

GLTN's Civil Society Organizations urban cluster Regional Learning Exchange: **Strengthening land tenure security for urban poverty reduction in Asia-Pacific**

November 7-8, 2017, Bayview Park Hotel, Manila



LEARNING OUTCOMES REPORT



Hosted by





The Global Land Tool Network (GLTN) is an alliance of global regional and national partners contributing to poverty alleviation through land reform, improved land management and security of tenure particularly through the development and dissemination of pro-poor and gender-sensitive land tools. GLTN brings together professional organizations, development agencies, research and training institutions, technical and civil society actors, grassroots organizations.



Habitat for Humanity International is a global non-profit housing organization working in nearly 1,400 communities across the United States and in approximately 70 countries around the world. Habitat's vision is of a world where everyone has a decent place to live. Habitat for Humanity currently leads the GLTN's Urban Civil Society Organizations (CSO) Cluster and is a member of the GLTN's International Advisory Board.



Solid Ground is a global advocacy campaign of Habitat for Humanity focused on improving access to land for shelter. The Solid Ground campaign has four subthemes: secure tenure, gender equality, slum upgrading, and disaster resilience. Through the Solid Ground campaign, Habitat for Humanity and partner organizations are working in 40 countries around the world to change land policy and systems at all levels of government

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Acronyms

ACHR. Asian Coalition for Housing Rights
ANGOC. Asian NGO Coalition
ARP. Anibong Resettlement Project. (CRS project, Philippines).
CBOs. Community-based organizations
CDF. Community Development Foundation (Cambodia)
CELA. Certificate of Lot Award (Philippines)
CMP. Community Mortgage Program (Philippines)
CNSC. Community Savings Network of Cambodia
CRS. Catholic Relief Services
CRS. Corporate Social Responsibility
CSOs. Civil Society Organizations
DAMPA. Damayan ng Maralitang Pilipinong Api (CBO in Philippines)
EWS. Economically Weaker Sections (India). A term used to refer to citizens with income below a certain threshold
FFP. Fit-for-purpose
FGD. Focus Group Discussions
HIC: Habitat International Coalition
HLRN: Housing and Land Rights Network (India)
HFHI. Habitat for Humanity International
HOA. Home Owners Association (Philippines)
HPFP. Homeless Peoples federation of the Philippines
ISF. Informal Settlement Families (Philippines)
LGU. Local Government Unit (Philippines)
LWA. Land Watch Asia
MFI. Micro Finance Institution
MoA. Memorandum of Agreement
MoU. Memorandum of understanding
NUA. New Urban Agenda. Outcome document from the 3d UN Conference on Housing and Sustainable Urban Development
PACSII. Philippine Action for Community-led Shelter Initiatives
SDGs. Sustainable Development Goals
SFDRR. Sendai Framework for Disaster Risk Reduction
SHFC. Social Housing Finance Corporation (Philippines)
SLC. Social Land Concession (Cambodia)
STDM. Social Tenure Domain Model
TAMPEI. Technical Assistance Movement for People and Environment Inc. (Philippines).
TWG. Technical Working Group (Mostly used in the Philippines).
UNFCC. United Nations Framework Convention on Climate Change
VGGTs. Voluntary Guidelines on the Responsible Governance of Tenure
WASH. Water Sanitation and Hygiene

Introduction

The Civil Society Organizations' urban cluster of the Global Land Tool Network (GLTN), in partnership with Habitat for Humanity's Solid Ground Campaign, hosted a two-day learning exchange on [Strengthening land tenure security for urban poverty reduction in Asia-Pacific](#). The event took place at the Bayview Park Hotel in Manila, Philippines, on November 7 and 8, 2017.

The event brought together 43 participants, from 20 development partners including Civil Society Organizations (CSOs), academic institutions and multilateral organizations from 11 countries (India, Malaysia, Philippines, Australia, New Zealand, Fiji, Cambodia, Nepal, The Netherlands, United States, Kenya).

The agenda focused on discussing land-related challenges in the region, exploring the strategies that CSOs are currently using to tackle these challenges and identify ways in which shared knowledge and collaboration among the cluster members can advance individual and collective goals (see Annex 1 for list of participants and Annex 2 for the learning exchange agenda).

To open the learning exchange, David Mitchell (RMIT) introduced the report on "Land Tenure in Asia and the Pacific: Challenges, Opportunities and Way Forward" prompting engagement from the participants around five key thematic areas: security of land tenure and access to other rights, urbanization and rural-urban linkages, climate change and natural disasters in cities, women's tenure security and access to land and limitations in legislation, policy, land administration and management.

Jane Katz (Habitat for Humanity International) addressed the role and value **global development frameworks** – including the Sustainable

Participant organizations

- ActionAid
- Asian NGO Coalition (ANGOC)
- Asian Coalition for Housing Rights (ACHR)
- Catholic Relief Services
- Community Development Foundation (CDF)
- Damayan ng Maralitang Pilipinong Api Inc (DAMPA)
- Foundation for Economic Freedom
- Habitat for Humanity (Head Quarters, Asia Pacific, Cambodia, Fiji, India and Nepal)
- Homeless People's Federation of the Philippines Inc (HPFP)
- Housing and Land Rights Network (HLRN)/Habitat International Coalition (HIC)
- Huairou Commission
- LANDac
- Norwegian Red Cross
- Philippine Action for Community-led Shelter Initiatives, Inc. (PACSI)
- RMIT University
- Shared Value Foundation
- Slum/Shack Dwellers International
- Swayam Shikshan Prayog (SSP)
- Technical Assistance Movement for People and Environment Inc (TAMPEI)
- UN-HABITAT (Head Quarters and Nepal)



Development Goals and the New Urban Agenda – serve for **CSOs, which are engaging in decision making processes, advocating for improved land tenure security, and monitoring progress on land-related indicators.**

Samuel Mabikke (GLTN) led the group through key GLTN principles, concepts and tools, including the Continuum of Land Rights, followed by an exercise where all participants reflected on the existing types of land tenure in their countries and their levels of security. This activity contributed to the building of a shared understanding on the continuum of land rights in urban Asia-Pacific, but more importantly it helped the participants in recognizing the diversity and complexity of formal and informal land tenure options, and the possibility of **using the continuum of land rights as a framework to understand security of land tenure as an incremental process** that does not always have freehold as the ultimate goal.

In this incremental process, a key action is to **empower women and organizing communities.** Naseem Babasaheb Shaikh (Swayam Shikshan Prayog, Huairou India), Lennilen Chou (Community Development Foundation, Asian Coalition for Housing Rights Cambodia), Mikel Larraza (Catholic Relief Services Philippines) presented their experiences emphasizing **the importance of community-based data collection for empowering communities, identifying specific needs and challenges, and designing tailor-fit solutions.**

Emma Manjares (DAMPA, Huairou Philippines), Sokimi Alfred (Habitat for Humanity Fiji) and Shristee Singh (UN-Habitat Nepal) shared their initiatives in **developing alternative ways for accessing land, promoting fit-for-purpose schemes and intermediate types of tenure, and taking a “good enough” approach to security of tenure** to be sensitive to the needs and opportunities of the context and offer faster, cheaper and simpler solutions.

Ruby Haddad (Philippine Alliance, ACHR/SDI Philippines), Oep Oann (Habitat for Humanity Cambodia) and Sheela Patel (SDI, through a video message) emphasized on how processes of data collection, participatory enumeration and community organization increase the capacity of Community Based Organizations (CBOs) and CSOs to **initiate partnerships with local governments, to support the implementation of existing laws, and to ensure inclusive city planning and urban land policy implementation,** based on.

Don Marquez (Asian NGO Coalition, Asia Pacific), Shivani Chaudri (Habitat International Coalition/Housing and Land Rights Network India, through a video-call) and Kshithij Urs (Action Aid India) discussed the processes and impacts of **researching, documenting cases, developing and monitoring indicators to influence decision makers, advocate for policy change and hold governments accountable** for the land rights enshrined in their Constitutions, laws and international commitments in relation to land access, land tenure security and urban poverty reduction.

