



Handling Land in the New Urban Agenda

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Abstract

The authors will examine the critical role of land use planning, land administration and management and land value sharing to the sustainable and inclusive growth of cities globally. They would take stock of the global trends and issues on urban land the past 20 years since the Habitat Agenda was crafted in 1996, and propose a road map to identify the key drivers for action in articulating the importance of land governance in the New Urban Agenda. It will explore the roles of different stakeholders and partners to underpin the implementation of the urban SDGs and the outcomes of Habitat III, or the Third UN Conference on Housing and Urban Development, which will take place in Ecuador in October 2016.

Land has been a central focus of human settlements and UN-HABITAT starting with Vancouver, Canada in 1976, where land was a key tenant of the Vancouver Action Plan (agenda item 10(d) on land). Article 75 of the Habitat Agenda spells out clearly the link between poverty and land. It states that 'legal access to land is a strategic prerequisite for the provision of adequate shelter for all and for the development of sustainable human settlement affecting both urban and rural areas. The failure to adopt, at all levels, appropriate rural and urban land policies and land management practices remains a primary cause of inequity and poverty. In the 20 years from 1995 to 2015, the urban population increased by 1.4 billion from 2.5 billion to 3.9 billion. In 2000, estimates for urban terrestrial land surface ranged from 0.2% to 2.4% of the global terrestrial surface. 5 million new urban residents per month in the developing world and 93% of urbanization are happening in developing countries. This growth in urban footprint has massive land delivery and management implications. In the 12 years from 1999 to 2011, the global population increased by 1 billion reaching 7 billion in 2011, leading to demands for land for food and bio-fuel production, and resulting in the displacement of the poor and vulnerable. There are three main urbanization drivers: rural to urban migration (25%); natural population increase (50%); and reclassification of land into urban land (25%).

As the pace of urbanization accelerates and more investment flows into cities through land markets, it is important to consider the implications for urban-rural linkages and the level of investments flowing into rural areas. Problems and inequalities will only increase if there is no balance in investments into cities and their surrounding areas. Due to urban-rural migration in addition to the ongoing population growth in most cities in developing countries, changes of land use and land users occur much more often and at a faster rate, sometime over night, than in rural areas. The implications of the expansion of urban areas for agricultural producers and smallholder farmers, especially with regard to their livelihoods need to be addressed. The land rights of rural people and smallholders living around urban centres need to be recognised and respected and impartial, effective conflict resolution mechanisms put in place. Effective land value sharing has the potential for generating wealth for the cities but needs to be balanced with equitable policies and approaches that will benefit all, especially the poor and vulnerable. Land value sharing may also strengthen supply chains and increase productivity.

The demand for serviced and productive land is constantly increasing in many cities in developing countries, not just because of the increasing number of urban inhabitants but also because of the demand from international investors. This leads to a shortage of land and high increases of land value, which both discriminates against the poor for whom access to land – be it for housing, food production and

processing or trading becomes increasingly difficult. Well-planned land-based financing policies can incentivize compact and connected development while keeping rents down by minimizing speculation and encouraging an adequate supply of built space. Planned extension of serviced buildable plots and planned infill can prevent informal development and sprawl along with its consequences for agricultural land, mobility, health, and the environment. In some developing countries, rapid urbanisation is often associated with increase in tenure insecurity particularly for people living in slums and peri-urban areas. Urban land management and administration institutions face the additional challenge of high number of people who live and work informally in urban and peri-urban areas. In most countries, there is a lack of reliable land information that negatively affects urban planning and design, infrastructure and socio-economic development.

Climate change and different land-use patterns affect urban and rural areas including human settlements, farmland, drylands, wetlands and forests. Cities all over the world need to adapt to pro-poor land administration in urban expansion using participatory and inclusive approaches. There is an urgent need to prepare for urban growth and related land needs, which requires realistic projection of urban land needs based on current land information and population growth thus develop innovative responses. Failure to do so will only worsen slum development and poverty in cities. However, there are also immense opportunities for tapping the positive transformation of cities, including the potential of economies of scale, good governance, and land and property tax systems to self-finance cities.

