:

> *A major purpose for post-disaster Land Use Planning is to identify strategies, policies, roles and responsibilities to reduce the risk of future natural disasters.*

- Assessment of initial damages and losses: Tenure Responsive LUP can help in the research, assessment and analysis of possible land uses related to losses, including tenure security issues.

- Recordation of data, future land use and tenure security improvement.

- Institutionalization of effective land-use regulations: Institutional framework for Planning and regulation becomes weak in post-disaster periods. Tenure Responsive LUP in a post-disaster period can lead to effective land-use regulations if it is legally binding.
- Restoration of lost local social, cultural and economic activities: Frequently, local social, cultural and economic activities are neglected in post-disaster periods. Tenure Responsive LUP can help to put them back at the centre of development. Determination of appropriate locations for different land-based activities: Disasters and wars (or conflicts) can lead to disruptions in property acquisition and the legalization of land for infrastructural rights-of-ways and relocation in post-disaster periods. Tenure Responsive LUP can lead to a (re)identification of landowners' property rights and a (re)organization of land uses for resettlement or relocation purposes.
- Provision of a new development vision: The need to make a fresh start for future development after a disaster is important. Tenure Responsive LUP provides opportunities for developing a renewed vision for land development based on tenure security objectives through a participatory and inclusive process.

Further, LUP that is responsive to tenure security can be applied in various other fields. For instance in regional planning, city upgrading, transport, conflict prevention and resolution, national park management, etc.

PART VI

OVER ARCHING ISSUES IN TENURE RESPONSIVE LAND USE PLANNING

06 OVER ARCHING ISSUES IN TENURE RESPONSIVE LAND USE PLANNING

6.1 OVERVIEW

Tenure Responsive LUP as presented in this guide has focused on the framework and key features for implementation. Despite this, some overarching themes are important for success and in driving the process. They are cross-cutting issues, applicable to all elements and stages of the Land Use Planning process, and they relate to "capacity building and development", "participation of different stakeholders" , "financial aspects", "gender issues", "legalities", and "environmental concerns", to mention a few. Although these issues have not been discussed in the operational framework (refer to Figure 8), they are vital for its success.

6.2 CAPACITY BUILDING AND TO DEVELOPMENT

Poor capacity in financial and technical resources and organizational and human resources is one of the biggest barriers to successful Land Use Planning. In every element of the Land Use Planning process, the building and development of capacities (social, vocational or technical) should be consciously done through hands-on assistance, coaching, mentoring, or topic-related training sessions. The challenge for institutions and stakeholders is demonstrated by the reforestation project in Brazil (case study 6, Chapter 8). "Capacity development for successful Land Use Planning implies improvements in a vast number of institutions as well as increased knowledge, new skills and changes in attitudes in an even bigger number of individuals" (GIZ, 2012, p. 184). This is fundamental for the strengthening of institutions involved in Land Use Planning.

> *Capacity development for successful Land Use Planning implies improvements in a vast number of institutions as well as increased knowledge, new skills and changes in attitudes in an even bigger number of individuals*

Experience shows that the combination of on the job training and in-class training is the most successful. Any training, in-class training included, needs to address the specific working situation of the trainees. All knowledge and skills that are taught need to be discussed within the national/local context. In this regard, role-plays and practical exercises adapted to the national/local context are crucial. Any training should blend into a backstopping situation in which former trainers become coaches. The establishment of networks of former fellow trainees for exchange and joint learning has also been proven very successful (GIZ, 2012, p. 185).

> *Conscious efforts are required to enable capacity development in the different skills necessary for the facilitation and management of Land Use Planning. Such skills can be developed by community members, for instance in mapping, communication, leadership, coordination, mentoring, facilitation, process management, conflict resolution, etc.*

This means that developing the capacity of individuals and institutions should be included in all Land Use Planning activities in developing countries. Conscious efforts are required to enable capacity development in the different skills necessary for the facilitation and management of Land Use Planning. Such skills can be developed by community members, for instance in mapping, communication, leadership, coordination, mentoring, facilitation, process management, conflict resolution, etc. Additionally, awareness and knowledge of tenure security will be gained through active involvement in the Tenure Responsive LUP process.

6.3 FINANCING

Financing a Tenure Responsive LUP intervention will not be different to other Land Use Planning projects. However, the cost of preparing a Land Use Plan

depends considerably on the specific circumstances: the Planning area, anticipated objectives, underlying problems etc. Typical expenses are for supporting consultants, workshop costs, travel costs, procurements (e.g. computer software and hardware), administrative expenses, costs for publications, and others.

> *A land-use plan is not a purpose in itself, but an instrument for achieving useful and sustainable land use; it is not an objective but a tool to achieve an objective. No Land Use Planning should therefore be started without a thorough consideration and discussion of the available financial means and sources for its implementation. Appropriate decisions should be based on the available financial framework. Without this security, even a well-established plan will soon run into financial bottlenecks, and it will not be possible to implement the measures foreseen in the plan. Therefore, the key issue is to link Planning with budgeting – or even better, budgeting with planning (GIZ, 2012, p. 178).*

Generally, the preparation of a land-use plan is carried out like a project which has a starting and an ending point and requires financial and other resources for its completion. Budgeting is the organized way to establish the financing structure of a land -use Planning project. The preparation of a management plan for a project involves breaking down the process into elements, stages and single activities (see Figure 8 as a reference for the major project elements). It sets timeframes to carry out these activities and allocates the human and financial resources to each activity. The budget preparation further identifies expenditures - such as salaries, procurement of goods and services, fees, rents etc. - for each activity and assesses their costs. These costs are set against the available budget. The available budget determines what can really be done, to what extent, at what intensity and for how long. The result is a budget plan as part of the management plan (along with a time plan, activity plan, milestones for progress monitoring etc.). The financing can come from different sources. The major budget sources for Land Use Planning are:

- Municipal, provincial, regional budgets. One possible source of funding is the public administration of the Planning area, i.e. municipal, provincial or regional government. However, local governments in developing countries usually lack finances so this source might be possible only in countries where decentralization is advanced and local authorities have the power for large revenue collection. Exceptions to this are urban Planning initiatives in large or metropolitan cities where sufficient budget is available (for instance in the case of Land Use Planning for slum areas or informal settlements). Another possible source for local funding is public private partnerships between local authorities and private organizations. Further, local governments can establish a basket fund through which they accumulate funds for an inter-local land-use plan, covering several municipalities. This could establish a budget for Land Use Planning, which could at least serve local co-funding.
- Budget of the central government. Typically, central governments have the financial strength for funding Land Use Planning. National funding is usually facilitated through respective sector ministries at national or regional level (the latter in federal or decentralized political systems). Some governments also establish special funds for local, regional or sub-national land-use plans. There is also the possibility of co-funding where local public funds are not sufficient.
- External funding. External funding may come from the private sector, national or international NGOs, foreign governments, international agencies and other donors. Funds for Land Use Planning from international donors are commonly embedded in projects or programmes and are based on bilateral

agreements. Such funds are provided as grants or as loans (from development banks).In addition to the Land Use Planning process, another important aspect is funding for the plan's implementation. Every plan has specific activities to be carried out and without financing the Planning process remains a theoretical exercise. Though the cost of the implementation cannot be anticipated before planning, the identification of possible funding sources should be addressed prior to the planning process. In the Planning process, the required budget for implementation should be outlined in detail (by assessing costs for each activity) and funding sources suggested.

6.4 GENDER ISSUES

Very common in developing countries is the strong fundament of traditional societies and cultures. While traditional societies provide strong cultural emblems and identity, in some of them, the structure of gender issues gives high advantages to men in economic matters. According to the FAO (1997), gender is:

> *Gender is not all about women; it is, rather, about the relationship between men and women and their responsibilities, for example, in household activities, resources access, needs, rights and interests, etc.*

The relations between men and women, both perceptual and material. Gender is not determined biologically, as a result of sexual characteristics of either women or men, but is constructed socially. It is a central organizing principle of societies, and often governs the processes of production and reproduction, consumption and distribution. Gender roles are the 'social definition' of women and men. They vary among different societies and cultures, classes, ages and during different periods in history. Gender-specific roles and responsibilities are often conditioned by household structure, access to resources, specific impacts of the global economy, and other locally relevant factors such as ecological conditions. (FAO, 1997). Gender is not all about women; it is, rather, about the relationship between men and women and their responsibilities,

Ecosystem preservation is most achievable through Land Use Planning, especially when the rights and interests of users are secure. A riverine area situated in the tropical rain forest of Belize. © U.E. Chigbu

for example, in household activities, resources access, needs, rights and interests, etc. Gender is a key issue in the objectives of Tenure Responsive LUP, because when gender equality and equity is achieved in land use and rights, there is a basis to improve tenure security. Ample evidence exists to show that women have fewer opportunities than men to realise their economic potential. Many women do not have access to livelihood resources (such as land) that could empower them to improve their economic and social statuses. "Land Use Planning offers good opportunities to involve women in Planning and decision-making, empowering them to take over responsibilities in the community and demonstrating that this is an effective contribution to sustainable development and peace" (GIZ, 2012, p. 15). Incorporating gender issues and awareness into all aspects of Land Use Planning with the aim of ensuring even distribution of roles between women and men can achieve this (See section 4.4 on how to combine tenure responsive LUP with the Gender Evaluation Criteria, Grassroots Mechanism and land tool mediation tools). This includes the integration of activities to create awareness on gender issues, mainstreaming gender into Land Use Planning strategies and activities, conducting gender training as part of capacity development in the process and adopting participatory Planning methods that embrace gender.