The multiplicity of approaches, strategies and tools used by the CSOs in the urban cluster was reflected throughout all sessions, and participants recognized the potential for further cross-learning and collaboration.

The sessions’ presentations can be found at the [event’s website](#). This outcomes report focuses on the documentation and analysis of the interactive activities, the Q&A sessions, the informal discussions and

contributions from the participants and the collective notes. The sections and subsections reflect the cross-cutting subjects of discussion that transpired throughout various sessions of the event and it is organized in the following five sections:

1. Land issues and barriers to strengthened security of tenure
2. Tenure types in the region and the continuum of land rights
3. Strategies and tactics used by CSOs to strengthen security of tenure
4. Identified methodologies and tools
5. Opportunities and ways forward.

The final section on annexes includes supporting documentation, including handouts on the learning exchange's working definitions, a basic description of tenure arrangements in five countries, some session's methodological guides, among others.



1 Land issues and barriers to improved tenure security in urban Asia Pacific

Over the course of the learning exchange, participants provided their vision and understanding of the main subject of the event: the **relationship between land tenure security and urban poverty**, as both an issue and an opportunity for action.

The following sub-sections summarize the discussions held around the identification of challenges and issues around land tenure security and their impact on urban poverty. They are based on the "[Land Tenure in Asia and the Pacific: Challenges, Opportunities and Way Forward](#)" report presented by Dr. David Mitchell, a *world café* session in which all participants shared their perspectives on five sub-topics (See annex 3) and the contexts described by the participants on their presentations on day two.

Repeated comments highlighted the complexity of the subject and the multiple and intertwining dimensions that need to be discussed when addressing land tenure security issues, among them:

- **Political** (interests, capacities, will)
- **Legal** (implications, limitations, mechanisms)
- **Conceptual** and **technical** (knowledge, tools)
- **Economic** (interests, policies)
- **Social** and **cultural** (relations, institutions, impacts)

1.1 Urban poverty in Asia-Pacific

Informal settlements and slums are the prevalent housing solution for 1 in 3 people in urban areas in Asia (UN-Habitat, 2013). However, the living conditions in these areas are also the clearest expression of the impact of land issues on urban poverty, inequality and exclusion.

As pointed out by several participants, some of the typical features of informal settlements and slums are:

- Located on "residual" land: near bodies of water (lakes, canals, river banks), along road edges and rail tracks and rooftops, often in public land or abandoned private land.
- Spread outside local government jurisdiction
- Insecure land tenure, often under threat of eviction
- Vulnerable to natural hazards and high risk areas
- Lacking access to basic public services and infrastructure: water, power, roads, drainage, sewerage, sanitation
- High density, overcrowding and small living space
- Substandard housing conditions, low cost materials
- Lower income and access to capital
- Systemic social discrimination
- Degraded environment

Country	Urban poverty and land tenure facts / indicators
Cambodia	<ul style="list-style-type: none"> • 67% of the population live in substandard housing • 55% of the urban population live in slum conditions (UN, 2016) • Poverty rate: 19%
Fiji	<ul style="list-style-type: none"> • Over 200 informal settlements
India	<ul style="list-style-type: none"> • World's largest number of people living in multi-dimensional poverty: 632 million • 65 to 70 million people live in inadequate settlements without any form of tenure security • More than 500 million landless persons • World's highest number of homeless persons
Philippines	<ul style="list-style-type: none"> • 1.7 million housing backlog in Metro Manila (HUDCC, 2016) • 556,526 informal settler families] (MMDA, 2010)
Asia	<ul style="list-style-type: none"> • <i>Level of urbanization: 48% (2014)</i> • <i>Estimated level of urbanization 2050: 64%</i>

Table 1. Some indicators on urban poverty highlighted by participant's presentations

In post-disaster scenarios – Fiji after cyclone (2012), Philippines after Yolanda (Super-typhoon Haiyan, (2013) and Nepal after the earthquake (2015) – the human losses, destruction of housing, water and sanitation infrastructure and facilities, and loss of livelihoods disproportionately affect the poor in informal settlements and slums.

Although the structural reasons of poverty were not discussed extensively at the event, Khsitijh Urs, ActionAid, discussed the effect of development policies on the creation and reproduction of poverty. The current development narratives on good urban governance, urban renewal and smart cities assume that economic growth and a certain alignment of institutions will bring about democracy and human rights as a byproduct, when in fact these approaches have several consequences that create and reinforce deprivation:

- They shift the understanding of public services (including land and housing) as a right, to a commodity that is privatized and paid for, depriving people of basic amenities.
- They translate into massive-scale policies that centralize decision making, but place financial responsibilities at the local level, decentralizing debt
- Their mechanisms reduce democracy to simple consultation
- They become “regimes of truth”, or implicitly accepted ideas that become entangled with practice and spread around the world, but remaining unquestioned

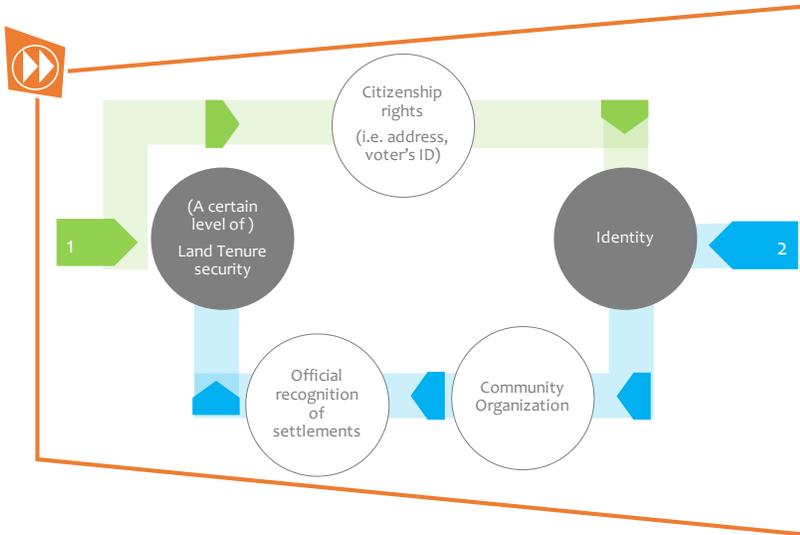


1.2 Security of land tenure and access to other rights

For urban communities living in poverty conditions, land tenure security provides increased access to other rights such as:

- The right not to be evicted
- Access to basic services (water supply, electricity, transportation)
- Safety
- Inclusion in disaster early warning and response systems
- Housing
- Health
- Education
- Livelihoods/jobs
- Access to finance for housing and livelihoods
- Formal right to the city

Cases from Indonesia (Jakarta), Philippines (Malabon City) and South India (Karnataka, Andhra Pradesh, Telanagana) prove that communities that organize to access a certain level of land tenure security (i.e. slums recognized as “legal”, included into the City’s registry), can gain access to other rights such as water supply and electricity. This gives communities a sense of “good enough tenure security” that allows them to start investing in their well-being (education, health, home improvements).



Subject for further discussion 1. Directionality of the relation between land tenure security, citizenship rights and identity.

The official recognition and inclusion of slum areas in a city’s registry (legalization or regularization) ensures the inclusion of vast sections of the population in government data-bases, impacting the assessments of social and economic issues (i.e. SDG indicators) and the corresponding policy-making processes.

A rich discussion around the directionality of the relationship between secure land tenure and identity did not reach consensus among some of the participants. For some participants, (1) land tenure security aids in getting recognition as a social group with rights within the city, thus obtaining citizenship rights and building identity (“Do you have an identity if you don’t have an address?”). (2) Others argued identity is a pre-requisite for community

organization for the recognition of informal settlements, and access to rights, among them, tenure security.

