SESSION: Capacity Development in Land Administration:
Trends to Date (State-of-Affairs in International Training Supply)

Expert Group Meeting
Transparency in Land Administration:
A Capacity Building Agenda for Africa
Nairobi, Kenya, 29-31 January 200

IHS
Institute for Housing and Urban Development Studies
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Request by UN Habitat

1. Programmes at IHS
2. Elements requiring attention
3. Addressing Transparency in Land Administration via training and capacity building
4. Impacts of international capacity building programmes on Land issues at national, regional, local levels.
TWO QUESTIONS:

Under a regime of extreme informality, how can we address “land administration and transparency” in a realistic and sustainable manner in African cities?

And give a response to capacity building needs that helps to empower local governments and local institutions in charge of urban management in African cities?
A Panoramic View of Slums in some parts of the World
1. Programmes offered by IHS:

Addressing the land-related problems through international training in Rotterdam and abroad!
FOCUS:
Land Policy, Land Management and Land Development Strategies

Formal and Informal Land Supply Systems

- Land Markets
- Governance
- Citizen Participation
- Other cross-cutting issues

- Degree Courses
- Short Courses
- Executive Courses
- Tailor-made Courses
2. Perceptions of the Land Question

References for a TNA-training needs assessment!
Shortage of Affordable, Quality Housing in the city of Nairobi

Inaccessibility of land

- ‘Land Grabbing’/land cartels
- High land prices
- Insecurity of tenure
- Lack of basic infrastructure/serviced land

High level Corruption

- Land speculation
- Inefficient titling process
- High infrastructure costs

Poor land records system

- Inefficient land taxation system
- Segregative land distribution

Inadequate land administration/management

Source: Rose Kagechi Waweru, UMD3, IHS 2007

KENYA
PROLIFERATION OF INFORMAL SETTLEMENTS IN KAMPALA CITY

- Lack of affordable building materials
- Crime and disease
- Poor regulatory framework/mechanism
- Inefficient land delivery systems
- Rapid rural urban migration
- Inadequate financial mechanism
- Limited financial resource
- Absence of land use policy
- Land shortage
- Land fragmentation
- Absent landlords
- Land ownership system (mailo, customary land)
- Land speculation
- Informal land and housing markets
- Inefficient land Act
- Low capacity to plan
- Vacant land for illegal occupation
- Social and cultural setting: Gender (women and youth)
- Land shortage
- Poverty and unemployment
- Inadequate innovative skills to replicate building materials
- Social and economic exclusion
- Underdeveloped
- Over-crowding
- Poor health
- Risk management crisis
- Poor Environment
- Unproductive labor
- Land shortage
- Inefficient land Act
- Social exclusion
- Regional inequalities
- Low propensity to save
- High mortality rate
- High cost of production
- Undermines rule of law
- Unemployment
- Low investment in housing
- Political instabilities
- Social and economic exclusion
- Underdeveloped
- Low investment in housing
- Inadequate education and economic activities
- Inadequate Enabling policies
- Limited financial resource
- Poor prioritization
- Low incentives for investment in new technology
- Inadequate building technology
- Inadequate building materials
- Reliance on imported materials
- Social and economic exclusion
- Regional inequalities
- Lack of affordable building materials
- Inadequate financial mechanism
- Rapid rural urban migration
- Inefficient land delivery systems
- Poor regulatory framework/mechanism

Source: Kamba Ankunda, UMD3, IHS, 2007
Inefficient land delivery systems

- Land Shortage.
- Absence of land use policy
- Land speculation
- Inefficient land Act
- Informal land and housing markets
- Low capacity to plan
- Vacant land for illegal occupation
- Absent landlords
- Land ownership system (mailo, customary land)

Source: Kamba Ankunda, UMD3, IHS, 2007
EXCLUSION OF LOW INCOME GROUPS in Lusaka

- INABILITY OF LOW INCOME GROUPS TO PAY HIGH LAND PRICES
- LAND SCARCITY
- DELAY IN PROCESSING TITLES – LENGTHY PROCEDURES
- INEFFECTIVE LAND DELIVERY SYSTEM
- INADEQUATE CAPACITY OF RELEVANT INST.