6.5 LEGAL AND POLICY ISSUES

There are many legal matters relating to Tenure Responsive LUP. In the entire process, legal matters should be treated with utmost professionalism. Legal guidance is important for understanding and applying specific property laws, land-use regulations, historic preservation laws, conservation and environmental laws, zoning, Planning laws and municipal codes (wherever these legal matters exist). Issues pertaining to land policies and constitutional matters may also arise. For instance, environmental laws can cover national to local level environmental statutes affecting soil conservation, coastal areas, wetlands, flood plains, farmland, ground

"legal matters should be treated with utmost professionalism. Legal guidance is important for understanding and applying specific property laws, land-use regulations, historic preservation laws, conservation and environmental laws, zoning, Planning laws and municipal codes

and surface water quality, habitatconservation, air quality, noise control, etc. Land-use regulations may include laws pertaining to eminent domain, zoning, building and housing codes, growth management, constitutional limitations on land uses, public and private land-use control, etc.

Depending on the place, the objectives or purpose of Land Use Planning, some of these laws may apply. Legal procedures for fulfilling some of the Planning elements are essential for the successful implementation of Land Use Planning. For instance, there are specific procedures for regulatory approval, implementation procedures, review and plan updating, as well as the reapplication for Land Use Planning. Moreover, Land Use Planning is a cross-sectoral process, involving various sectors of the economy and requiring adherence to different legal provisions. For Land Use Planning to be successful, it is important to be certain of the expected outcome of its implementation and to consider other sector plans or overriding superordinate plans. It is possible (depending on the specific legal jurisdiction) to attain a legally binding and enforceable land-use plan. In such a case, legalities must be considered and fulfilled. It is also possible that the plan is based on legally nonbinding implementation; in this case, the land-use plan is only a guide for policy-makers, decision makers and communities. Even in the case of non-binding Land Use Planning, there are legal requirements to establish its non-binding status.

6.6 ENVIRONMENTAL CONCERNS

Usually, economic and cultural practices (e.g. residential, mining, leisure or recreational, agricultural,

06 OVER ARCHING ISSUES IN TENURE RESPONSIVE LAND USE PLANNING

industrial, forestry purposes, etc.) drive land uses. The importanceof sustainability principles and climate change awareness means that environmental concerns have become an overarching issue in Land Use Planning. This was not always the case but there is now a focus on balancing economic and social issues with environmental needs for the future. For instance, according to USEPA (2008).

Some land uses can accelerate or exacerbate the spread of invasive species. Certain land-use practices, such as overgrazing, land conversion, fertilization, and the use of agricultural chemicals, can enhance the growth of invasive plants. These plants can alter fish and wildlife habitat, contribute to decreases in biodiversity, and create health risks to livestock and humans. Introduction of invasive species on agricultural lands can reduce water quality and water availability for native fish and wildlife species. Research is beginning to elucidate the

> *The importance of sustainability principles and climate change awareness means that environmental concerns have become an overarching issue in Land Use Planning.*

connections between land use changes and infectious disease.For example, fragmentation of forest habitats into smaller patches separated by agricultural activities or developed land increases the "edge effect" and promotes the interaction among pathogens, vectors and hosts. (USEPA, 2008, pp. 13-14).

The above citation is an indication that, apart from its negative impacts on biodiversity, inappropriate land use has consequences for human health. Land Use Planning should control inappropriate land uses (and the changes they cause), so that their adverse effects (on the climate, air, flora and fauna, water, humans,etc.) are minimized.

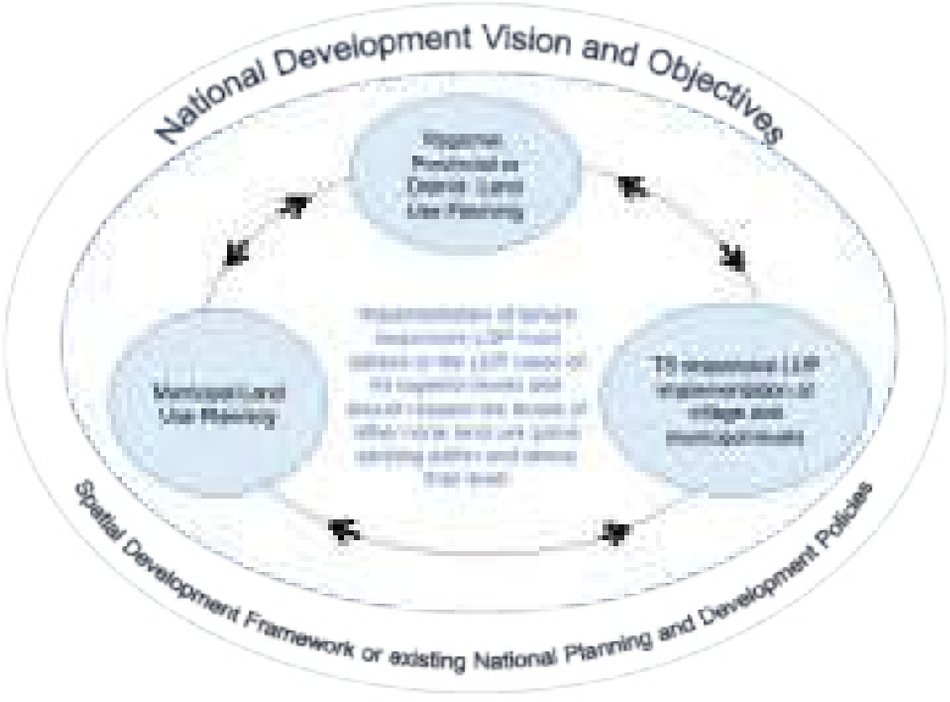

Figure 13: Linking Tenure Responsive LUP to the overall planning system

This approach stems from the importance of attaining responsible development through Land Use Planning and requires integrating ecological needs and climate change factors in every aspect of the process.

6.7 COMMUNICATION

Communication in Land Use Planning is one of the most underestimated aspects of the process and the way in which communication media and structures are designed and applied can affect the success of the entire process. Stakeholders in Land Use Planning demand different kinds of communication in different situations and stages of their involvement. This makes it imperative that messages are tailored for them in ways that add value to the process. For instance, well-constructed messages can motivate participation and gain maximum support from stakeholders. In addition, it can boost the achievement of the objectives set for Land Use Planning. Effective communication can help create awareness in the earliest stage of the process, leading to public acceptance. Effective communication throughout can provide opportunities for high community engagement. To make communication effective, three main things are important:

- First, carry out a stakeholder analysis to identify whom to communicate to and what their different interests are; for example, the interests of the public may differ from the interests of politicians.
- Second, identify the most suitable and efficient ways of communicating. Different members of the Planning team and communities may be more responsive to messages through the Internet, workshops, posters, radio announcements or newsletters, etc. There is a need to transmit and share information in ways that resonate with different people.
- Third, make communication a core issue. It is important to allocate the responsibility to one person or a team. This way they can alwaysfocus their attention on maintaining balanced communication. This is possible through a two-way communication that enables appropriate feedback mechanisms. Such a team or person has to be accessible to communities involved in the Land Use Planning. This means knowing what information to share and when best to share it.

> *The importance of sustainability principles and climate change awareness means that environmental concerns have become an overarching issue in Land Use Planning.*

6.8 INTEGRATING TENURE RESPONSIVE LUP INTO A GENERAL PLANNING SYSTEM

Apart from land-use plans, there are many sectoral and general development plans that guide national development, and many of these exist at different administrative levels. For example, a national development plan could comprise of the comprehensive development scheme of a country. Usually, national economies consist of several sectors (e.g. tourism, manufacturing industries, agriculture, education, health, service supply, mining, etc.). Some of these sectors generate wealth (e.g. mining, agriculture, technology, etc.) while some others focus on human development (e.g. education, health, etc.). A national development plan would, in most cases, identify the country's needs and define its vision and objectives in relation to all these sectors. Below the national level, there may be a need for a master plan. This is a plan that presents the general development concept of a city or region (when viewed in terms of a city plan or regional plan). Such a plan would usually add value to national development plans by bringing regional or urban development elements into focus (e.g. infrastructure, urban design issues, service provision, landscaping, infrastructure, etc.).Drawing from the general vision or objectives of the development plan, a master plan creates a clearer framework for the development of a

specific area within a specific period. Furthermore, other kinds of plans may exist at the local or municipal level for the strategic governance of local areas. Again, there are other kinds of planning that enable development in different aspects of a country's needs. A strategic plan may exist as an effort to shape and guide development visions for various parts of a country or region. Special area plans may be necessary to address challenges of unique concerns. It can also be about Planning a specific neighbourhood (neighbourhood planning). Functional (and sectoral) plans can emerge in the form of sewage management plans, environmental-control plans, infrastructural plans, forestry plans, agricultural plans, transport plans, etc.