1.3 Urbanization and rural-urban linkages

Urbanization is a combination of migration, natural growth and reclassification. These processes affect the living conditions of both the urban and rural poor and their security of land tenure. During the learning exchange, the group discussed some aspects of the rural-urban linkages and identified some questions for further discussion.

Rural-urban migration and displacement is determined by several factors:

Push factors:

- System-induced agrarian crises (economic pressure over rural land affects livelihoods security, leaving no option than migration to cities)
- Land-grabbing and forced land acquisition in rural areas results in displacement, distressed/forced urbanization
- Disasters and violent conflicts induce migration
- Withdrawal of resources out of rural communities
- Foreign investment and large scale land acquisitions
- Declining availability of suitable land for agriculture

Pull factors:

- More priority in policy-making translates into more opportunities
- Better life/educational/economic opportunities

The process results in challenging conditions for the rural-urban migrants in urban contexts:

- High density environments, overcrowding living conditions
- High value of land reduces affordability
- Informality becomes the best habitat solution for rural-urban migrants
- Informality often results in unsecure land tenure and the threat of eviction



- What property rights are important in urban settings ?
- How are the power structures and dynamics different in the rural and urban contexts? (i.e. access to authorities by organized groups)
- Beyond informal settlements, other dimensions of urban poverty are affected by unsecure land tenure, like food security and access to livelihoods
- Land accessibility, land use, and land tenure are key factors in creating urban-rural linkages

Subject for further discussion 2. Specificities of land tenure security issues in urban contexts

1.4 Women's tenure security and access to land

Women have differential access to land rights. Evidence of this can be seen even in formal tenure systems, like registered freehold, the disproportion of access to land based on gender is clear. In India, only about 13% of women have land ownership, while they do 80% of the farm work (Oxfam, 2016, quoted by Naseem Shaik, SSP/Huairou). In many customary systems, women are excluded from the right to own, lease, or inherit land and in many cases; although the rights might be recognized by law, their practice is deterred through social and cultural rules.

A variety of reasons contribute to gender discrimination in accessing land:

- Customs, tradition and customary law allocates roles, responsibilities and rights based on gender stereotypes that exclude women from decision-making in the private (i.e. land transactions, housing designs) and public sphere (i.e. policy-making, formal institutions and negotiation scenarios)
- Inexistent legislation, lack of policy implementation or lack of gender-responsive institutions (i.e. women are commonly less exposed to dealing with bureaucracy)
- Lack of access to information, awareness and overall empowerment

The effect of this exclusion is an unequal access to information, economic opportunities, and services for women. Unfair land rights also make women, families and children more vulnerable to poverty and domestic violence.

Empowering women and securing women's access to land matters because of their own individual right, as citizens, to have equal economic opportunities and access to egalitarian practices and mechanisms in both private and public spheres. Additionally, the traditional knowledge and capacities developed by women to foster collaborative practices, develop resource-efficient solutions and ensure family and community well-being are critical for community development and poverty reduction.

1.5 Climate change and natural disasters in cities

Asia-Pacific is one of one of the most disaster-prone regions in the world, and communities living in poverty conditions in dense urban areas are the most vulnerable to disasters. The relationship between land tenure security, urban poverty and disasters has many edges:

- Informal settlements and slums are often located on land that is considered undesirable, among other reasons, due to their higher vulnerability, resulting of higher exposure to hazards: along flood-prone shorelines, riverbanks and low lands or on depleted or eroded cliffs, or polluted soil.
- The risk of fire in informal settlements is generally higher compared to the rest of the city, given that the high population density increases their vulnerability and the informality in the provision of electricity services, increases the fire hazard
- Vulnerability in informal settlements is increased by the poor quality of housing and other infrastructures
- Poor governance, coordination among stakeholders and community preparation mechanisms increase communities' vulnerability.
- Mechanisms for DRR can be used to justify unnecessary evictions

In disaster response and reconstruction scenarios, the loss of life and material goods increases the vulnerability of communities living in poverty. The women, children, elderly, persons with disabilities, and other vulnerable groups are the most affected.

Furthermore, a common government response is that of resettlement processes, that can potentially deepen impoverishment and lead to rights violations, as several land-related challenges arise from resettlement processes:

- Failure of the local governments to find adequate land
- Process of relocation entails many complexities that makes it long, and in many cases unsuccessful
- Relocation sites are located away from original settlement sites, affecting the communities' access to basic infrastructure, social services, safety networks and capacity to recover livelihoods
- Relocations often only address the housing need, disregarding key aspects such as access to safe water and sanitation services, transportation, etc.



1.6 Limitations in legislation, policy, land administration and management

A significant portion of solutions to improve security of tenure for poverty reduction rely on the role of public authorities. From adopting international mechanisms recognizing land as a right, to creating land planning mechanisms that counter urban segregation, the role of local, national, provincial and local governments is critical. Law and policies are both a problem and a solution.

The following ideas summarize the main challenges identified by the participants in relation to the limitations in legislation, policy, land administration and management.

- **Obsolete, overlapping or inadequate land laws.** Land issues are commonly addressed by the States through policies, that, compared to laws, are more vulnerable to changes in the political and economic environment (“policy is the new law”). In many countries, land laws have not been updated and do not reflect the social changes, approaches to land management and current technologies. Overlapping laws and the co-existence of several land systems contribute to land-related conflicts. In contexts of disaster response, formal land systems and regulations often become the biggest obstacle for reconstruction programs.
- **Exclusionary laws, policies, planning, processes and practices.** Intently or unitedly, governments may neglect social groups from accessing rights based on ethnicity, gender, cast or geographical location. In the policy-making process, participation is often limited to consultation, resulting in exclusionary planning and limited accountability.
- **Lack of land policies implementation.** Where land policies exist, they’re rarely implemented or implemented in a biased manner. This can be due to (lack of) political will, allocated budget or technical capacity. Agrarian/land reforms have failed throughout the region, and good redistributive policies, end up prioritizing groups that are not necessarily the most vulnerable ones. Identification of public land for social purposes can lean into corrupt practices.
- **Inefficient land management agencies and institutions.** Government agencies managing land often have overlapping functions, lack horizontal and vertical coordination and hold conflicting political agendas that affect effective land management
- **Low technical capacities and use of technologies** within governmental institutions limit the implementation of policies and plans
- **Complex bureaucratic process** on land transactions are not transparent, prone to corruption, costly and lengthy
- **Advanced land registration systems are costly,** take long time to set up and maintain, often prioritize the main cities and are unaffordable for the poor
- **Lack of public funding schemes** for land



2 The continuum of land rights and the variety of land tenure types in urban AP

The continuum of land rights is a GLTN tool that can be described as “a powerful *concept, or metaphor*, for understanding land tenure diversity”. It is framework or model of reference for analysis.

As highlighted by Samuel Mabikke, GLTN, some of the underlying principles of the continuum of land rights are:

- The continuum offers a powerful and practical alternative approach to the dominant focus on titling of individually held private property as the ultimate form of tenure security, or the end goal of land tenure reform.
- Registered freehold should not be necessarily considered as the preferred or ultimate form – it is only one out of various appropriate and legitimate forms of land tenure (customary, leasehold, group tenure, others).
- It recognizes that there are other tenure forms that are appropriate, robust, effective, legitimate – it builds on what there is.
- Tenure can take a variety of forms along this continuum: documented or undocumented, formal as well as informal, for individuals and groups, which may be legal or extra-legal.
- The most appropriate form depends on (geographic, social, economic, political and legal) context.
- It promotes increase of security across the continuum, with opportunity for mobility between various tenure forms.

Given the multiplicity of countries, experiences, standpoints and technical knowledge levels represented by the participants in the learning exchange, the continuum was used to promote a common understanding of the tenure types in urban Asia-Pacific. For most participants, this was the first time they had used the tool.