- INCREASE IN CRIME
- INCREASED POPULATION IN INFORMAL SETTLEMENTS
- ILLEGAL LAND USE
- INCREASED INFORMALITY

- GOVT. INST. CATER FOR MEDIUM/HIGH INCOME GROUPS
- LOW HOUSING SUPPLY
- LOW PARTICIPATION BY PRIVATE DEVELOPERS
- GOVERNMENT INTERVENTION

- COSTLY PROCED.
- COST RECOVERY PROBS.
- OUTDATED RECORDS & ADMIN. PROBS.

- UNMOTIVATED STAFF
- CORRUPTION

- POOR HEALTH CONDITIONS
- DETERIORATION OF URBAN LIVING ENVIRONMENT

- POOR QUALITY HOUSING STOCK
- MARGINALISATION OF POOR

- INADEQUATE RESOURCES
- SHORTAGE OF SKILLED PERSONNEL
- POOR INFRASTRUCTURE

- LOW PARTICIPATION BY PRIVATE DEVELOPERS
- LOW HOUSING SUPPLY
- IRREGULAR/NO INCOME

- DIFFICULT TO OBTAIN RQMTS FOR HSING FINANCE

- INCREASE IN HSING PRICES

- UNIFORMITY OF HOUSING STOCK

- INCREASE IN CRIME
- ILLEGAL LAND USE

- POOR QUALITY HOUSING STOCK

- INCREASED INFORMALITY

- TRADE BASED ECONOMY
- IRREGULAR/NO INCOME

- NO ACCESS TO HOUSING FINANCE

- HIGH COST HSING FINANCE

- UNSTABLE ECONOMY

- TRADE BASED ECONOMY

- INCREASE IN CONST. COST

- HIGH COST OF BUILDING MATERIALS

Source: Mphangela Tembo, UMD3, IHS, 2007
EXCLUSION OF LOW INCOME GROUPS in Lusaka

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- INADEQUATE CAPACITY OF RELEVANT INST.

- COSTLY PROCEDURES
- SHORTAGE OF SKILLED PERSONNEL
- OUTDATED RECORDS & ADMIN. PROCEDURE
- DELAY IN IMP. OF DECENTRALISED POLICY

Source: Mphangela Tembo, UMD3, IHS, 2007
Unauthorized / indiscriminate development in Accra’s District Municipality.

Causes:
- Inadequate res. For service provision
- High cost of infrastructure provision
- Leapfrog devt.
- Insecure of tenure.
- Indeterminate boundaries.
- Indiscriminate sale of lands.
- Inco-operative attitude of chiefs & land owners
- Low collaboration between land owners & DA.
- Low demand for land
- Unco-operative attitude of chiefs & land owners
- High commercialization of land
- Increasing demand for housing.
- Decreasing demand for land
- Low govt. commitment
- Poor record on land transactions
- High commercialization of land
- High demand for land
- Inadequate res. For service provision
- Low govt. commitment
- Inadequate capacity (personnel/logistics)
- Inadequate investment in land use planning
- Incompatible land uses
- Encroachment on envt.ly sensitive areas/public spaces
- Delays in implementation of plans
- Weak enforcement of devt. control measures
- Inadequate land delivery system
- Duplicate of functions of land sector agencies
- Ltd. Data sharing among land sector agencies
- Expensive/lengthy titling procedures
- Poor Envt.al & health conditions
- Pressure on existing services
- Ppor/ ltd. Infrastructure services

Effects:
- Poor Envt.al & health conditions
- Insecure of tenure.
- Leapfrog devt.
- Inadequate capacity (personnel/logistics)
- Inadequate investment in land use planning
- Incompatible land uses
- Encroachment on envt.ly sensitive areas/public spaces
- Delays in implementation of plans
- Weak enforcement of devt. control measures

Core problem:
- Unauthorized / indiscriminate development in Accra’s District Municipality.