For the outcome of Tenure Responsive LUP to be effective and have its expected impact on people (including the environment and the economy), it needs to reconcile its objectives and link its content with other Planning processes (Figure 13). An effective way to integrate the outcomes into the overall Planning system of a country is to align its implementation with a SDF (see section 3.3), national development vision, or national development objectives of the country where it is being implemented.

The way to integrate Tenure Responsive LUP (or general Land Use Planning) into the overall Planning system of a country is to conduct it within the ambits of its national development vision or objectives. Tenure Responsive LUP (as well as any other subordinate plan) should adhere to the vision of its superior levels and should respect the tenets of other existing sector plans within and above their levels. For instance, Tenure Responsive LUP at the village or municipal level should embrace municipal Planning laws and respect the tenets of other non-land-related laws and regulations. The same applies to situations at the regional (district or provincial) and national levels. If all levels of Land Use Planning adhere to this approach, then it will notconflict with the tenets of other Land Use Planning systems or the general (or broader) Planning system within a country.

6.9 IMPORTANT PRECONDITIONS FOR TENURE RESPONSIVE LUP

Tenure Responsive LUP is based on specified needs (to improve an existing and future situation) and objectives (tenure security goals or vision). It cannot be carried out in complete isolation from other aspects of the social, environmental, economic, cultural and political systems of a country, region or local area. It has to be embedded in an existing broader Planning framework (see section 6.8). Where there is no such, the Tenure Responsive LUP process needs to be coordinated and harmonized with other ongoing developments and plans to avoid contradictions. Unfortunately, "in most developing countries, the practice of coordinated and systematic Planning and action is not very common" – e.g. "Planning and budgeting are generally disconnected" (GIZ, 2012, p. 103).

In many developing countries, institutions lack the capacities for coordinating Land Use Planning in ways that connect its objectives to the public interest. Frequently, Planning is too administrative and does not include citizens' participation. At local levels, communities may not be motivated to participate in the process due to their distrust in the overall land administration system. Public officials, especially policy makers and executors (e.g. politicians), may lack the political will to support Planning processes which produce development dividends for people. Additionally, political impasses or undemocratic

In many developing countries, institutions lack the capacities for coordinating Land Use Planning in ways that connect its objectives to the public interest. Frequently, Planning is too administrative and does not include citizens' participation.

governance structures can be a majorimpediment to the success of Land Use Planning. These issues (and many not mentioned here) are some of the reasons that certain preconditions should be fulfilled to enable successful Land Use Planning. From GIZ's (2012, pp. 107-108) experience, some of the preconditions for successful Land Use Planning in developing countries (at the national, regional or local levels) are ideally:

a. Freedom of assembly, opinion and expression
b. Existing need and demand for land-use Planning
c. Political will to define land uses in a transparent and participatory way
d. Willingness of all stakeholders to discuss together the optimum sustainable use of land and other resources, including high-ranking politicians, public authorities and private investors
e. Legal security and rule of law to ensure that all parties adhere to the land use plan
f. Integration of Land Use Planning into official institutions and structures resulting in legally binding land-use plans
g. Obligation by law for all administrative levels to do Land Use Planning and to cooperate and link their Planning activities and plans
h. A land-use ;Planning policy stating the responsibilities for steering Land Use Planning and defining land-use plans as binding instruments
i. Public budgets linked to Land Use Planning outcomes as an incentive for Planning and to ensure the implementation of plansj. Clear rules on fair compensation in case of land-use limitations for individuals, groups or companies
k. Decentralization (devolution) of decision-making on land and resource uses (based on the principle of subsidiarity)
i. Data availability and data sharing among different institutions
m. Existence of at least basic logistic conditions

In the above list, preconditions A to F are compulsory. Where these preconditions are not yet all in place, difficulties in the Land Use Planning process are likely to appear. To avoid this, "there needs to be at least a clear government commitment for Land Use Planning. Hence, transparency, dialogue, cooperation and participation are key issues for any institution or project aiming to introduce Land Use Planning in a setting where the above-mentioned preconditions are weak" (GIZ, 2012. p. 108). Preconditions (g) to (m) can help catalyse the process, but they are not necessarily required. They are not mandatory because they are achievable in the course of the intervention processes through Land Use Planning, hence, must not be in place at the start of a Land Use Planning project. Boosting these conditions in the course of intervention would depend largely on planning the elements and tools adopted in the overall exercise.

PART VII

THE WAY FORWARD

7.1 OVERVIEW

Developing countries account for more than 95 per cent of global population growth, especially in the urban areas. This reality is incompatible with the amount of land available and access to it, and presents all kinds of tenure challenges. It has led to increasing inequality and conflicts between different land users. In these countries, "people with low incomes lack the political power and economic resources to make decisions about how land is managed and in whose favour" (Urban Landmark, 2013, p. 1). For this reason, improving security of tenure is important for developing countries more than ever before. How these challenges are addressed will be crucial for global development. The point of introducing Tenure Responsive LUP is to widen the options available to practitioners and policy makers in addressing land issues. This is important because a people-centred development is not possible without secure tenure on land. That is why this guide is dedicated to improving and widening tenure security options through Land Use Planning. It provides guidance for conducting Land Use Planning in ways that involve local residents in decision-making with a focus on their tenure security needs.

With alleviating poverty a key issue today, various organizations and governments have formulated different instruments or approaches for action. In the context of Land Use Planning, conventional (top-down) Planning approaches are still being implemented in many developing countries, although hand, participatory approaches to (land use) have proved to be more successful and have gained importance. TheTenure Responsive LUP approach has a lot in common with existing participatory approaches, but it also has features that make it unique and a flexible opportunity to improve tenure. Its flexibility is through the possible links to other existing land tools and approaches. It has not been designed to replace a specific land tool or approach, but it widens existing options to improve land tenure security.

The point of introducing Tenure Responsive LUP is to widen the options available to practitioners and policy makers in addressing land issues. This is important because a people-centred development is not possible without secure tenure on land.

7.2 DIFFERENTIATION BETWEEN TENURE RESPONSIVE LUP AND PARTICIPATORY LAND USE PLANNING

Though participation or participatory Planning has been associated with Tenure Responsive LUP in this guide, the two concepts and practices (Tenure Responsive LUP and participatory Land Use Planning) are different and should not be confused. They do have similarities in that both depend on participation as a principle and Land Use Planning as a methodology or platform for implementation. They are also similar in the following ways:

- Both Tenure Responsive LUP and participatory Land Use Planning can be carried out as an integral part of local development planning.
- They play key roles at the project implementation level in any development process.
- They create opportunities for addressing stakeholders' needs, concerns and proposals for local development.
- They enable consensus building in local development due to their promotion of inclusiveness, principles of local good governance and prior and informed consent.
- Their procedures empower project beneficiaries or local communities to make decisions on issues of priority interests, such as conservation, agricultural land-use compatibilities, zoning, etc.The key differences between the Tenure Responsive LUP and participatory Land Use Planning are notable in

PART VII THE WAY FORWARD

> *Tenure Responsive LUP's focus is on improving tenure by exploring the wider alternative tenures that are possibly embedded within any Land Use Planning process.*

their objectives and procedures. These differences include:

- Participatory Land Use Planning ensures "that local land users are given the opportunity to play a central role in decision-making processes concerned with the land and resources they use and depend upon" (IFAD, 2014, p. 1). Tenure Responsive LUP specifically ensures "a conscious method of exploring the tenure security opportunities as a primary concern in a Land Use Planning process" (Chigbu et al., 2015, p. 8).
- Participatory Land Use Planning can contribute to the security of land tenure, but its focus is on the overall use of land resources being identified through participatory methods. Tenure Responsive LUP's focus is on improving tenure by exploring the wider alternative tenures that are possibly embedded within any Land Use Planning process. So, whereas the outcome of Tenure Responsive LUP must include tenure security improvement (among other things), this is not be the case in a participatory Land Use Planning process.

7.3 THE ROLE OF TENURE RESPONSIVE LUP IN ACHIEVING THE POST-2015 SDGS

The global urban population is expected to almost double over the next four decades, mainly in Asian and African cities. In addition, rural challenges will persist. This situation will have major implications for how we address environmental sustainability and poverty eradication. Continuing with a business-as-usual approach will lead to a worsening urban-rural divide, rising land conflicts, inequality and increasing environmental challenges. The adoption of the Sustainable Development Goals (SDGs) is only the starting point for the post-2015 process. There will be need to develop tools that have the capacity to produce outcomes that directly add value to the SDGs targets.