The exercise carried out during the learning exchange sought to:

- Map out the tenure types known by the participants of each country. This was aided by a handout on pre-identified tenure arrangements per country (see annex 5)
- Identify the bundle of rights that communities can access under each type
- Discuss the challenges communities face living under the identified types of tenure

The activity’s outputs are not a finished product, but should rather be seen as a starting point to build a more systematic analysis of the types of tenure in urban areas in Asia Pacific. However, the activity was very useful in highlighting the diversity of tenure types in the region, fleshing out the complexity of concepts related to land tenure, spurring collective reflections on issues and solutions, and better understanding the uses of the tool.

The following sub-sections summarize the main learnings of the group around the use of the continuum of land rights. Section 2.4 reflects the consolidated outputs of the activity.

2.1 Use of the continuum

The participants reflected on how the continuum could be used, through their questions and comments during the activity, written takeaways and evaluations of the session:

- The continuum of land rights is a model that can be used by CSOs to understand the variety of tenure arrangements that urban poor communities might encounter in a country and the associated levels of tenure security implied therein.

- It helps in understanding tenure issues in specific contexts, but also what can be a solution to increase tenure security based on the understanding of their current situation.
- It can help in contrasting the legally recognized types of tenures versus the socially or culturally practiced versions.
- It can be used as a base to understand how to make tenure more secure even if it is not formal. i.e. Anti-eviction laws increase security of tenure, but they're not mechanisms to formalize tenure.
- It could be used to map not only tenure types as *outputs*, but also *processes* that can help communities in attaining increased security of tenure. The analysis done by the Philippines participants started by naming processes, rather than tenure outputs. i.e. the Community Mortgage Program (CMP) was initially discussed as a tenure type, but the group later realized it was a process used to attain a certain type of group tenure. It was also suggested by a participant from India, that the legal actions that communities can use (anti-eviction policies, adverse possession claims) could also be placed along the continuum.
- The continuum is not a linear, prescriptive model implying that the best solution is the freehold title, but the progressive/incremental logic behind it can help in identifying steps towards increased security of tenure depending on the particular context.
- A continuum of perceived levels of security can be useful to understand the situation, but a continuum of recognized types might help in identifying formalization mechanisms.



"Pathways to permanence" is a model used in disaster response and reconstruction that also has an incremental logic and it includes tenure security components. How are they similar? Can they be complementary?

- Anonymous takeaway (interpreted)

Subject for further discussion 3. Links between the continuum of land rights and the "Pathways to permanence" approach.



"It was interesting to see the different degrees/levels of secure tenure and it would be more interesting to see if some tenures from some countries could be applied to other countries"

- Anonymous takeaway

Subject for further discussion 4. Transferability of intermediate types of tenure among different AP countries

2.2 Realizations about land tenure repeatedly highlighted by participants

- Participants jointly and regularly highlighted the unexpected complexity of the subject due to its interconnectivity to various other societal issues.
- Informality does not necessarily mean insecurity, and in some cases, it can be considered a rather secure form of tenure.
- The level of cultural perception of "security" and the social legitimacy can vary across the tenure types, altering the ranking of a particular type up or down the continuum.
- In Fiji, customary options might be more informal, but they are more secure. Having *more* rights doesn't necessarily mean having more security.
- In the Philippines, leasing and rental options are formal, but communities perceive them as insecure. Group tenure options are perceived as more secure than individual forms, like leaseholds. Likewise, fake titles in the

Philippines hold certain social legitimacy that increases their perceived level of security to communities, although they formally are the most insecure type of tenure.

- Perceived security can determine behavior more than legally recognized security.
- In developed countries in the region, ownership does not necessarily mean tenure is secure.

2.3 Challenges in using the tool

- **Understanding of the concept of “tenure type”.** It is complex to create an agreed upon definition of what a tenure type is. The relationship or arrangement between communities and the land they occupy (their tenure status) can be described in terms of:

- The physical manifestation of a tenure type (informal settler, pavement dweller)
- The legal mechanisms or processes used to protect that relationship (adverse possession, anti-eviction laws, Presidential Proclamation)
- The document that certifies such relation (squatters card, titles)
- The social institution(s) that provides legitimacy to tenure types (customary, crown)



- Adapting the continuum for sub-regions or countries
- A comparison of different models of tenure
- A critical analysis

Subject for further discussion 5. Research interests around the continuum of land rights

- **Finding consensus on what the continuum’s progression represents.** The underlying logic that guides the placement of a particular type of tenure along the continuum can vary from one person to the next.
 - Formality: what is recognized by law?
 - Amount of legally recognized rights on a tenure form were assumed to equate to greater security, but this is not the case
 - Relevance of legally recognized land rights differs between given contexts.
 - Perceived security: reveals which rights are important to certain groups and how much legitimacy the formal system has in that context.

2.4 Outputs of the continuum of land rights exercise

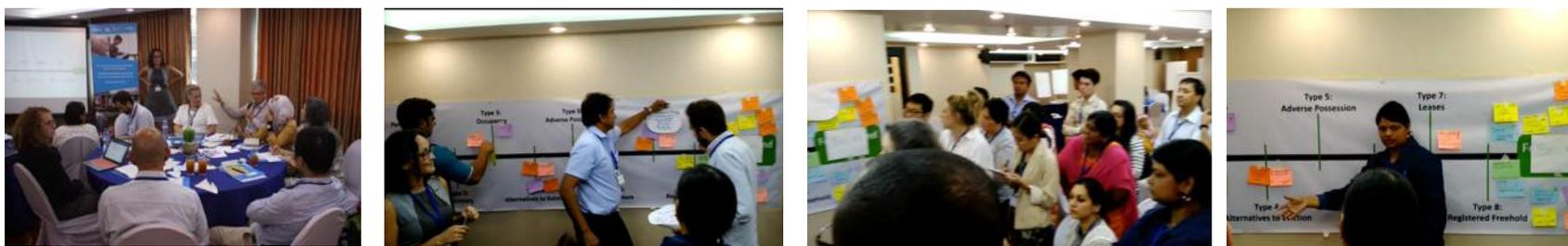


Table 2. Continuum of land rights in urban AP, based on the participant's contributions

Land tenure types in urban areas (5 countries in Asia-Pacific) organized according to level of tenure security												
Insecurity										Security		
Cambodia					Low-income settlement in private land	Low-income settlement in public land	Low-income government housing		Soft title without documentation	Letter of possessory rights	Hard title with documentation	
Fiji	Customary informal (no agreement)		Freehold / Crown informal	Native land (informal)				Customary Land Tenure (Vakavanua)	Native Owner Occupied	Crown lease (State) Owner occupied	Customary owner occupied (village)	Freehold (Owner occupied)
India			Urban homeless / Pavement dwellers			Alternatives to eviction	Declared slums without land documents				Freehold	
Nepal	Informal tenancy (Dharta mahayero mohi)	Customary (Paramparagat Adhikar)		Squatters card (Surumbasi card)	Formal (registered) tenancy (Darta Mahi)	Usufruct						
Philippines	Buy/sell (fake) rights					Group title through CMP	Rentals/Lease		CELA (Certificate of Lot Award)	Presidential proclamation	Freehold through Direct purchase/land sharing	

Table 3. Participant's reflections on some tenure types, related rights and issues

The table summarizes the information and comments made by the participants on specific types of tenure during the continuum of land rights exercise. Section 3.5 also provides a detailed list of tenure arrangements cited throughout the learning exchange.