When properly functioning, fit-for-purpose land administration systems support tenure security improvement, urban planning, service delivery, agricultural development, environmental management, city management, land taxation and land management.

Key Words: *Land governance, tenure security, sustainable urban expansion, plurality of tenure, slums, inclusive cities, food security, gender, urban-rural linkages, housing, informal settlements, land administration, land rights, global population growth, loss of land base, displacement.*

Introduction

Urbanization is vital for delivering sustainable development, not only because the urban areas of the world are expected to absorb almost all future population growth, but because they have the potential to concentrate economic activities and influence social change.

Urbanization also has the potential to help the world to overcome some of its major challenges; including poverty, inequality, environmental degradation, conflict, poor health and climate change. However, uncoordinated interventions (by different actors) that are not based on broadly shared guiding principles can inadvertently contribute to forms of urbanization that are not sustainable, such as: the unnecessary spatial expansion of cities, the development of communities at densities that are too low, a mismatch of infrastructure investment and productive activities, allocation of resources and investments that may contribute to the generation of further inequalities, and the entrenchment of conflict-inherited urban governance systems that aggravate societal divides rather than facilitate reconciliation and state-building. The “new urban agenda” can bring about sustainable urban development, which is essential for national sustainable development, as its expected outcomes extend well beyond urban areas. From an economic perspective, the new urban agenda will support more efficient economic and industrial growth through better allocation of land, labour, capital and other resources, as well as through greater connectivity, economic diversification and strategies for creating employment and improving working conditions.

The global population is facing a range of large scale challenges, which create increased competition and conflict over land at the transnational, national, sub-national, local and family levels. This will increase over the next decades and will have a major impact on our cities and towns. By 2050 the world’s population will grow to around 9.6 billion people, with a population growth rate of 1 billion every 12 years. More than 50 percent already live in urban areas. Urban areas of over 100,000 are expanding by 175% between 2000 and 2030. All these people will need access to land and have to be fed in a sustainable way. The impact of this growth will be the greatest in the developing world, and particularly in Africa, where large scale urbanization is expected. In 2010, 40 per cent of the population in developing countries was under 15 and young people (15-24 years) account for another 20 per cent. Young people are the least likely to have secure tenure (UN-Habitat/GLTN) and are a key vulnerable group. They are also the most likely to engage in conflict. Population growth, urbanization, and the impact of climate change make ensuring food security a fast increasing challenge. Conflict often strengthens the power of elites over land, as they take advantage of weak institutions and rule of law to increase their land holdings. While this has been widely discussed for rural areas and called ‘land grabbing’, it is also a massive urban issue.

Land in the 2030 Agenda

The adoption of the Sustainable Development Goals (SDGs) last September 2015 was an unprecedented step which consolidated our vision of urbanization as a tool, and an engine, for development. The vital role of urbanization for sustainable development is reflected strongly in Goal 11, and in no less than five other Goals and forty targets. Goal 11 of the 2030 Sustainable Development Agenda calls for making cities and human settlements inclusive, safe, resilient and sustainable. And something of importance to the work of this audience is target 11.a ‘Support positive economic, social and environmental links between urban, peri-urban and rural areas by strengthening national and regional development planning’.

If the implementation of SDG 11 is to succeed, national and local governments need to invest in three key aspects. They are: first, adequate laws, rules and regulations, which govern people living close together and

sharing common services; second, better spatial planning and design, which optimize density, connectivity and diversity; and third, a viable financial model, which sustains the functioning of the city and ensures economic prosperity. This approach (the UN-Habitat three pronged approach) is also intimately related to the land issue. In many countries the land issue still has to be dealt with to be able to address the key issues of urban planning and design, urban economy and municipal finance and urban legislation. Land issues have also an important an important climate change component. Climate change is also a key aspect of the new global agenda. All of this competition and conflict will be exacerbated by the impact of climate change and have an impact on global food security. The impact is not only in agricultural areas but also in urban areas. Cities, especially in the developed world, contribute around 70% of the greenhouse emissions. With increasing urbanization and concentration of large numbers of people, disaster risk is also increasing. If we want to keep the planet within the 2 degrees target, we must move away from urban development that is power-hungry and creates ecological risk. Therefore, good and sustainable urbanization (that promotes compactness, connectivity and walkability) is good for climate change mitigation and adaptation. Agglomeration and proximity provides enormous opportunities for energy efficiency.