As a key tool for development within human settlements, Tenure Responsive LUP will play a crucial role in addressing some of these challenges. The SDGs will attend to increasing demand for land since land will play a critical role across the SDGs. No matter how the situation is viewed or analysed, the ambitious post-2015 development agenda will depend on the way land is managed – including how we own (and hold rights) and use land - the core idea behind Tenure Responsive LUP. This is the path towards a paradigm shift to more equality – a major factor in eradicating poverty.

There are specific SDGs that will necessitate the application of Tenure Responsive LUP in the post-2015 years. Table 2 on the next page shows how Tenure Responsive LUP can contribute to actualizing these SDGs. These goals are ambitious, but when it comes to their implementation in developing countries, Tenure Responsive LUP will contribute to the principles and practical context for their operationalization. For a start, it is important that planners, administrators and land management practitioners embrace this guide to support Land Use Planning to improve tenure security within their different project areas.

Table 2: Role of Tenure Responsive LUP in achieving SDGs in developing countries

Proposed SDGs	Specific aspect and provision of proposed SDGs	Possible role of Tenure Responsive LUP in achieving SDGs
Goal 1	End poverty in all its forms everywhere	Continuum of land rights focus can widen tenure improvements leading to improved livelihoods
Goal 2	End hunger, achieve food security, and improved nutrition, and promote sustainable agriculture	Improvement in tenure security leads to sustainable and better land use and improved agricultural productivity
Goal 5	Achieve gender equality and empower all women and girls	The participatory and gender responsive process in Tenure Responsive LUP contributes to equality and women's empowerment
Goal 6	Ensure availability and sustainable management of water and sanitation for all	Groundwater quality and sustainable management is directly linked to appropriate land uses. Tenure Responsive LUP will help widen secure tenure in water rights
Goal 10	Reduce inequality within and among countries	Tenure Responsive LUP will contribute to equitable land distribution, tenure security and improved land uses, thereby reducing inequality in communities
Goal 11	Make cities and human settlements inclusive, safe, resilient and sustainable	Tenure Responsive LUP can enable positive economic, social and environmental links between urban, peri-urban and rural areas by strengthening national and regional development Planning , best when conducted within the frame of a national (spatial) development framework
Goal 15	Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss	Through more secure tenure, Tenure Responsive LUP will contribute to opportunities for combating desertification and restore degraded land and soil (including land affected by desertification, drought and floods, and strive to achieve a land degradation neutral world) Secure tenure will lead to improved land management, which again will lead to sustainable land uses. Considering the inter-sectoral character of land topics, in connection with multiple uses (protection, production etc.), Tenure Responsive LUP will have a far reaching impact to sustainable terrestrial eco- and land-use-systems

7.4 THE DO'S AND DON'TS OF TENURE RESPONSIVE LUP

There are many tenure security possibilities. These can vary in different spatial units (e.g. informal settlements and rural villages) and from sectoral perspectives, e.g. in agricultural or business areas. They can also vary between places with differences in culture, histories and places with different land uses and processes ofsettlement (land tenure). In all cases, Tenure Responsive LUP should be implemented based on local realities.

For Tenure Responsive LUP to contribute to tenure security improvement, its implementation will depend on following some important Do's and Don'ts. Table 3 presents quick tips on such Do's and Don'ts that can guide the successful delivery of a Tenure Responsive LUP process.

- Initiation of the project – constituting of Tenure Responsive LUP project team: Before starting a Tenure Responsive LUP project, seek partnerships with all actors and do not underestimate the potential of local

Table 3: The Dos and Don'ts of Tenure Responsive LUP

Do's	Don'ts
Include Tenure Responsive LUP in the overall development plans of a city, village or rural area.	Treat Tenure Responsive LUP as a special issue outside normal city, village or rural development planning.
Develop country (or local) specific plans to manage Tenure Responsive LUP.	Assume Tenure Responsive LUP will be the end of tenure insecurity.
Identify stakeholders and partners who can contribute to the Tenure Responsive LUP process.	Underestimate the number of stakeholders and potential partners who will be prepared and want to participate in the Tenure Responsive LUP process.
Consider the communities (and by extension all local land users) as the principal providers of data on the actual use of the land.	Ignore the community or expect that there is reliable and available data.
Do not let limited funds stop you; adopt an incremental approach to Tenure Responsive LUP.	Impose unrealistic standards and regulations in Tenure Responsive LUP process.
Invest in social capital to develop cohesion and organizational resources.	Underestimate the importance of poor communities in the design, implementation and monitoring of Tenure Responsive LUP process.
Identify the resources communities can contribute to Tenure Responsive LUP.	Think that just because communities are poor that they have no resources for Tenure Responsive LUP.
Provide communities with security of tenure using Tenure Responsive LUP.	Assume individual land titles are the only means of gaining tenure security.
Encourage initiatives of communities and recognize the role of women, girls, boys and youths in Tenure Responsive LUP.	Let the traditionally powerful, vocal and visible or influential people dominate the Tenure Responsive LUP process.
Involve land users, tenants and owners and different land rights holders in finding solutions that benefit them in Tenure Responsive LUP.	Discriminate against or promote a single tenure option.
Identify the cause of tenure insecurity during the Tenure Responsive LUP.	Assume what the causes of tenure insecurity are.
Look for a broad range of funding sources and payment mechanisms (public, private, grants, cross-subsidies, etc.) for Tenure Responsive LUP.	Rely on governmental subsidies or on full-cost recovery for Tenure Responsive LUP.
Look for creative financial mechanisms to support the initiatives of CBOs.	Rely on governmental subsidies or on full-cost recovery for Tenure Responsive LUP or assume the poor can only contribute labour resources to Tenure Responsive LUP.

7.5 QUICK GUIDE TO TENURE RESPONSIVE LUP

The following quick guide summarizes all the in-text points for conducting a successful Tenure Responsive LUP. Practitioners should use these to make sure that they cover all the important steps.

- Pre-initiation measure: Whoever initiates the Tenure Responsive LUP must make sure that the eligibility criteria are made public before the project starts. This will help mitigate against opportunistic and manipulative behaviours at the beginning of the project. Most importantly, it will enhance trust between the project team and the people or community.

people, even if they are poor. The process, starting from this point, should be participatory through the entire Tenure Responsive LUP process. It is important to seek out people from all different parts of the community. The view of all residents, women, men, the disabled, children and the elderly (and all people and groups) should be sought so that they can give inputs in the process.

- Setting objectives – identifying specific Tenure Responsive LUP objectives: It is compulsory to include land tenure security as a key objective in Tenure Responsive LUP. There are many different kinds of tenure security. Tenure security is a continuum of various types and this should be made part of the Tenure Responsive LUP objective.
- Collection of data – conducting a land-use inventory and documentation: Conduct investigations to learn from history and find out the previous policies and approaches in the location (community) in order to integrate learning points and prevent repeating mistakes. It is useful to identify the key causes of tenure insecurity in the project community to be better prepared to offer alternative options of tenure.
- Assessment of data for the Tenure Responsive LUP plan – land and social tenure (rights) assessment and recordation: Check what legal rights all participants (those interested in land) have which are protected in laws and constitutional provisions in order to prevent court cases and problems with Tenure Responsive LUP interventions. Community members and the Tenure Responsive LUP team should determine and record all land uses and rights data. Make agreements for all solutions for all problems identified and assessed, and document them.
- Concretization of the Tenure Responsive LUP plan: prepare a land use plan based on a continuum principle and practice: Negotiate and enforce theprotection of land uses, land rights and social values related to land, in accordance with the laws guiding LUP projects in the area or community. Draft local regulations, agreements, certification documents and/or detailed management plans for recognition of land uses and continuum of land rights. Conduct gender sensitive community meetings to ratify the proposed plan and document all outputs. Make sure to have proper mapping of the areas, defining their location, land uses, land sizes, level of services and tenure situation. Prepare a land-use plan based on protected rights and social values. Present the new plan to the public (initial public presentation) for public endorsement prior to submitting it to the relevant authorities. If rejected, consider recommendations for an improved plan accordingly. If accepted, pass it on to relevant authorities for endorsement.
- Endorsing the Tenure Responsive LUP plan – approval by relevant authorities: Submit the proposed plan, draft local regulations, agreements and/or detailed management plans for recognition (of land uses and land rights, and other possible outputs emanating from the process) and/or for approval by relevant authorities. If rejected by relevant authorities (based on Planning procedures), review and concretize the new plan for resubmission. If rejected (based on inappropriate objectives), consider resetting the objectives and go through the stipulated Tenure Responsive LUP steps before resubmission. If the relevant authorities endorse the new plan, conduct a final public presentation.
- Final public presentation of the Tenure Responsive LUP plan: Use the final public presentation as an opportunity to enable the public seeing the endorsed plan.
- Linking new data from the Tenure Responsive LUP plan to land information system: Update all land records (register, cadastre, etc.) with new information. Use new information for certifications and titling where necessary or acceptable.
- Monitoring and evaluating the tenure system: At this point, it is clear what tenure security instrumentshave emerged from the Tenure Responsive LUP plan. Since tenure security is along a continuum of types, its range can vary from time to time. In particular, the tenure security emanating from social practices

Box 13: Who should lead the Tenure Responsive LUP process?