Type of tenure	Country	Description/Issues	Use	Dev.	Basic services	Control	Subdivide /sublet	Transfer
Freehold through direct purchase	Philippines	It's the most secure type of tenure. The community directly purchases the land from the owner. It's a clean title	X	X	X	X	X	X
Freehold through CELA	Philippines	It is the result of the Presidential Proclamation. If the President approves, the lot is awarded to the community.	X	X	X	X	X	X
Freehold through land sharing	Philippines	The owner decides to sell a certain portion of the land to the community to have ownership and the remaining land stays with the owner for commercial purposes.	X	X	X	X	X	X
Freehold	Fiji	Social constraints against inheritance of family/ancestral property by women						
Customary owner occupied land	Fiji	It is the most secure type of tenure in Fiji	X	X			X	X
Rentals/lease	Philippines	(They might not) develop according to the agreement						
Group title through CMP	Philippines	<ul style="list-style-type: none"> Control is communal Subdivision is communal Buy/sell collective decision Mortgage sublet to collective decision 	X	X	X	X	X	
Possession deeds	India	There are at least 11 different types of possession deeds in India.			X			
Declared slums without land documents	India	<ul style="list-style-type: none"> Depends on political will. State laws for slum declaration get amended to make the process more difficult, or States simply decide not to declare slums. Less than 0,5% of declared slums are registered. Sale deeds are not issued and officially ownership remains with the original land owner. Does not guarantee zero eviction Ghettoization Undignified housing Does not stop criminalization 	X	X	X	X	X	
Fomal tenancy	Nepal	<ul style="list-style-type: none"> Many tenants are left out of registration process The process of transfer of land to registered tenants has been on hold 	X	X	X			
Squatters card	Nepal	It is provided to people who live in informal settlements. It cannot be inherited	X		X			
Low income settlements in public land	Cambodia	Communities that settle in public lands. There is no title or documentation and communities often face eviction threats	X	X				
Urban homeless	India	Do not have any rights whatsoever. Some people may secure access to subsidized food every month through their voter's ID and National cards						
Buy/sell (fake) rights	Philippines	It is the most insecure type, but it is commonly accepted by communities. Transactions are not legal. Communities may access certain rights such as services, but only through informal arrangements.			X		X	

3 Strategies and tactics used by CSOs: practical approaches, experiences and lessons learned



Most of the experiences presented during the learning exchange described programs or projects in specific communities or geographical areas, or broader schemes of work used by an organization throughout a country. Presenters were prompted to address the following questions:

- What is the problem or issue your organization is trying to address in relation to land tenure security?
- What strategies, programs and tools are you using to address it?
- What have been the main challenges your organization has faced?
- What could have been done better?
- What are your recommendations for others who want to do something similar?

This section fleshes out all the strategies and tactics presented by the participants as their ways of addressing land tenure security challenges in urban contexts. Some tactics are used by several organizations, and therefore, received considerably more attention than others during the event (which is reflected in the amount of available information). This report, however, seeks to assign the same importance to all experiences.

The strategies chosen by CSOs often depend on:

- CSO's Understanding of the issue, selection of priorities and action entry-points (how the challenge is read by the organization)
- Openness of governments to work with NGOs: most CSOs acknowledged a general trend towards shrinking space for civil society actors in the region
- Preference for collaboration or confrontational approaches in relation to governments and the private sector given the political context and sensitivity of land issues: the relationship between CSOs and governments can be one of collaboration, demands for accountability, confrontation or opposition.
- Available capacities within the organization also determine the realistic path(s) of engagement.

Depending on these factors, most CSOs have specialized in certain strategies as follows:

- Supporters of the community – whose work is to build capacities and facilitate exchanges between communities (SDI, Huairou, ACHR: CDF, HPFP, DAMPA)
- Technical support NGOs: Role in transferring technical knowledge to communities or putting communities' needs and preferences into a technical language when using IT tools, mapping, settlement and housing design (TAMPEI, CAN)
- Facilitator CSOs: Bridge the gap between communities, local governments and the private sector (HFH Cambodia, India)



Understanding strategies and tactics used by each organization helps in recognizing what CSOs can learn from each other and how their work can be complemented by one another to create synergies and a broader impact

Subject for further discussion 6. Identifying potential for joint work and partnerships based on better understanding of strategies and tactics used by CSOs to address land tenure security challenges

- Emergency or Project-based CSOs (CRS, Habitat for Humanity Fiji)
- Human Rights Organizations: Promote the recognition, protection, and realization of the rights to housing and land as human rights, and promote the adoption of a human rights approach in related laws, policies, and practices of the state (HLRN/HIC, Action Aid).

The following sections summarize the CSOs' actions contributing to strengthened security of tenure discussed during the meeting. A plethora of other strategies, activities and tactics and their corresponding tools are yet to be discussed, documented, developed and disseminated.

3.1 Empowering women and organizing communities

Securing land tenure is a process that requires the full understanding, involvement and sense of ownership for the affected communities. Whether the process is initiated by the communities themselves through grassroots organizations and CBOs, or by external agencies, such as NGOs, relief agencies or governments, the role communities in the process must be that of leadership and decision-making.

For process-oriented CSOs, empowerment is not only an aim in and of itself, but it is also a means to achieve other development goals. For project-based organizations, empowerment is often a means for increased appropriateness, legitimacy and social sustainability of their projects and programs. For Human Rights organizations, empowerment is about recognizing the agency of the urban deprived as a manifestation of deep democracy. This distinction is relevant when understanding the ways in which different organizations implement the same strategies.

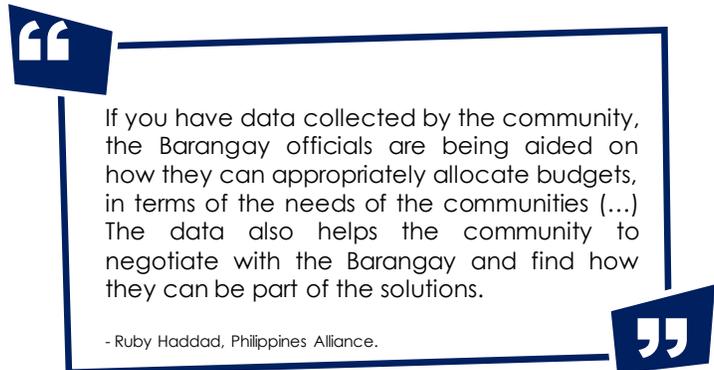
Some of the most recurrent tactics used by the participant organizations for empowering women and organizing communities were:

- **Savings groups** are not simply a financial strategy that leverages access to subsidies and credit. They are meant to be an empowerment and organizing strategy that builds trust and ties together groups and communities. According to Chou Lennylen, CDF/ACHR, managing money has an empowering effect and increases women's confidence. Over time, community groups formed around the core savings group work and decide on the developmental needs of families and communities together.
- **Community-level knowledge sharing.** CSOs disseminate best-practices and other successful models among peers (other grassroots organizations and communities) that they can adapt to their own contextual dynamics. This helps communities in building confidence around what they can achieve.
- **Community organization and community governance mechanisms.** In the Philippines, organizing a community involves formally joining a community-based organization or a formal community governance structures such as the HOA. In Catholic Relief Service's experience, these are needed for involving, empowering and preparing the community to undertake other larger challenges such as managing resettlement sites.
- **Building communities' and women's knowledge and capacities.** Huairou's trainings in leadership and negotiation skills for women are further applicable within their own families, communities as well as interaction(s) with officials. SSP/Huairou developed training modules workshops on land rights and access

to land. CRS developed trainings in Disaster Risk Reduction, gender and protection, WASH and livelihoods. Habitat for Humanity Cambodia developed trainings, workshops and a video to support informal settlement families and other NGOs to better understand land rights and the opportunities brought by the Social Land Concessions. (Video best practices: <https://drive.google.com/file/d/0B25TQeV9EzdoSERheFhjRVllMjg/view>). HLRN/HIC takes a “popular education” approach to land and housing rights.

3.2 Collecting information: settlement profiling, mapping, assessments and situational analysis

Settlement profiling, mapping and surveys are key processes of assessment and community organization that determine the actions, programs and advocacy agendas that CSOs undertake with a community or networks of communities. These activities are particularly relevant in the work SDI and ACHR, and include the collection of data such as: total population, official land ownership, boundaries, leadership status, identifying landmarks using GPS devices, validation of existing information on types of structures, occupants, etc. Complementarily, FGD and household surveys are implemented to assess information such as access to basic services, kind of water supply and sanitation, transport access, and a range of basic services and amenities whose access or non-access is documented.