Source: Francisa Davies, UMD3, IHS, 2007
Unauthorized / indiscriminate development in Accra’s District Municipality.

Insecure of tenure.

- Multiple sale of land
- High commercialization of land
- High demand for land
- Increasing demand for housing.
- proximity to Accra & Tema

Indiscriminate sale of lands.

- Low collaboration between land owners & DA.
- Unco-operative attitude of chiefs & land owners.
- Inadequate res. For public educ. on land mgt. issues
- Low govt. commitment

Informal land markets

- Inadequate land delivery system
- Delays in service delivery by land sector agencies
- Expensive/lengthy titling procedures
- Duplication of functions of land sector agencies
- Ltd. Data sharing among land sector agencies

Inadequate land delivery system

- Poor record on land transactions
- Land disputes/litigation
- Indeterminate boundaries.

Delays in service delivery by land sector agencies

- High demand for land
- Increasing demand for housing.
- proximity to Accra & Tema

Expensive/lengthy titling procedures

- Indiscriminate sale of lands.

Dual land admn. System (customary/public agencies)

- High demand for land
- Increasing demand for housing.
- proximity to Accra & Tema

Limited Data sharing among land sector agencies

- Inadequate land delivery system
- Delays in service delivery by land sector agencies
- Expensive/lengthy titling procedures
- Duplication of functions of land sector agencies
- Ltd. Data sharing among land sector agencies

Source: Francisa Davies, UMD3, IHS, 2007
Conclusions

1. High level of informality
2. Scarcity of Land (serviced)
3. Informal Markets
4. High land prices
5. Dual tenure system
6. Absence of market institutions
7. Inadequate registration systems
8. Absence of policy
9. Weak capacities
3.

Transparency in Land Administration:

Addressing the problems via training and capacity building
<table>
<thead>
<tr>
<th>Location</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recife</td>
<td>NGO’s, Civil Society Initiative, PRE-ZEIS Participatory Land Management</td>
</tr>
<tr>
<td>Davao</td>
<td>NGO’s direct land purchase, federations of the poor</td>
</tr>
<tr>
<td>Bogota</td>
<td>Value Capture (plusvalia) legislation</td>
</tr>
<tr>
<td>Bissau</td>
<td>Neighbourhood committees (land disputes)</td>
</tr>
<tr>
<td>Rio de Janeiro</td>
<td>Street-based Residents’ committees on post-upgrading</td>
</tr>
<tr>
<td>Brazil</td>
<td>Participatory urban development planning, City Statute, ZEIS</td>
</tr>
</tbody>
</table>
Urgent Change in the logic of the game!

1. Cadastre & Land Use Decision
2. PLANNING
3. INFRASTRUCTURE
4. CONSTRUCTION
5. OCCUPATION
6. Registration

1. OCCUPATION
2. CONSTRUCTION
3. Formalisation
4. INFRASTRUCTURE
5. PLANNING
6. Cadastre
A possible agenda

Understanding the Logic of Informal Land Markets

- Case-based Training
- Land Management Instruments (unconventional)
- Formalisation of Properties
- Gradual Strategies
- Policy & Technical & Legal Dimensions
- Pragmatic Approach
- Civil Society Participation (multi-stakeholders approach)

Reality-check

Understanding the Informal Land Supply Systems
4. Impacts of International Capacity Building Programmes:

Monitoring and feedback is a continuous challenge.
Conclusions

1. **South Africa (Cape Town):** public debates, radio programmes and advocacy on land market transparency

2. **Philippines (Manila):** national newspaper and publication on right-based approaches and different mechanisms to regularisation of informal settlements

3. **Argentina (Rosario):** citywide upgrading approach and land regularisation programme

4. **Colombia (Bogota):** land capture legislation and political agenda