Tenure Responsive LUP is a highly multidisciplinary process. Its coordination should not be limited to a specific profession. Tenure Responsive Land-Use Planners can come from different professional backgrounds. In addition to technical qualifications in the area of LUP and tenure security, they can be people with academic and professional training in land management, spatial Planning , urban and regional Planning , land/estates surveying, geography, agriculture or forestry, etc.). Irrespective of professional background, they should have a good team spirit, be capable of organizing and have experience of working with local communities in participatory ways. They should have the capacity to moderate and a strong commitment to issues related to land management. It is important that they should be expert generalists in land management, land tenure and land-related issues.

can fluctuate between individuals. It is important that the system remains monitored and evaluated in order to maintain (sustain) and elevate gained tenure security situation improvements.

7.6 DEVELOPING TENURE RESPONSIVE LUP FURTHER

Land Use Planning is not a new activity in land management. Using it as a means to widen the margins of tenure security in developing countries is unique because it addresses potential conflict through Land Use Planning and provides practical solutions to these conflicts, while at the same time having an immediate impact on and benefits for land use. This calls for participatory and inclusive innovations that secure peoples' tenure instead of restricting their land rights. Using Land Use Planning as a means to sensitization of tenure security is what makes Tenure Responsive LUP different from Land Use Planning and creates a newtool to improve tenure. Since Tenure Responsive LUP is still being developed, there will be many opportunities to improve it. Areas for further enhancing the tool include:

- Introducing the Tenure Responsive LUP tool to national and municipal governments in developing countries: this is important for initiating its use in developing countries.

- Developing the capacity of organizations and practitioners for its implementation in developing countries: this guide and its accompanying e-learning package are the first step, but more efforts are still needed.

- Combining the Tenure Responsive LUP with other land tools: efforts have been made in this guide to show how to link Tenure Responsive LUP to other tools. GLTN, its partner organizations and others have produced many tools. Linking the use of this tool to other tools adds value to global efforts for securing tenure and for sustainable land uses.

- Updating and documenting the practical guide presented here: the application of the

Box 14: The best time to begin a Land Use Planning led approach to improving tenure security is now

"Land Use Planning and tenure security are essential for achieving global development goals, especially in the post-2015 period. It is crucial that individuals and communities have some level of certainty that governments and influential individuals will not infringe on their interests, ownerships, privileges and rights on land. If people's rights to land are recognized by others and protected in cases of particular challenges, incidences of competing claims, conflicts, evictions and food insecurity will reduce. Most importantly, it will lead to better use of land. Land tenure and land-use patterns affect the distribution of land and land-based assets among people and communities. When backed by tenure security, the process has far-reaching and sustainable implications for socio-economic development." (Chigbu et al, 2015, p. 3).

Tenure Responsive LUP tool will bring practical experiencesand learning. It is important to document and communicate these experiences and present new case studies for future improvements on the principles and practices of the tool.

- Finally, the issue of tenure security is an ongoing concern in global efforts towards sustainable development. Finding other ways to applying Tenure Responsive LUP is crucial, and should be explored.

Currently, global and local communities face complex challenges that are hinged on land rights and land use. The most important question in this century should be how humanity can make the Earth a liveable and sustainable planet. The way to achieve such a goal is to tackle local challenges locally, and in ways that they have positive global impacts. Likewise, global challenges should be handled globally with respective positive local effects.

This means that challenges posed by urbanization, rural development, climate change, community development, natural resource use and land management (and many others challenges) must be handled with care and attention. There are many opportunities for a Land Use Planning led approach to tenure security improvement to serve as a tool for meeting some of these challenges. In general, Land Use Planning does this by considering location-specific advantages and by diversifying "functions, so as to cater to a variety of needs" in all aspects of the society (UN-Habitat, 2013a, p. 2).

Tenure security improvement can influence issues related to poverty. Hence, the Tenure Responsive LUP tool is an instrument for achieving sustainable land use and for alleviating poverty. It is meant to be used as an effective tool for setting up liveable places and improving socio-economic systems for local communities.

A Tenure Responsive LUP concept, operation and approach will be dependent on the culture, legal framework or country context in which it operates. Its success will strongly depend on the level of participation and acceptance of the procedures by local communities, as well as a strong will to implement the procedure on the part of political and administrative stakeholders. Further, the availability of fiscal and technical resources is crucial to its success. Being cognizant of these realities, this guide provides the knowledge for conducting Tenure Responsive LUP in a generic sense.

PART VIII

CASE STUDIES

CASE STUDY 1: LAND-USE PROJECT IN PERI-URBAN GHANA

In Ghana, it has been possible to improve tenure security through Land Use Planning in a peri-urban area. The project was a multi-stakeholder initiative involving CIDA, DFID, GIZ, KfW, NDF and the World Bank. These donors' priorities covered a spectrum of land administration themes and cross-cutting issues in diverse sectors. This may have helped engender tenure security in its implementation.Unlike most other countries in sub-Saharan Africa, Ghana has a spatial development framework (SDF) for countrywide development. Although the SDF in Ghana became an official policy long after the pilot project started, the project considered the concept of the SDF for its implementation prior to the official approval of the SDF. At the regional level, the SDF addresses land use decisions in Ghana's administrative regions. There are structure plans and local plans for districts wherever physical development is to take place. Ghana demonstrates that a Spatial Development Framework can influence land development decisions from national to local levels.

Case study 1: Ghana Land Administration Project,The land-use project in a peri-urban area

The Challenge or Problem	**A lack of adequate Land Use Planning in Ghana has led to tenure challenges and contestation of rights to land. A land-use project that was part of the Land Administration Project in Ghana provides a suitable case for understanding some of the ways Land Use Planning enhances tenure security in developing countries. The underlying problem is a rapid increase in the urbanization rate due to population growth and rural-urban migration. As a result, unplanned and uncoordinated developments took place.**
Background of Project	**Phase 1 of the land-use project started in 2003 and ended in 2010. Phase 2 is ongoing (from 2011-2016). This case study reflects on the impact of the Phase 1 in improving tenure security. The project site was Awutu Breku, the capital of Awutu Senya District in the central region of the country. It is a peri-urban town and one of the settlements where tenure security challenges are most evident in Ghana. It involved 987 parcels owned by 3 landowning families. In the context of Ghana, a land-owning family may vary considerably in household numbers. Some land-owning families are between 10-300 households. This district comprised of 25 land-owning families.**
Objectives	**The original aim of the project was to improve land titling, registration, valuation and information systems for human settlements, among many other objectives.**
Approach or Key Measures taken	**The existence of a national and regional spatial development framework enabled the development of structure plans, leading to the production of local plans. Local plans, Planning and building permits were prepared and conducted (based on site plans). Utility mapping, street naming and numbering (geocoding) exercises were enforced. Tenure security concerns formed a component of the Land Use Planning through its link to registration and titling as critical policy issues. Stakeholder participation was at regional and local levels.**
Outcome and impact	**Issuance of permits to landowners or/and land users for their improvements on land (e.g. building) increased their de facto tenure security. Registration and titling of lands increased de jure tenure security. The preparation of a local plan gave land users and owners a higher perception of tenure security. In cases where traditional authorities allocated land to individuals, these individuals received (due to transfer of property) the tenure security previously enjoyed by the traditional authorities.**
Lessons learned	**Residents of Awutu Breku considered physical security of their lives and properties as being core to tenure security. In cases where development preceded planning, Land Use Planning catered for existing developments. In doing so, the citizens viewed Land Use Planning, from the perspective of development protection – that is, a tool for legalizing or formalizing informal or illegal developments. In cases where the demolition of developments or developed areas had been recommended earlier, people perceived the approval of their developments through the Land Use Planning process as a form of tenure security. Where Planning preceded development, people were required to follow the guidelines prescribed by the land-use plan. In this situation, they considered Land Use Planning to be a development control. By following Land Use Planning guidelines, they perceived their developments with a higher sense of tenure security.**

PART VIII CASE STUDIES

CASE STUDY 2: LAND USE PLANNING PROJECT IN RURAL LAOS

Laos presents a rural experience of how Land Use Planning can foster tenure security. In this country, all land in rural areas is considered to be state land. The local population generally holds non-registered traditional rights. Land registration and issuance of formal titles are very limited and focus on housing areas and paddy fields.