Following a visit to India -where slum enumeration processes were taking place- in 1994, the Community Savings Network of Cambodia (CSNC, currently working in coalition with CDF/ACHR) started conducting surveys in poor settlements across the country and does it every 5 years since. CSNC has also linked the savings groups to the surveying process, updating the information continuously (when money is collected).

Settlement profiling done by the Philippines Alliance covering 241 informal settler communities and 75,000 people took two years to finalize. The Philippines Alliance sees these activities as an approach for evidence-based land governance, since the leadership roles created during the process were strengthened and institutionalized; and communities are now able to pre-define solutions to negotiate with authorities. Additionally, a “Learning hub” at the city level (Muntinlupa) was created to offer the opportunity for communities to learn to use and continuously update data, consolidate the mapping information and facilitate the processing of inclusion of data gathered in the City Shelter Plan. Trusting the community with the management of collected data also “shields” the process from political vulnerability and transitions.

Similar data-collection tools are used in project-based initiatives around disaster reconstruction contexts, such as that led by CRS in Tacloban. Surveys were conducted with the communities to assess the communities’ perception of their land tenure security, their financial capacities (affordability study) and other factors that determined their program design. UN-Habitat in Nepal is currently using STDM to record informal and non-formal tenure types of earthquake-affected communities

3.3 Developing city-wide approaches and systems

For the Philippines Alliance, the magnitude of the land and housing problem renders the traditional project-based approach ineffective. A citywide approach involves:

- Information gathering on informal settlement at the city level
- Partnerships with all stakeholders at the city level
- Coordination by local authorities
- Citywide pooling of funds mobilized from various sources
- Integration of solutions to land and housing problems with broader strategies for poverty reduction

3.4 Interpreting legal frameworks and providing legal support

CRS identified the requirements (taxes, fees, processing) and impediments that families may face in accessing land and guided families on their rights and responsibilities. As an external agency, for CRS this involved getting additional insights and support on local legal knowledge

HLRN (India) supports communities in litigation against land rights violations and provides legal intervention in courts when necessary.

3.5 Developing alternatives for improved land tenure security and land access



Identifying what types of tenure are the most adequate for the needs, capacities and preferences of a specific community or group, in a given context and time, is the core idea behind the “fit-for-purpose” approach. Formal types of tenure and formalization processes are often too difficult, time consuming or expensive, so *intermediate* types of tenure offer more realistic solutions. The identification of the specific tenure arrangement for each case is commonly done when communities and CSOs have reached a stage of organization or

progress in their programs in which they can negotiate land solutions with authorities.

As pointed out by Shivani Chaudry (HLRN/HIC), diverse tenure options need to be explored in consultation with local communities, whether it is collective rights, tenancy arrangements, use rights, or freehold/ownership. “Tailor-fit tenure options” often depend on 1) the opportunities provided by the existing legislation in each country, 2) the political will to devise specific schemes that best fit the needs and preferences of the communities and 3) the financial and organizational capacities of the communities and local governments.

3.5.1 Researching the typology of existing tenure forms to influence policy-making

UN-Habitat in Nepal has been researching the existing tenure types in the country, whether they are formally recognized by the government or not, to be able to include formalization mechanisms and customary types recognition in the ongoing drafting of land policy.

3.5.2 Access to land in resettlement processes

In the context of resettlement initiatives, communities and CSOs often find themselves negotiating with local governments for the identification of available land. The selection of available land is often done by the local government, following a premise of their own public land availability or purchasing thresholds in the market. This often results in distant relocation sites with limited access to basic services, transportation and job opportunities.

Nearby relocations in Cambodia are often not more than 2-3km away from the original site, but in some cases relocations can be as far as 10km away. Relocation sites often face challenges in accessing services such as water and electricity, but in community-led processes, this is perceived as a step in a long-term process. DAMPA demands the inclusion of “livelihood packages” (25.000 pesos, approximately USD 490) for relocated families. For CRS, the 8-km distance between the original settlement and the relocation site is under the context’s standards. In resettlement processes such as the Chennai (India), HLRN highlights that “people are being shifted from river banks to settlements very far away from the houses that are equally low-line, not protecting them from disasters, violating multiple Human Rights to education, work, schools, access to health care... as well as their right to consultation, due process...”

3.5.3 Access to land through land sharing

In the Philippines, land sharing has been a negotiation mechanism promoted by communities to access land they already occupy that formally belongs to a private entity. Through land sharing, a portion of the land is bought by the community and the remaining land is kept by the land owner for commercialization purposes.

In contrast, in India land-sharing is known as the “Bombay model”. It is a policy used as a housing provision mechanism by which the government hands over public land, usually highly-valued land in the central districts, to a private player, who takes part of it for commercialization and is committed to use the remaining land for the construction of housing units.

3.5.4 Anti-eviction laws

Laws that protect communities from being evicted without due process, negotiated and just compensation and resettlement alternatives. ActionAid has supported the formulation and adoption of “zero eviction” as a statutory provision in Karnataka (India).

3.5.5 Temporary permission to build

After Tropical Cyclone Evan struck Fiji in 2012, Habitat for Humanity joined the National Shelter Cluster and following negotiations with the government, Habitat for Humanity Fiji and five other NGOs were authorized to build temporary housing solutions in informal settlements. HFH Fiji further facilitated written agreements between land owners, the local government and the families to ensure that the construction on that land is authorized, the house is co-owned by both partners in a marriage or de facto relationship to protect woman and children.



What are the intermediate, FFP, “good enough” tenure options that improve tenure security across the continuum? What are some examples? Are they accepted by communities? To what extent can they be adapted to different socio-legal contexts?

Subject for further discussion 7. “Good enough” tenure options

3.5.6 Right to use

Different modalities to access the right to use land in the Philippines have been implemented by ULAP, a member organization of DAMPA/Huairou, among them usufruct, land conversion (into socialized housing) and Presidential Proclamations.

3.5.7 Adverse possession legal provisions

Adverse possession legal provisions enable households or communities who have been occupying a particular property for more than 11 years (in the case of India), to go to court and legalize their rights.

3.5.8 Collective land concessions

Are the common underlying types of tenure in relocation, on-site upgrading and re-blocking initiatives implemented by CDF and HFH in Cambodia. The Social Land Concessions in Cambodia are the result of an interim land policy (2001) that sought to distribute land in a transparent and equitable manner, focusing on the poor in particular as well as disabled soldiers and families of deceased soldiers. SLCs “allow beneficiaries to build residential constructions and/or to cultivate lands belonging to the State for their subsistence.”

3.5.9 Individual lease or rent-to-own

A type of lease implemented by CRS that foresees the possibility of individual households buying the land they initially occupy as tenants at a later stage. Leases are collected by the HOA, to be used in operations and maintenance of the site

3.5.10 Freehold or full ownership, through an amortized loan, subsidies, direct purchase, compensation or legal battles

Many of the land access mechanisms discussed during the learning exchange were different paths to access freehold titles. CSOs support communities with the organization process, identification of land, due process of acquisition, among others.

In partnership with Pag-Ibig Fund (Housing loan public agency in the Philippines), CRS developed a system by which families will have to repay the cost of the relocation land, while CRS and partners will provide infrastructure, site development and housing for free. The repayment is invested in the project for site-development work. Under a different financial scheme, some households received full subsidies for land ownership.

In the cases presented by DAMPA it was shown that communities can access land through legal battles and direct purchase, based on savings. The former was preferred by the community over the Community Mortgage Program, due to the interest rates. Through negotiations with local authorities, DAMPA member organizations affected by infrastructure projects were compensated with titled land when the communities committed to build permanent houses in 10 days through *bayanihan* (mutual aid).