Sustainable development depends on sustainable urban development. Land issues are one of the key aspects of delivering sustainable cities, city extensions and densification. In many countries the land issue still has to be dealt with for addressing the key issues of urban planning and design, urban economy and municipal finance and urban legislation. Land is fundamental to address urban and rural challenges and it cuts across all sectors. These include dealing with governance and legislation, city extension, densification, urban policy, housing, food security, slum upgrading and prevention, economy through land-based financing, water and sanitation, infrastructure, urban mobility and transport, planning, public space, municipal finances, employment and job creation, safety and security as well as dealing with post-conflict and post-disaster contexts, gender, youth and human rights issues. This resonates with “*The Future We Want.*”

Land is an engine for growth and prosperity, enabling the sustainable symbiotic coexistence of the urban and rural inhabitants. For resource dependent communities, land is a factor of production and sustains their livelihoods creating markets through growing urbanization. For the urban dwellers, land provides the basis for human settlements and the growing urban farming as a livelihood option, promoting agricultural value chains, and thus strengthening the interdependence of the urban and rural inhabitants. Planning for urban growth and working to provide land, infrastructure, and services for the poor is the basis for economic transformation and growth.

By 2030, 60% of people will live in urban areas with 32% of the world’s urban population currently living in slums. In both low and middle income countries, poverty itself is also taking on an urban character, and cities are becoming sites of extreme and chronic vulnerability to poverty, crime and violence. Tenure security is at the center of stabilizing and developing healthy cities, managing city extension and intensification critical to managing human settlements.

Land and land based resources have been the drivers of most armed conflicts in the world which have taken a regional and global dimension. In this regard reference can be made to the conflicts in the Great Lakes region, the Sudan, Kenya, conflicts in West Africa and Libya in Africa, Nepal, Sri Lanka and Myanmar among others in Asia, the Middle East crisis. All these conflicts find land and land-based resources being the drivers of these conflicts. These conflicts have greatly contributed to the urban challenges today particularly through increase in migration from the rural to the urban areas, seeing the unprecedented increase of people living in slum like conditions. Issues of urban safety, infrastructure and services become more apparent and making the need for urban planning more apparent than ever before.

The Voluntary Guidelines Application in the Urban and Peri-urban Areas

Endorsed by the Committee on World Food Security (CFS) on 11 May 2012, the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security are an unprecedented international soft-law instrument in the area of tenure. They are a human rights-based instrument linked to United Nations principles on business and human rights. All countries have been explicitly encouraged to implement the guidelines by resolutions of the United Nations General Assembly A/RES/67/228, the G20, the G8, and the RIO+20 Declaration. Therefore, the VGGT provide a critically important framework for future work and activities of the global community in relation to the governance of tenure.

Although all the regional consultations that contributed tremendously to the drafting of the VGGT dealt with urban tenure governance issues, the final VGGT do not explicitly address particularities of urban and peri-urban land tenure governance compared with a rural context. In addition, the issue of national food security was added during the negotiation phase of the VGGT. It is therefore pertinent to emphasize the prevailing link between the VGGT and urban and peri-urban tenure relations through two themes. Firstly, the VGGT seek to improve poverty eradication, sustainable livelihoods, housing security, sustainable social and economic development, and environmental protection. These can be objectives in both rural and urban areas. Secondly, the VGGT seek to improve governance of tenure for the benefit of all, with goals of food security and the progressive realization of the right to adequate food. National food security is not only a rural issue but is also an urban and peri-urban one; food needs to be secured for everybody everywhere. Further, food supply chains link rural and urban areas. It is not only that urban populations depend on agricultural production in rural areas, but also that increasing rural populations depend on food processing and other activities in the food supply chain that take place in urban and peri-urban areas. All these activities that contribute to food security, including the transport involved, have one thing in common: they need access to land, as do all the people working in the food supply chain who need land for housing, infrastructure and services. Accordingly, all investments in urban and peri-urban areas that are needed to ensure food security also require (access to) land and they bear the risk of negatively affecting the poor and the environment, particularly in an environment marked by weak governance and poor land administration and management.