The demarcation of boundaries of village or communal land was largely unclear and officially unacknowledged. It was difficult for the government to identify land for investment projects, especially for foreign direct.

Case study 2: Lao People's Democratic RepublicLand Use Planning Project in rural Laos

The Challenge or Problem	**Prior to the Land Use Planning Project in Laos, the rural population of Laos had very limited formalized land rights. Land titling was mainly an urban and peri-urban practice. Without officially recognized land titles, rural farmers lost access to valuable land resources for individual or communal use.**
Background of project	**Many donors supported the project, but this case study focuses on the input by GTZ (now GIZ) on behalf of Federal Ministry for Economic Cooperation and Development (BMZ) of Germany.**
Objectives	**The objective was to conduct Land Use Planning at village and village cluster level to improve land and natural resource management.**
Approach or key Measures taken	**The project focused on participation by the local population and all gender groups as well as on the recognition of village land rights by ethnic minorities. Key measures taken are:** **Stage 1: Preparation for participatory Land Use Planning ;** **Stage 2: Socio-economic, land and forest data collection;** **Stage 3: Delineation of village and village cluster boundaries;** **Stage 4: Village and village cluster forest and agriculture land-use zoning;** **Stage 5: Village and village cluster land management plans;** **Stage 6: Land data record keeping and digital mapping;** **Stage 7: Land registration and titling in rural villages;** **Stage 8: Village and village cluster networks & networking;** **Stage 9: Monitoring and evaluation.** **In addition to these measures, the following interventions were undertaken** **Informing peasants about risks in leasing land and doing contract farming, providing peasants with standardized leasing and farming contracts to enable the negotiation of fair arrangements;** **Providing agricultural consultation for peasants on sustainable methods of cash crop production with a special focus on the sustainable use of pesticides to avoid health hazards;** **Combining village land-use plans and district plans.**
Outcome and impact	**Up to now, Land Certificates have been issued in 25 villages. By 2010, more land titles were issued in approximately 20 villages.**
Lessons learned	**The participatory Land Use Planning has proved to function as a process for improving tenure security because the local population accepted it. Although tenure security is a legal and socio-political issue, it was an issue of perception for people in rural villages. Land use Planning helped to improve tenure security, because the process had high public acceptability and recognition in Laos.**

investment in the agricultural and forestry sector. The government was running "the risk of misappropriating land that is crucial for the local population to secure their livelihoods by agricultural practices, collection of non-timber forest products or forest use" (GIZ, 2012, p. 22). The project focused on establishing clear village demarcation, zoning and the registration of individual and communal land, it facilitated the allocation of land for different uses and helped to avoid conflicts over land. Government officials mediated through the process (together with representatives of neighbouring villages) to resolve disputes over land between individuals and neighbouring villages. As the process was done in a participatory way (with officially recognized local agreements on the use of land), it helped "increase the chances of the local population of being safe from 'land grabbing'" (GIZ, 2012: p. 14). Today, the Lao PDR land use plan has been formalized. It has become an integral part of the overall Planning system.

The success of the Laos case in improving tenure is also attributable to the country's Land Use Planning experience, as well as the experience of GIZ. Land Use Planning in Laos has a long history. "In the early 1990s the Lao Government started a nationwide 'Land Use Planning / Land Allocation' campaign. Even though its results are questionable, Land Use Planning is well known and accepted in the country. It has reached widespread coverage in rural areas. Today, the approach has been further developed and participatory Land Use Planning at village and village cluster level is now a standard procedure in land management (GIZ, 2012, p. 41).

PART VIII CASE STUDIES

CASE STUDY 3: LAND USE PLANNING IN A GAME MANAGEMENT AREA IN ZAMBIA

The case from Zambia shows that the level of awareness and participation can determine the tenure security perception of people in a Land Use Planning project. The case involves an assessment of the Land Use Planning Project by WWF in the Lupande Game Management Area (LGMA). Findings from field investigations show that stakeholder involvement played a key role in the preparation of a land-use plan. However, the endorsement of the plan by local chiefs and communities has been delayed because of a lack of inclusive participation and "conflicting power relations among key local governance institutions" in the project area (WWF, 2004).

The conflicting viewpoints from the Zambia case study, gained from face-to-face interviews from the key stakeholder are presented in Box 6.

Though there were some problems in the Zambian case, it shows that tenure security can be influenced positively when embedded in the Land Use Planning process. The participatory involvement of communities increased

Case study 3: Zambia Tenure security perceptions in Land Use Planning – evidence from Lupande Game Management Area

The Challenge or Problem	**The Lupande Game Management Area (LGMA) in Zambia is witnessing many challenges due to the country's booming tourism industry. An increasing population has led to spatial and physical changes in the area. People have built homesteads on land which is designated as migratory corridors for wildlife animals. This has led to land-use conflicts between humans and wildlife.**
Background of project	**From 2001 to 2005, the World Wide Fund For Nature (WWF) LGMA initiated a land use-Planning project in LGMS, funded by the Norwegian Agency for Development Co-operation (NORAD). The project was in collaboration with the Mambwe District Council (MDC) and the Zambia Wildlife Association (ZAWA) who are the major enforcers of service provision and wildlife protection respectively in the area.**
Objectives	**The main objective of the Land Use Planning initiative was to assess the impact and relevance that Land Use Planning has in game reserve management. For that purpose, a land-use map of the area was produced. The map was used for decision-making and was to be incorporated into the Game Management Plan (GMP) of ZAWA.**
Approach or key Measures taken	**The project used stakeholders' involvement as a key measure. Stakeholders were the WWF, local chiefs and their communities, the Mambwe District Council, South Luangwa Conservation Society, trophy hunters, safari and tour operators. It used a zoning methodology to classify land uses into 5 zones:** **1. Development Zone: For human settlement, agriculture and infrastructure development.** **2. Tourism Development Zone: For tourism and related infrastructure development.** **3. Conservation Limited Use Zone: For conservation of natural resources.** **4. Township Zone: For coordinated residential and infrastructure development.** **5. Local Forest Zone: For conservation and development of forest to secure supplies of timber and other forest products, protection against floods, erosion and desiccation and watershed areas.**
Outcome and impact	**The project led to the formulation of a game management plan, to be implemented and monitored by ZAWA. It also produced a land-use map in 2005, which was adopted by ZAWA in their current 10-year GMP with effect from 2013 to 2023. This GMP still awaits ratification from the local chiefs.**
Lessons learned	**Interviews with local people showed that those who are aware of the project developed higher tenure security on their land. Those who are unaware of the project still feel insecure in the area.**

Box 15: Viewpoints from face-to-face interviews with key-stakeholders concerning Lupande Game Management Area in Zambia

- WWF: Conservation zones do not belong to anyone and no one is allowed to settle there. These areas were designated for local communities to collect firewood and fruits for their survival. Wildlife animals also get their food from there.
- Local citizens: Conservation of natural resources by local people in LGMA is only possible if alternative sources of income are provided for them.
- ZAWA: Wildlife is the main economic drive in the LGMA. So conservation without benefit to the people is not sustainable.

South Luangwa Conservation Society: No one can invest in Game Management Areas where there is no land-use plan because uncontrolled development is rife. This has often led to diminishing wildlife due to increased agricultural and illegal poaching activities. (Based on fieldwork interviews by Mulenga, 2015).

the community awareness and the acceptance of a land use plan. Those who participated in the process (and had strong awareness of its processes) developed higherperception of tenure security, while those who did not participate increased the perception of insecurity. The case study demonstrates how important participation is in the process of Tenure Responsive LUP.

PART VIII CASE STUDIES

CASE STUDY 4: DIGITAL ZONING CERTIFICATE PROGRAMME IN URBAN CHILE

The case from Chile shows that the availability of information to stakeholders, particularly local people, derived from an already functioning land administration system is of great advantage for improving tenure through Land Use Planning and related activities. When people are well informed, they develop a higher perception of tenure. In addition, where land information is readily available, people tend to have reliable information on land uses and land rights, thereby taking appropriate actions that either enforce or improve their security of tenure status.