After the earthquake in Nepal, certain communities occupying high risk areas had to be relocated. The government has decided to provide households with land certificates to formerly public owned land. These initiatives are considered pilots of the new Constitution.

These solutions might encounter challenges such as lengthy land acquisition processes, legal impediments affecting ownership, bureaucracy and financial capability.

3.6 Participatory settlement planning



TAMPEI in the Philippines has provided technical support to the HPFP and CRS in the participatory design of the layout of relocation sites and re-blocking initiatives. This process would consider the needs and size of the households, the inclusion of communal facilities, requirements for livelihoods, disabilities and special needs, among others.

CRS mapped existing social fabric in the community (existing social links between community members), to ensure their proximity is maintained in the relocation site.

UN Habitat Nepal is starting to provide technical support to the government for a project with Integrated Settlement Planning (ISP) processes to a “Build Back Better” community.

ACHR supports on-site upgrading and re-blocking processes that require participatory settlement planning. Habitat for Humanity Cambodia supported communities in individual land demarcation processes, after a SLC was awarded to a community.

3.7 Leveraging governments’ interests through demonstration projects

Demonstration projects are sometimes used by communities as a tool to leverage the interest of public authorities in improving settlements’ conditions. I.e., community-built sanitation infrastructure in India can be a factor to consider settlement regularization. As highlighted by SSP/Huairou, pilot projects can also be used to develop and adjust successful models that urge authorities to create responsive mechanisms that complement the communities’ process.

Small scale, community-led interventions for settlement upgrading can leverage the interest of local governments to invest in settlement upgrading and develop bigger scale policies and programs. That was the case of the “100 communities per year” program developed by Cambodia’s Prime Minister in 2003 and the Circular 03 (2010) a provincial policy that established mechanisms for infrastructure provision, re-blocking, onsite upgrading or relocation for communities in informal settlements. The 2014 National Housing Policy also considered the mechanisms developed by the CSNC, and have formalized this collaboration through an MOU with the Community Development Foundation and the Asian Coalition for Housing Rights (ACHR).

“ Working with the governments is difficult; working on the community’s side is also difficult. But when we are able to demonstrate the results of our work, to the community or to the government, then, in both sides, the acceptance levels increase ”

- Naseem Babasaheb Shaikh (SSP/Huairou India)

3.8 Developing multi-stakeholder partnerships and alliances

Alliances and partnerships strengthen the capacity of CSOs to have an impact on the ground or to have a stronger voice when advocating for policy change or implementation.

Depending on the historic juncture, alliances, platforms and multi-stakeholder partnerships can play different roles and have different goals. Kshithij Urs pointed out how in 1998 in India a platform had to be created as a response to massive evictions taking place throughout the country. The “Joint Action Committee against Slum Demolition” gathered CBOs and NGOs under the same platform. This was a partnership based on the need for **mobilization** and resistance. The same process, nowadays is using bottom-up policy making as its main strategy (see 3.12).

The Philippines Alliance, a group of five organizations working together to implement community-based housing solutions seeks to develop systems by which the same issues can be addressed by different communities. **Operative partnerships** like this, give a specific role to each member of the partnership: HPPF (community organization), TAMPEI and PACSII (Technical support), LinkBuild and CoRe-ACS (construction social enterprise and micro-finance). Their collaboration initiated through a World-bank funded program that also included the Muntinlupa LGU and the Social Housing Finance Corporation. At the barangay levels, it is also common in the Philippines to create Technical Working Groups (TWGs) that bring together communities, LGU officials and public finance Institutions.

Multi-stakeholder’s partnerships can be a platform of **dialogue** between different agents that wouldn’t naturally meet, as is the case with communities, governments’ officials and the private sector. This is the main aim of the platforms facilitated by Habitat for Humanity India.

Coalitions among CSOs can also be used to advocate for policy change, flexibility and implementation.

3.9 Identifying policy and regulation bottlenecks to program delivery: a program to policy approach

While facilitating the access of the Anibong community members to the Pag-Ibig fund in the Philippines, CRS identified that the strict housing loan regulations limited the access of the community to such loans. CRS undertook an advocacy initiative that resulted in amended guidelines of Pag-Ibig fund program (Circular 379), reducing the socialized housing loans interest rate from 6.5% to 3% (during the first 5 years), which now applies nationally.

3.10 Analyzing policy gaps to develop programs: a policy to programs approach

CSOs can analyze policies or participate in consultations for policy design as an entry point to design their own programs or campaigns. By identifying policies or laws that are obstructing peoples’ access to rights; laws that are not being implemented or regulations that need to be made flexible, specific types of intervention or campaigns can be created accordingly. SSP/Huairou recommends integrating policy analysis as part of the community empowerment processes, to find gaps in implementation and use those gaps as opportunities for action in favor of communities.

By piloting the process of SLC in Battambang, Habitat for Humanity Cambodia gained a detailed understanding and significant documentation of a policy mechanism that was underused and only few organizations and local governments knew about. Habitat for Humanity Cambodia created a policy implementation framework so more communities and other NGOs could have access and implement the process.

3.11 Institutionalizing mechanisms and identifying “carriers”

Community-led processes such as city-wide enumerations and funding mechanisms are often vulnerable to political changes in city leadership. A new mayor might not be supportive of a community-led program, which threatens the continuity of a community process. The Philippines Alliance recommends engaging institutions, not persons through mechanisms like MOAs: “You engage not the mayor, but the whole city institutions, like the Planning office, the Urban Poor’s Affairs office, the Assessor’s office [...] This is an institutional arrangement, that whatever administration comes, will support this process. We also rely on the “carrier” people inside the City, the ones that usually don’t get replaced, so the process won’t be politicized”.

In a similar logic, HLRN/HIC and ActionAid recognize that in negotiating with governments, it is key to identify individuals within institutions, officials who are sympathetic or responsive to the issues and open to listen to communities.

In the same line, CDF and HFH Cambodia are separately engaged with the General Department of Housing (GDH) of the Ministry of Land Management, Urban Planning and Construction (MLMUPC) in Cambodia through a MoU to support the implementation of the National Housing Policy (SLC & Circular 03 are key components).

3.12 Bottom-up policy-making

UN-Habitat Nepal supported the drafting of the land policy in the country, where CSOs participate as members of the working committees, holding consultations at the local, provincial and national level.

The involvement of communities, however, can go beyond consultation, to be a process owned by communities themselves. ActionAid has been backing up slum communities in Karnataka (India) to draft a state-level slum policy.

3.13 Contributing to the definition, promoting the adoption, increasing awareness and building capacity on global frameworks on land tenure

Global frameworks and international mechanisms on land tenure (or with land-related built-in components)

- UN Guidelines on evictions
- Guiding Principles on security of tenure for the urban poor
- Voluntary Guidelines on the Responsible Governance of Tenure
- Sustainable Development Goals
- New Urban Agenda
- Sendai Framework for Disaster Risk Reduction
- United Nations Framework Convention on Climate Change

International mechanisms promoted by United Nations bodies (such as agreements, guidelines, frameworks, goals and commitments) formally or informally bind National Governments to follow certain principles in their policy making.

In respect to global frameworks on land, CSOs can:

- Influence the contents of these mechanisms through the participation in global campaigns, platforms, assemblies, meetings, events and UN processes
- Use these frameworks as referents to influence and hold their National and local governments accountable
- Disseminate, educate and build capacities among government officials, media, other CSOs, communities, etc.

These strategies have been used at the global level by international CSOs like HFHI, Huairou Commission, and HIC, among others.



How can CSOs make use of global frameworks to inform their processes, program design and advocacy goals?

