



# ***‘TOWARDS IMPROVED LAND GOVERNANCE’***

*A Joint Working Paper by UN-HABITAT and FAO*

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The 7<sup>th</sup> FIG Regional Conference

**Spatial Data Serving People**

**Land Governance and the Environment – Building the Capacity**

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# Outline of Presentation

- 1. Introduction**
- 2. Land Governance - What it is?**
- 3. Land Governance - Why it matters?**
- 4. Framework of Analysis**
- 5. Conclusion/Way Forward**

# Introduction

- **Land is a governance issue**
- **Technical approaches will not be adequate**
- **Process** of reform is as important as the **content** of the reform

# Land Governance – What it is?

- **What are the key characteristics of land?**
- **What are the key concepts of 'governance'?**
- **Land Governance as a new concept?**

# Land Governance – What it is?

## **Working Definition:**

***‘Land Governance’ concerns the rules, processes and structures through which decisions are made about access to land and its use, the manner in which the decisions are implemented and enforced, the way that competing interests in land are managed.’***

# Land Governance – Why it matters?

- ***Good Governance of land and natural resources can contribute to:***
  - ***Achievement of the Millennium Development Goals (MDGs)***
  - ***Food Security***
  - ***Poverty Alleviation***
  - ***Sustainable Development***
  - ***Sustainable Urbanisation***

# Land Governance – Why it matters?

- ***Applying Good Governance Principles***
- ***Security of tenure to all***
- ***Equitable access to land and natural resources***
- ***Women's rights are recognised and protected***
- ***Transparent decision-making processes***
- ***No one stands above the law***
- ***'Subsidiarity' in the delivery of services***
- ***Effective, efficient and affordable land administration***
- ***Sustainability***

# Land Governance – Why it matters?

- ***Weak Governance has adverse consequences:***
  - ***Makes the poor, poorer***
  - ***Leads to forced evictions***
  - ***Fosters social inequality***
  - ***Leads to environmental degradation***
  - ***Discourages investment***
  - ***Leads to tax evasions***
  - ***Constraints economic development***

***...Weak governance is found in formal statutory as well as in informal and customary tenure arrangements.***

# Land Governance – Why it matters?

- ***Weak Governance tends to flourish when:***
  - ***Law is complex, inconsistent or obsolete***
  - ***Institutions are not clear, overlapping and lacking coordination***
  - ***Public servants working in land agencies lack motivation, poorly paid and trained***
  - ***Decision making processes are not transparent***
  - ***Access to justice, courts, and dispute mechanisms are not clear, expensive and lengthy***
  - ***Civil society (including media) is weak***

# Framework of Analysis – *Understanding Issues and Managing the Reform Process*

## **Stage 1 – Understanding the Country Context**

- ***Knowing the country's broad socio-economic context***
- ***Land Tenure Arrangements***
- ***Functioning of the Land Markets***
- ***Understanding Institutions***

# Framework of Analysis – *Understanding Issues and Managing the Reform Process*

## ***Stage 2 – Understanding the context of a particular land or reform issue***

- ***Understanding the issue, reform content and reform process***
- ***Identifying stakeholders, interests and relationships***
- ***Assessing institutions, frameworks and incentives***

# Framework of Analysis – *Understanding Issues and Managing the Reform Process*

## ***Stage 3 – Managing the Reform Process***

- ***Flexible approach***
- ***Long term strategy***
- ***Evidence-based analysis***
- ***Information campaigns***
- ***Diversify interventions***
- ***Timing and sequencing of interventions***

# Framework of Analysis – *Understanding Issues and Managing the Reform Process*

## ***Stage 3 – Managing the Reform Process***

- ***Link technical and legal approaches to grassroots***
- ***Strategies for champions and challengers***
- ***Risk management strategies for reform challengers***
- ***Alignment of development partner policies***

# Conclusions/Way Forward

- May not be easy, but experience shows it is **possible** and **doable**
- Bridge the gaps, build capacity
- Maximise opportunities; minimise and manage risks
- Strengthen institutions and processes
- Strengthen donor coordination
- Reforms may take time ... Sustain focus on the **vision** and expected **impacts**

***Land Governance Matters!***

***Land Governance as a Political Agenda!***

# THANK YOU!

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