Chile's situation is unique when compared to other developing countries. Unlike most, Chile has a functional registration system. The registration system was developed two centuries ago and currently has about 160 registrars in the country. Since then it has gone through substantial modernization. The digitization of the registry goes back to 1998 when paper files were turned into digital documents, but there was no online access for users in that time (Conservador de Bienes Raíces de Santiago, 2013). By 1999, the first upgrade

Case study 4: Chile , The Digital Zoning Certificate (CEDIZ) Programme in Chile

The Challenge or Problem	Only 25% of the municipalities in Chile have up-to-date land-use plans. Most municipalities do not have the necessary instruments for managing their territories. The public and entrepreneurs lack land-use information in their different communes. This poses a major barrier to economic development and the establishment of new businesses.
Background of project	**Chile's Ministry of Economy initiated the CEDIZ Programme in 2012.**
Objectives	The objective was to facilitate the establishment of new small- and medium- size enterprises to foster urban economic development.
Approach or key Measures taken	**CEDIZ focused on the introduction of new land information technologies at municipal level and incorporating available Land Use Planning instruments into it. It combines a set of tools that strengthen the transparency of land use management to improve land administration and protect land rights. The backbone of the intervention is an online platform that allows natural or judicial people to find out whether particular uses are allowed in a specific land parcel in order to obtain the Zoning Certificate (ZC). The ZC is digitally signed by the Municipal Land Development Authority and is a prerequisite for applying for provisional permits, in accordance with Law N° 20.494. CEDIZ adopts the urban parcel map (CBPU) as the basis of its operation.**
Outcome and impact	CEDIZ is currently working with over 80 municipalities. It is expected that all municipalities of the country will join this initiative in coming years. Due to the increasing transparency brought about by CEDIZ in Chile's land administration system, information concerning rights and restrictions vested on land parcels are easily identifiable and accessible to the public. This has led to a strengthening of the overall land tenure system. As a consequence of systematizing land information at the parcel level, the rights and restrictions vested on every parcel are now displayed and enforced by the system, thus making this information available for the government (at every level), private institutions and individuals. CEDIZ allows for identifying areas of different levels of economic activity. This provides decision makers with a clearer view of the areas that need promotion of certain kinds of land uses and development. Prior to the implementation of CEDIZ, the processing time for the establishment of new businesses was 27 days on average, which was far beyond the standards of the OECD. The process was too long, too complicated and costly. CEDIZ has reduced this time to just a few minutes.
Lessons learned	**Information collected to build up the parcel maps led to an improved knowledge of the status of land tenure and land use (formal or informal), and strengthened the land management tasks carried by the local authorities.**

of the online system was done to improve services to the public. In the following years, the database system was modernized and all the registries were integrated into the same database. Twenty-five per cent of its municipal land-use plans were updated after the year 2000; 45 per cent were updated before 2000; and only 30 per cent of the country is not covered by a land-use plan (Ministry of Economy Chile, 2014).

The country's problems lean more towards a lack of updated Land Use Planning than a lack of a land-use plan. This case shows that in order for the state to promote economic development, there is need to introduce new technologies that allow for management and dissemination of information in a more efficient and effective manner. This depends largely on the capacities that municipalities have as collectors and maintainers of relevant land information. The operational framework of CEDIZ entails access to the CEDIZ database from any personal computer connected to the Internet, as an entry point for finding out whether a determined business type can be established in a particular land parcel. This step has no cost for the applicant.

From the CEDIZ system, it is possible to select the region and municipality of interest as well as the address of the parcel. Once the parcel has been located, the user must enter the type of business that he/she would like to establish. The system processes the query and provides an immediate answer saying: "Allowed", "Not Allowed" or "Requires further analysis". If the answer is "Allowed", the applicant can immediately request the zoning certificate, at no cost, digitally signed by the director of the municipal land development authority. The certificate is downloadable from the same website and receivable via email. Once the zoning certificate is received, the user or entrepreneur can go to the municipality and file a request for the business permit.

The simplicity of these steps guarantees that any entrepreneur has access to the application process in a cheap and rapid way, thus fostering a good environment for economic development. It is important to note that the existence of an already functional land administration system is a major reason the CEDIZ programme has been successful in Chile.

CASE STUDY 5: APPLYING TENURE RESPONSIVE LUP IN SQUATTER SETTLEMENTS IN ETHIOPIA

The expansion of squatter settlements in the peripheral areas of Addis Ababa has altered the implementation of the city's proposed land-use plan. It has caused anunplanned urban development pattern which, in turn, has resulted in land use misallocations and insecurity of tenure. In this, an evaluation was done to find a way forward. The case study points to the fact that the interests of government actors range from executing genuine public administration responsibilities to rentseeking practices, depending on their position in land administration offices.

Case study 5: Tenure Responsive LUP in Squatter Settlement Neighbourhoods of Addis Ababa, Ethiopia, Evaluation of Tenure Responsive LUP in Squatter Settlements in Ethiopia

The Challenge or Problem	Spaces in the squatter settlements are used inefficiently. As a result, the intensity of their usage could not correspond to those prescribed in land-use plans and Planning regulations. The implication is that as the city government strove to address the challenge, the squatter settlers face renewed tenure insecurity.
Background of project	Due to rapidly growing population, the city was affected by fast-growing space intensification in the squatter settlements of Woreda 11 in Addis Ababa.
Objectives	This study analysed the effect of land squatting on both land use and land tenure security.
Approach or methodology	Different methods of analysis were used to understand the legal and physical status of the squatter settlement neighbourhoods. Analyses included land uses (based on overlay approach), residential density, and stakeholder interests, legal, institutional, and tenure analyses. For analysing the land-use intensity, $\frac{\sum_{i=1}^{n} PS_{t_2}}{\sum_{i=1}^{n} PS_{t}} = \frac{P_{t_2} \times f_{t_2} \times BAR_{t_1}}{P_{t} \times f_{t_1} \times BAR_{t_2}}$ Where: $\sum_{i=1}^{n} PS_{t_2}$ $\sum_{i=1}^{n} PS_{t_2}$ = Total Area of land allocated to residence in 2014. $\sum_{i=1}^{n} PS_{t}$ $\sum_{i=1}^{n} PS_{t}$ = Total Area of land allocated to residence in 2005. $P_{t_2} P_{t_2}$ = Total population of the research area in 2014. $P_{t_1} P_{t_1}$ = Total population of the research area in 2005. $f_{t_2} f_{t_2}$ = Floor Space per Person in 2014. $f_{t_1} f_{t_1}$ = Floor Space per Person in 2005. BAR_{t_2} BAR_{t_2} = Built up Area Ration in 2014. BAR_{t} BAR_{t} = Built up Area Ration in 2005.
Outcome and impact	The study has identified that Land Use Planning and tenure security have a direct relationship. In circumstances where proposed land-use plans were executed as per the city's Land Use Planning regulations, there was an increase in tenure security. Conversely, in areas where land-use plans were violated and subdivision regulations disrupted; tenure insecurity prevailed.
Lessons learned	The assessment of tenure security revealed that tenure insecurity emanates from informality of access to land, shorter occupancy period, and an inability to access necessary documentation referring to informally occupied property as well as perceptive and legal impediments to exercise a potential bundle of rights. This case study points to the issue of documentation as a necessary aspect of Land Use Planning that plays a role in securing tenure.

The interests of non-governmental actors also vary from securing affordable access to land to unlawful profit maximization practices. They do this in connivance with government actors, either through legal means or through violation of the city's land management regulation. It leads to direct repercussions on the land governance system of the city. Furthermore, the assessment of the legal and institutional framework suggests that the existence of policy-driven bottlenecks instigates tenure insecurity that has different manifestations. Concerning land use discrepancy, about 85 per cent of land use in the squatter settlement was executed in contrast to the official land uses plan. The research recommended the revision of the land policy to block existing legal and administrative loopholes being manipulated by real estate agents and public officials.

PART VIII CASE STUDIES

CASE STUDY 6: LAND USE PLANNING IN A FOREST COMMUNITY OF BRAZIL

The case in Brazil shows how mapping and conflict resolution in Land Use Planning can engender tenure security issues. In this case, the processes (land-use mapping and conflict resolution activities) took place in close cooperation with local people and land management professionals. At the beginning, the project management had problems convincing locals to participate in the process. Over a period, the local interest in the project was established after the people gained the trust of the project management. Since 2009, the land of 58 landowners (5,227 ha) has been registered.

The documentation of land rights played a major role in tenure security improvement. In addition, locals who were interviewed said that their involvement in the mapping process, and most importantly the resolution of land conflicts, were key to enhancements of their ownership, rights, interest and privileges in land.