The VGGT general principles, as well as the principles of implementation, provide guidance for urban tenure governance. Even topics/issues of key relevance for urban areas, such as the plurality of tenure systems, forced evictions, human rights frameworks and the right to adequate housing, which are exclusively or primarily discussed by the urban tenure governance community, can be addressed under the given principles. The VGGT and existing international instruments on urban and peri-urban land tenure governance do complement each other perfectly. International instruments relevant for urban land governance,² such as resolution A/RES/42/146 by the United Nations General Assembly, Millennium

Development Goal 7/11 or Resolution GC23-17 by UN-Habitat, are very specific on urban land governance issues. They usually focus on one or several key aspects, for example tenure security for slum dwellers or women's equal rights to own property and to adequate housing. The VGGT on the other hand have a much broader scope on land tenure governance issues, while not entering into the specifics of urban and peri-urban land issues but nevertheless covering them in generic terms. Actually, many areas of land governance are dealt with by the VGGT as well as by the other instruments, for example recording of tenure rights, housing security, valuation, taxation, spatial planning, readjustment, expropriation and compensation, resolution of disputes.

According to Wehrmann and Antonio (2015) responsible urban land governance requires:

- recognizing and respecting a plurality of tenure systems,
- identifying and adopting intermediate forms of tenure arrangements, and
- adopting alternative and affordable forms of land administration and land records alongside conventional land administration systems and institutional framework.
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They argued that implementing principles of the VGGTs in the urban and peri-urban context means:

- Recognizing the inherent dignity and the equal and inalienable human rights of informal settlements residents, urban and peri-urban population including those men and women...;
- Ensuring the equal right of women and men to the enjoyment of all human rights, in particular the right to adequate housing;
- Adopting an integrated and sustainable city development strategy/plan recognizing that natural resources and their uses are interconnected and that their protection...;
- Ensuring active, free, effective, meaningful and informed participation of all those that may be affected by investments in the food supply chain affecting access to land...;
- Adopting a rules-based approach through laws applicable to all ensuring the recognition and respect of the entire continuum of land rights existing in urban and peri-urban areas and ensuring their equal enforcement and independent adjudication;
- Clearly defining and widely publicizing policies, laws and procedures dealing with all relevant aspects of urban land management and administration;
- Holding all ... actors ... responsible for their actions and decisions according to the principle of the rule of law;
- Monitor urban tenure governance in order to improve it continuously" (Wehrmann and Antonio, 2015).

UN-Habitat's mandate to respond to land issues

Land has been a central focus of human settlements and UN-HABITAT starting with Vancouver, Canada in 1976, where land was a key tenant of the Vancouver Action Plan (agenda item 10(d) on land). Article 75 of the Habitat Agenda spells out clearly the link between poverty and land. It states that 'legal access to land is a strategic prerequisite for the provision of adequate shelter for all and for the development of sustainable human settlement affecting both urban and rural areas. The failure to adopt, at all levels, appropriate rural and urban land policies and land management practices remains a primary cause of inequity and poverty.' (1996: *Habitat Agenda/Article 75*)

The Governing Council Resolution on Sustainable Urban Development through expanding equitable access to land, housing, basic services and infrastructure (Resolution 23/17) defined UN-Habitat's mandate in responding to land issues.

Paragraph 7 (b) particularly gives UN-Habitat the mandate to promote security of tenure for all segments of society by recognizing and respecting a plurality of tenure systems, identifying and adopting, as appropriate to particular situations, intermediate forms of tenure arrangements, adopting alternative forms of land administration and land records alongside conventional land administration systems, and intensifying efforts to achieve secure tenure in post-conflict and post-disaster situations.