Case study 6: Brazil.Land Use Planning Project in Rio Claro, Brazil

The Challenge or Problem	Brazil has some major tenure security issues. Problems arise due to an inaccurate land registry, overlapping titles for the same parcels, and lack of protection from eviction These challenges manifest in different forms in Rio Claro – a municipality in the preserved area of the Atlantic Rainforest. Farmers and quillombros (former slaves) face evictions because of rights contestation issues and incessant conflicts over land and forest resources. These scenarios raise tenure insecurity concerns.
Background of project	**Particularly because of acute deforestation of the Atlantic Rainforest, which was causing the sinking of groundwater, there was need to improve the situation. The Brazilian NGO Instituto Terra de Preservação Ambiental (ITPA), the municipality of Rio Claro and the local government initiated the project Produtores de Àqua e Floresta.**
Objectives	The main objective of the project was to stop further deforestation and promote reforestation of cultivated areas in the Atlantic Rainforest to secure the groundwater through sustainable land use. A core aspect of achieving this objective was to map the area, develop more reliable land-use and property data to enable appropriate control over deforestation.
Approach or key Measures taken	**The approach involved the inventory of property rights of land information, mapping of affected areas and creating an enhanced land and geographical information system. The enhanced database was used as the basis for reforestation and compensation payments for those whose land ownership and rights were affected. Furthermore, long-term agreements were signed between farmers and the municipality on ways of enforcing sustainable land use, particularly concerning cultivation. The project focused on the inclusiveness of people of all origins and their participation. In cases where local people had to prove their property/land rights, the project team supported them in organizing relevant documents. The reforestation measures also served as a capacity development process for local people.**
Outcome and impact	Between 2009 and 2015, a total area of 5,227 ha has been registered. Although the registration process is not legal, there is a common consensus about the land-use inventory. Furthermore, ownership and property documentation have improved security of tenure. Ownership boundaries have become clearer and information on land rights has become more reliable and verifiable.
Lessons learned	**Land ownership and rights enumeration with local forest communities can widen the margins of tenure security from a social perspective. Documentation can play a crucial role by enabling the recognition and respect of land rights among community members.**

Deforestation leads to less diverse ecosystems. Pressures posed by food shortage lead to the conversion of forests into agricultural land uses such as cropland, pasture or plantations. Reforestation provides the best opportunity to restore the balance of nature by increasing forest area. The reforestation project area in Rio Claro, Brazil. © Anna Leitmeier

Other important measures contributed to the increase in tenure security options for locals. One of them is the compensation paid to farmers and landowners whose land rights were either forfeited or restricted. Furthermore, locals were offered employment opportunities in the reforestation project. These measures reinforced the trust of the community members in the project team and further empowered them through improved livelihood capacity.

PART VIII CASE STUDIES

CASE STUDY 7: LAND USE PLANNING IN THE COASTAL AREAS OF THE PHILIPPINES

Frequent natural disasters have led to damages to crops and property and have caused livelihood problems for people in the Philippines, especially the rural population. For instance, Typhoon Haiyan destroyed the livelihoods of many people on the island of Leyte in November 2013. Due to this, the Land Use Planning in Leyte Island was initiated as a comprehensive approach for guiding the future growth and development of Leyte Island. The project was piloted in the two provinces Leyte and Southern Leyte, within 12 municipalities comprising of one component city and one highly urbanized city. Eight hundred villages were involved and are in various stages of completion of their Comprehensive Land Use Plans (CLUP). Active local participation, use of developed tools to integrate climate change and disaster risk reduction, and promotion of the ridge-to-reef concept became part of the Land Use Planning process.

The tenure security element of the CLUP in the Philippines was embedded in its participatory processes. This was enhanced by the disaster risk-reduction objectives of the

Case study 7: The Philippines, Participatory Land Use Planning Project in Leyte Island, Philippines

The Challenge or Problem	Sustainable land use and tenure security pose major challenges in the Philippines. Land is generally unregulated. Local governments have the mandate to formulate comprehensive land-use plans to generate revenues, provide direction to area development, protect the environment, etc.
Background of project	**The project was part of the Environment and Rural Development Programme conceived by the German and Philippine governments in 2005, and supported by the GIZ.**
Objectives	The project was designed to enhance the national Land Use Planning guidelines.
Approach or key Measures taken	**The project emphasized clustered village-based Planning involving all sectors. It used a bottom-up ridge-to-reef approach based on the following steps:** • **Step 1: Preparation – orientation, resource mobilization, team building** • **Step 2: Data collection through Participatory Rapid Appraisal (PRA)** • **Step 3: Delineation of village boundaries (GIS base map production using GPS by villagers with assistance from experts)** • **Step 4: Thematic mapping following the recommended mapping protocols (tenure and land-use conflict mapping included)** • **Step 5: Production of the actual land-use plan** • **Step 6: Plan legitimization at village and city/municipal levels** • **Step 8: Consolidation and integration of tenure concerns through watershed-wide spatial analysis** • **Step 10: Plan review and legitimization by the provincial legislative council (for municipalities and small cities) and by the Housing and Land Use Regulatory Board (for highly urbanized cities).**
Outcome and impact	The exercise led to different benefits for different parts of Leyte island. Specifically: In Silago (Southern Leyte), the land-use plan integrated climate-change adaptations and disaster risk-reduction measures to produce a ridge-to-reef land-use plan. Some municipalities (e.g. Bontoc, Liloan, Hinunangan and Hinundayan) used the Land Use Planning as an opportunity to address their tenure concerns through involvement in natural resources management. Along the corridor devastated by super typhoon Haiyan, municipalities (e.g. Abuyog and Javier) are vigorously pursuing the establishment of co-management agreements that will benefit small farmers who occupy the buffer zone areas.
Lessons learned	**The participatory processes in Land Use Planning coupled with guidance from higher-level plans for municipal direction and focus on their role in overall provincial development allowed forest-embedded and coastal communities to articulate their needs, including their lack of tenure issues. The Land Use Planning allowed them to designate areas suitable for multiple uses and protection. It led to new tenure arrangements (e.g. forest co-management contracts, marine protected areas, community-based forest management agreements).**

Box 13: Why Participatory Mapping?

The mapping of resources is a powerful information generating tool. The exercise triggers community level discussions about their resources and the issues that surround them. Maps can be used to identify and understand different uses of resources, different resource locations, resource access and resource seasonality. Maps depict important information such as water points, market infrastructure, land-use boundaries and different production areas and their status. While mapping is carried out, management problems, challenges and potential solutions can be discussed. The map provides a visual record of the area and land and resource use. Ground mapping (on the ground) or sketch mapping (on a piece of paper) represent key features of the land from a bird's eye view, identified by the community. They do not rely on exact measurements, yet they do show the relative size and approximate position of features. Mapping can help to introduce and explore the concepts of spatial Planning with communities that may not be used to such an approach. A picture paints a thousand words. (IFAD, 2014, p. 5).

project. To identify them, development constraintswere assessed to establish the vulnerability of areas to storm surge, erosion and flooding disasters.

Pertinent documents emanating from the CLUP and improved ecosystem protection and natural resource management measures have enhanced the sustainability of natural resources. Through capacity development activities, local people now have access to alternative livelihoods and more confidence that their coastal ecosystems are more resilient to disaster risks. This alone gives them a sense of security on the island.

Local people working in groups in a Participatory Land Use Planning exercise in Gobabis, Namibia.
© Namibia Housing Action Group

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Subject	Literature	Author / Year
Land Use Planning	Guidelines for Land Use Planning. Food and Agriculture Organization Development Series 1	FAO (1993)
Land Use Planning	Land Use Planning – strategies, [illegible] and methods	GTZ ([illegible])
Gender	Gender: the key to sustainability and food security.	FAO (1997)
Tenure security	Secure Land Rights for All	GLTN/UN-Habitat ([illegible])
Social Tenure Domain Model	The Social Tenure Domain Model: A Pro-Poor Land Tool	FIG/GLTN/UN-Habitat (2010).
Land mediation	Count Me In: Surveying for tenure security and urban land management. / Guide to land mediation based on the experience in the eastern Democratic Republic of the Congo	GLTN/UN-Habitat ([illegible]) / GLTN/UN-Habitat ([illegible]).
Post-disaster Planning	Safer homes, stronger communities: a handbook for reconstructing after natural disasters.	World Bank (2010
Climate change	Methane and Nitrous Oxide Emissions from Natural Sources	USEPA ([illegible])
Land Use Planning	Land Use Planning Concept, Tools and Applications	GIZ (2012)
Grassroots involvement / Gender evaluation criteria	Tapping the potential: the role of grassroots in land policy implementation for large-scale land tools / Factsheet "Grassroots participation in land tool development"	GLTN/UN-Habitat ([illegible]).
Pro-poor Land Recordation	Designing a Land Records System for the Poor	GLTN/UN-Habitat (2012).
Tenure security	Incrementally securing tenure: promising practices in informal settlement upgrading in southern Africa.	Urban LandMark ([illegible])
PILaR	Factsheet: Participatory and inclusive land readjustment	GLTN/UN-Habitat (2015).
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Tenure security	From slums to sustainable Communities: the transformative power of secure tenure	Habitat for Humanity and Cities Alliance (2015)

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ABOUT THIS PUBLICATION

This guide is primarily designed to provide practical knowledge on how to improve tenure security through land-use planning, with a particular focus on applications in developing countries. The guide is based on an in-depth review of publications on land use planning and land tenure security and builds on expert deliberations held through multi-stakeholder expert group meetings and knowledge and experiences gained from country specific case studies reflecting tenure security in land use planning from Asia, South America, and sub-Saharan Africa. This guide is complemented by an e-learning package that supports the efficient didactic coordination of knowledge, effective learning and knowledge dissemination.

This work was undertaken through a joint endeavour with the Chair of Land Management at Technische Universität München (TUM), the Sector Project Land Policy and Land Management of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and UN-Habitat through the Global Land Tool Network (GLTN).

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