In its Paragraph 7(c), the Resolution mandates UN-Habitat to review and improve urban land governance mechanisms, including land/spatial planning administration and management, land information systems and land-based tax systems, so as to strengthen tenure rights and expand secure and sustainable access to land, housing, basic services and infrastructure, particularly for the poor & women.

Land and the New Urban Agenda

As the world moves toward the new urban agenda in 2016, UN-Habitat is braced to deal with the challenges of urbanization. As is the case, the gap today between the urban and rural areas is fast narrowing and as such solutions need to be found. UN-Habitat will localize the 2030 Agenda through the New Urban Agenda. Coming on the heels of the crystallization of the Post-2015 Development Agenda, it seeks to create a mutually reinforcing relationship between urbanization and development. The idea is that these two concepts will become parallel vehicles for sustainable development. The New Urban Agenda will highlight three operational enablers, collectively being referred to by the UN-Habitat leadership as the three-legged approach: local fiscal systems, urban planning, and basic services and infrastructure. Beyond the specific technocratic solutions of economics and governance, several core ideas will form the ideological underpinnings of the New Urban Agenda. Initial documents suggest that, for instance, democratic development and respect for human rights will feature prominently, as will the relationship between the environment and urbanization. Similarly, the New Urban Agenda will almost certainly include significant focus on equity in the face of globalization, as well as how to ensure the safety and security of everyone who lives in urban areas, of any gender and age. Risk reduction and urban resiliency will likewise play prominent roles. And the new agenda will place key importance on figuring out how to set up a global monitoring mechanism to track all of these issues and concerns. Meanwhile, the core issues of the Habitat Agenda — adequate housing and sustainable human settlements — remain on the table, as the number of people worldwide living in urban slums continues to grow. Indeed, in the time since the Habitat Agenda was adopted the world has become majority urban, lending extra urgency to the New Urban Agenda. There is also an increasing recognition that cities have morphed into mega-regions, urban corridors and city-regions whose economic, social and political geographies defy traditional conceptions of the “city”. The New Urban Agenda will have to address these trends in urbanization while also recognizing that cities and metropolitan areas are the major drivers of national economies. The objective of Habitat III is to secure renewed political commitment for sustainable urban development, assess accomplishments to date, address poverty and identify and address new and emerging urban challenges for the establishment of the ‘New Urban Agenda. UN-Habitat is committed and ready to take on this challenge, making use of the appropriate tools already developed to try and solve the world’s problems associated with urbanization.

Table 1: Linking the UN-Habitat & New Urban Agenda Levers of Change and GLTN Tools & Approaches

Core Programmatic Area	Urban Agenda Lever of Change	GLTN Tools and Approaches
Urban Legislation	1. Developing and implementing national urban policies.	<ol style="list-style-type: none"> 1. Land Readjustment 2. Pro-poor land policy development 3. Land governance 4. Gender 5. Deeds and titles 6. Continuum of Land Rights 7. Statutory and customary 8. Land use planning
	2. Strengthening urban legislation and systems of governance.	
	3. Strengthening gender equality and women's empowerment by integrating a gender perspective into urban policies and programs.	
Urban Economy	1. Harnessing the urban economy, creating employment opportunities and improving existing working conditions for all.	<ol style="list-style-type: none"> 1. Modernizing of land agencies budget approaches 2. Donor coordination 3. Land value sharing 4. Land Readjustment
	2. Strengthening municipal finance.	
Urban Planning	1. Reinvigorating territorial planning and urban design.	<ol style="list-style-type: none"> 1. Deeds and titles 2. The continuum of land rights 3. Participatory enumerations 4. Statutory and customary 5. Spatial units 6. Land readjustment 7. Citywide slum upgrading 8. Land use planning
	2. Promoting universal access to quality basic services.	
	3. Promoting adequate housing for all income categories of urban residents.	

Source: GLTN Secretariat, unpublished, 2014

Furthermore, UN-Habitat is at the center of working with other UN agencies to have a fit for purpose UN. To this end, UN-Habitat has been mandated by the Office of the Secretary General to lead on a review of the UN wide system to assess how the UN is supporting member states on land and conflict. This initiative brings together 22 UN agencies. Land is one other such area for which a common agenda needs to be developed if the implementation of the targets on land in the 20130 Agenda is to be achieved.

Through the facilitation of the Land Unit and the GLTN Secretariat at UN-Habitat, the work of the Global Land Indicators Initiative (GLII) in the past two years, which has emerged as one such collaborative platform, bringing together a wide array of partners to consider how best monitoring arrangements for land issues can be achieved at global scale. The GLII has registered a number of achievements in the past 12 months including the inclusion of land in the post 2015 development agenda. From onwards, we need to address the necessary requirements for an effective follow-up and review of the Post-2015 Development Agenda for land and natural resources. UN-Habitat is much more involved in the process of developing key indicators to monitor the implementation of the SDGs; GLII is in the process finding a consensus on key indicators to inform land governance program implementation through a solid monitoring and evaluation framework. As you may know it, UNHabitat have been working on urban database to support local government and cities to build a sustainable local economy, through the City Prosperity Initiative (CPI). Land is in the center of both urban economy and city planning.

Key Global Trends

Current estimate of land document system suggests that 30% coverage in most developing countries while the 70% are covered under social tenures – group, informal, overlapping rights. This figure is further supported with a note that “most developing countries have less than 30 percent cadastral coverage. This has caused enormous problems for example in cities, where over one billion people live in slums without proper water, sanitation, community facilities, security of tenure or quality of life. This has also caused problems for countries with regard to food security and rural land management issues.”¹ (2010: *International Federation of Surveyors*)

Ensuring that women have secure rights to their land is essential to addressing poverty and hunger. However, while women produce as much as 60 to 80 percent of food in the developing world, they often do not have sufficient secure rights to the land they farm.² (2012: *Landesa*)

It is estimated that there are around 6 billion land parcels or ownership units world-wide, but currently only 1.5 billion parcels are formally registered and have security of tenure (Zimmerman, 2011). Within many of the 4.5 billion unregistered parcels, 1.1 billion people live in the squalor of slums.³ (2011: *Royal Institute of Chartered Surveyors*)

Conflicts and natural disasters, including those exacerbated by climate change, also trigger displacement and can undermine security of tenure. Over 38 million people were internally displaced at the end of 2014 due to armed conflicts, violence or human rights violations, while nearly 22 million were displaced due to natural hazards in 2013. Displacement has clear dimensions on housing, land and property rights. For many Internally Displaced Persons (IDPs), displacement also marks the beginning of a transition from a rural to an urban way of life. In 2014, IDPs were living predominantly in urban settings in 16 of the 60 countries monitored by IDMC.⁴ (2015: *Norwegian Refugee Council, International Development Monitoring Center*)

Key Issues and Challenges

Handling land towards a sustainable urban future is so critical, especially as we examine five key global issues that the world has experienced since Habitat II was held in Istanbul, Turkey in 1996, to wit:

- 1. Tenure insecurity.** In developing countries, rapid urbanization is often associated with increase in tenure insecurity particularly for people living in slums and peri-urban areas. Fit-for-purpose land administration systems support tenure security improvement, urban planning, service delivery, agricultural development, environmental management, city management, land taxation and land management. This calls for a move towards pluralistic and inclusive policies and frameworks that are equitable, gender responsive and inclusive of marginalized and vulnerable groups and people living in the rural areas connected to urban centers. Secure tenure is foundational to the realization of a broad range of human rights and to economic development, poverty reduction, women empowerment, youth engagement, children’s rights, health, investment, peace, stability, improving housing services and living conditions for marginalized

¹FIG Publication 52, 2010, The Social Tenure Domain Model - A Pro-Poor Land Tool

²Landesa: <http://www.landesa.org/wp-content/uploads/2011/01/landesa-factsheet-landesacenter.pdf>

³RICS Report 2011, Crowd Sourcing Support of Land Administration

⁴IDMC, 2015, Global Overview: People internally displaced by conflict and violence

groups. Urban land management and administration institutions face the additional challenge of hosting high number of people who live and work informally in urban and peri urban areas. This renders any planning of land development or formalization of it extremely difficult as officials are lacking all relevant information/data. Effective land management and administration initiatives are also hampered by lack of capacity, including human and financial resources, thereby priorities focus only on immediate survival requirements.

- 2. Rapid and unplanned expansion of built-up areas.** In some regions, urban sprawl on cheap land results from lack of integrated, proactive and inclusive urban planning and implementation. Integrated approaches that are cognizant of the importance of land in fostering urban-rural linkages would enhance managing land and resources in and around towns and cities to sustain the needs of both urban and rural people. As the pace of urbanization accelerates and more investment flows into cities through land markets, it is important to consider the implications for urban-urban migration and the level of investments flowing into rural areas. Problems and inequalities will only increase if there is no balance in investments into cities and their surrounding areas. Due to urban-urban migration in addition to the ongoing population growth in most cities in developing countries, changes of land use and land users occur much more often and at a faster rate, sometime over night, than in rural areas. In most countries, there is a lack of reliable land information that negatively affects urban planning and design, infrastructure and socio-economic development. Sea level rise - as well as extreme weather events – is projected to intensify with climate change. Coastal cities should factor in these trends, to be reflected in land development strategies, planning and activities, which requires access to expert knowledge. Land loss due to sea level rise means that alternative locations will be needed. In the case of larger acute stresses and shocks, competition for land may escalate to conflict. The implications of the expansion of urban areas for agricultural producers and smallholder farmers, especially with regard to their livelihoods need to be addressed. The land rights of rural people and smallholders living around urban centres need to be recognised and respected and impartial, effective conflict resolution mechanisms put in place.
- 3. Failure of states and institutions to include the poor and vulnerable.** In many cases local authorities' respond by eviction of settlers without any alternatives offered; some governments misinterpreted the slogan on “cities without slums” to perpetuate inhumane evictions. Incidences of evictions have been countered by increasing advocacy and communities' awareness of their rights and obligations, as well as successful litigation where the evictions were in violation of national or international law. Informal settlement upgrading and other alternative development initiatives have used participatory and inclusive approaches where the communities contribute to the solutions. Where properly functioning, fit-for-purpose land administration systems support tenure security improvement, urban planning, service delivery, agricultural development, environmental management, city management, land taxation and land management.
- 4. High demand for land leading to shortage and increasing land values.** The demand for land is constantly increasing in many cities in developing countries; not just because of the increasing number of urban inhabitants but also because of the demand from international investors. This leads to a shortage of land and high increases of land value, which both discriminates against the poor for whom access to land – be it for housing, food production and processing or trading (or any other activity) – becomes increasingly difficult. Public spaces and land held in common, which the poor disproportionately depend on; become the first to be grabbed. For many of the urban poor, the formal land market, as the entire formal economy, is not accessible or affordable. These challenges often result in gentrification.

5. **Extreme power imbalance.** Power imbalances in urban and peri-urban areas are extreme. Urban and peri-urban areas host poor population, often without any formal education and no knowledge about their rights next to the most educated and best-informed individuals who sometimes misuse their positions for their own private individual benefit. In such an environment, it is extremely difficult for the vulnerable and marginalized to realize defend their rights.

Key Drivers for Action

1. Secure tenure rights of people and communities as a means to achieving sustainable urban development. Doing so will necessitate a broader approach to urban land development and solutions that consider partnership-based collaborative community driven approaches, protection of public land, the importance of public policy and more comprehensive interventions.
2. Encourage equity in urban land use and planned urbanization to avoid urban sprawl, reduce the unsustainable consumption of land and land-related conflicts.
3. Ensure transparency and accountability in land transactions, combat corruption and land-grabs by adopting and implementing sound land governance approaches and an institutional framework for judicious implementation of the rule of law.
4. Enact and implement policies that support plurality of tenures and continuum of land rights to enhance tenure security for the urban poor and human dignity for all.
5. Develop viable alternatives to forced eviction including participatory and inclusive land readjustment and slum upgrading and ensure that relocation is done in accordance with national and international law applying the free prior and informed consent (FPIC) approach.
6. Encourage land tools and solutions that are fit for the purpose and provide incremental improvement of land tenure security for urban poor.
7. Implement equitable land and property taxation where the land poor can benefit through the cost-effective release of land for human settlement.
8. Incorporate the priorities, needs, and experiences of rural and urban communities, especially for women, youth, and other stakeholders. In turn, development must be owned by the communities themselves and supported by human rights principles.
9. Integrate conservation or restoration of ecosystems as a component into urban land considerations, including in the upgrading of slums, to support the provision of ecosystem services to all urban communities.
10. Respect the rights of men and women smallholders and rural producers based in areas directly connected to urban centers and their hinterlands in the development and implementation of urban land use strategies.
11. Encourage the establishment of functioning multi-stakeholder fora that will mediate on issues related to urban and rural land so that small holders and small scale food producers are not excluded. This could also refer to the need to coordinate municipal and local government authorities in rural and peri-urban areas regarding land use planning and management to avoid conflicts of interest and mediate disputes over land between urban dwellers and smallholders and the setting up of independent, efficient and accessible grievance mechanisms to address land disputes and access to justice.

Conclusion:

It is therefore imperative that the new urban agenda must address the land issues related to the growth of informal settlements, and focus on the critical people-to-place dimension or people-to-land dimension. Undeniably, land is fundamental in reducing hunger and poverty, allowing adequate shelter and safety, and supporting economic growth across every human settlement. However, land issues are complex and multi-dimensional. Mishandling land using a sectorial approach, overlapping mandates, fragmented approaches, and short-term solutions will continue to exacerbate the rural-urban divide and increase the vulnerability of urban and rural dwellers especially the poor and marginalised. Decisions made by all these stakeholders about future land use will define the way urban growth occurs. Improved management of urbanisation and urban growth will be the responsibility of many stakeholders, including local governments, the private sector, civil society, communities and customary land groups. In many countries, local governments cannot do this alone. An inclusive and participatory approach, using multi-sided partnerships and platforms, offers possibilities to attain better land governance and overall sustainability.

More effective management of urban growth will require urban and rural authorities to adopt a coordinated approach that involves the effective urban and territorial planning and control, and gender-responsive, pro-poor and fit-for purpose land administration. This approach is about acknowledging informal development is the prevailing form, and seeking incremental improvements. Instruments and approaches to support responsible governance include the Voluntary Guidelines, a realization of the continuum of land rights, and land tools such as the Social Tenure Domain Model, participatory enumeration, and Participatory and Inclusive Land Readjustment (PILaR). These aim to improve urban governance and inclusion in the process of city growth and densification, and to improve the supply of serviced urban land through a negotiated process

Key References:

1. Committee on World Food Security, <http://www.fao.org/cfs/cfs-home/en/>. Accessed 30/04/15
2. FAO and UN-Habitat. Land Governance, 2009
3. FIG Publication 52, 2010, The Social Tenure Domain Model - A Pro-Poor Land Tool
4. <http://www.ifad.org/pub/post2015/english/1.pdf>
5. IDMC: Global Overview on People Displaced by Conflict and Violence <http://www.internal-displacement.org/assets/library/Media/201505-Global-Overview-2015/20150506-global-overview-2015-en.pdf>
6. Landesa: <http://www.landesa.org/wp-content/uploads/2011/01/landesa-factsheet-landesacenter.pdf>
RICS Report 2011, Crowd Sourcing Support of Land Administration
7. Special Rapporteur on the right to adequate housing's "Guiding Principles on Security of Tenure for the Urban Poor" (A/HRC/25/54)
8. United Nations, Department of Economic and Social Affairs, Population Division (2014). World Urbanization Prospects: The 2014 Revision, Highlights (ST/ESA/SER.A/352). New York: United Nations.
9. Habitat Agenda Article 75
10. UN-Habitat/GLTN. Towards A Capacity Development Framework for Land Policy in Africa, 2012.
11. UN-Habitat/GLTN. Handling Land, 2012.
12. UNFPA, State of World Population 2011
13. United Nations, Department of Economic and Social Affairs, Population Division (2014). World Urbanization Prospects: The 2014 Revision, CD-ROM Edition.