Subject for further discussion 8. The use of global frameworks on land by CSOs

3.14 Questioning the development and policy-making narratives

The prevailing language and narratives used by all stakeholders around the themes of development, poverty, land and informality, among others, is not politically neutral and can often be exclusionary and condescending. Such narratives influence policy-making and program development, and can have negative effects by reinforcing beliefs

and disempowering specific social groups. Some examples are:

- Talking about “the poor” denotes a charity relation and in many societies, it reinforces the idea that it is people’s destiny to be poor. Deprivation, on the other hand, reflects the fact that poverty – or deprivation – is the result of an active, intentional action of other social groups, policies or society in general to divest a group from something that belongs to them.
- The view of the poor as “encroachers/illegal residents” fuels the incidence of forced evictions and displacement.
- Patriarchal mindsets justify exclusionary practices

CSOs can unveil the political bias of the development discourse, and promote the use of alternative empowering concepts and narratives.

3.15 Educating key actors and advocating for the adoption of the human rights-approach

When a government recognizes or ratifies land or housing as a human right, it commits itself under international law to respect, protect and fulfil the right for all its citizens without discrimination. Given that a human right prevails over other rights or interests, this recognition becomes a powerful legal precedent for advocacy purposes and in disputes and conflict resolution. HLRN/HIC works with governments, national Human Rights institutions, international treaty bodies and special commissions to make the Indian Government aware of existing commitments and mechanisms.

“ A Human Rights approach is the only long-term solution (...) It puts people at the center and opposes to charity or begging the government for a small house, for a piece of paper to recognize your land. As a human being, you inherently have these rights. It is about asserting your rights.

- Shivani Chaudry, HLRN/HIC

”

Additionally, developing educational campaigns, training modules, publications and periodic communications addressed to specific target groups that are key game changers (such as decision-makers, judges, government officials and the media) can amplify the advocacy efforts.

3.16 Holding governments accountable through research: monitoring indicators, fact finding, documenting and publishing

Identifying cases and defining indicators that reflect the state of an issue, collecting data, finding sources (official, from international bodies or collected by NGOs and communities) assessing their accuracy and reliability and analyzing them against the law are key strategies to feed State accountability and advocacy initiatives. This is one of the main strategies for evidence-based advocacy.

According to ANGOC, LWA partners have been able to use the analysis of their Land Reform Monitoring Initiative to influence the land policy agenda and processes of their respective national governments, ensuring land rights and protecting communities from losing tenure security.

Research initiatives can be undertaken by CSOs, coalitions and partnerships with academic institutions, balancing the rigor of academic discipline with social realities.

3.17 Holding governments accountable through awareness raising: campaigns and communication strategies

State accountability strategies are meant to bring the public opinion's attention into the (unattained) responsibilities of the state. They often bring to light the State's responsibilities in 1) the violation of human rights by public or private development processes, 2) the unattained commitments under the National Constitutions, laws or international treaties and 3) the discrimination of specific, marginalized, deprived groups.

Practical mechanisms for holding governments accountable campaigns and communication strategies (such as online campaigns or petitions, open letters, recommendations, press releases or communicates to media houses)

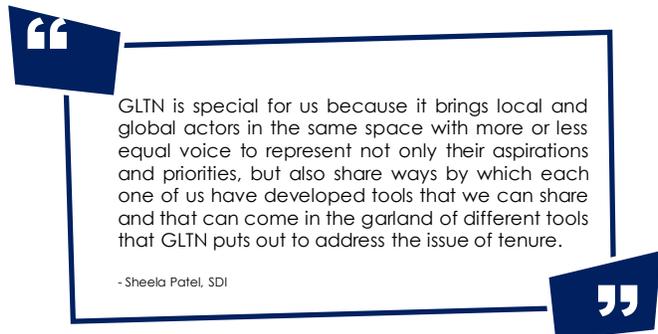
Indicators	
LAND TENURE	ACCESS TO LAND
Land Disputes Number of people killed Number of people detained Number of people harassed Number of cases received Number of cases investigated Number of cases adjudicated Number of cases of land grabbing Percentage area of land grabbed Average time in years for dispute resolution Additional indicators: Annual loss due to disputes Monetary loss	Ownership Land ownership distribution by size Gini coefficient/ bottom-to-top ratio (for analysis)
Evictions Number of households evicted/ displaced from farms Number of households becoming totally homeless because of eviction	Tenancy Rights Number of sharecroppers Percentage of sharecroppers with legal documents Percentage of contract farmers' area in relation to agricultural area
	Landlessness Gini coefficient (for analysis) Number and percentage of landless rural persons among rural populations
ANGOC and Land Watch Asia: land reform monitoring initiative indicators	

4 Methodologies and tools

A land tool is a practical method to achieve a defined objective in a particular context. It can be a guide, criteria, software, training package, manual, guidelines, frameworks, etc.

This learning exchange focused on developing a shared understanding of approaches, strategies and tactics. In the descriptions of each experience, as well as in the discussions around specific subjects, several tools used by the CSOs were briefly mentioned. The following list can be expanded with the contributions of participants and other groups in the GLTN's urban CSO cluster.

- Community profiling, FGD and surveys for city-wide informal settlement mapping, by SDI and ACHR
- Land and housing affordability studies, by CRS, Philippines
- Relocation protocols
- Neuronal Network tool (mapping social links to ensure proximity in relocations sites), by CRS.
- Gender Evaluation Criteria, by GLTN/Huariou
- Rural Rapid Appraisal
- Integrated Settlement Planning, by UN Habitat Nepal
- Quadrant Categorizing System to help communities identify the best solutions, strategies and interventions for settlements development, based on their exposure to hazards and their level of organization, by the Philippines Alliance
- Social Tenure Domain Model, by GLTN/Philippines Alliance
- What can you do if faced with a forced eviction? Manual, by HLRN (India).



5 Opportunities and ways forward



The following actions were highlighted as key next steps for the CSOs, individually and collectively:

Strengthening collaboration within the cluster by:

- Creating more learning exchange opportunities and broadened dialogue, using existing platforms and upcoming events such as the WUF9, but also through peer-to-peer learning visits, frequent workshops or quarterly calls, including more groups and CSOs
- Documenting and researching, in collaboration with GLTN research and training cluster, for identification of tools developed by GLTN members, good practices, process documentation, analysis of country-level policies and development of guidelines
- Increased learning and sharing about existing tools and pilot initiatives in the region, particularly the application of Continuum of Land Rights, the Social Tenure Domain Model (STDM) the Gender Evaluation Criteria (GEC) and the Participatory and Inclusive Land Readjustment (PILAR).
- Use the network to identify common types of land tenure across the region or sub-regions, as well as the tools or mechanisms to create or promote intermediate types in different contexts.
- Creating exchange platforms with other stakeholders, among them, communities and National and Local governments

Reflecting on CSO's approaches and work to strengthen collaboration with others at the city level, by analyzing the relations between:

- The *nature* of each CSO and the strategies it uses for security of tenure
- Each CSOs' work in security of tenure and the overall strategy of the CSO
- The CSO's overall strategy and its contribution to the goal of increased security of tenure in a specific city
- The relation between the CSO and the local and national government
- Identifying strategic synergies between different CSOs

Deepening the understanding and developing capacities around:

- Key concepts around security of tenure
- The continuum of land rights
- STDM
- GLTN schemes of work, non-CSO partners, opportunities for funding
- How to use global frameworks for programming and advocacy purposes

- Frameworks or tools for communities to understand and interpret laws

Further discussing more specific subjects -highlighted in this report- such as:

- Directionality of the relation between land tenure security, citizenship rights and identity
- Specificities of land tenure security issues in urban contexts
- Links between the continuum of land rights and the “Pathways to permanence” approach
- Transferability of intermediate types of tenure among different AP countries
- Research interests around the continuum of land rights
- Identifying potential for joint work and partnerships based on better understanding of strategies and tactics used by CSOs to address land tenure security challenges
- “Good enough” tenure options
- The use of global frameworks on land by CSOs

Undertaking land tenure-related initiatives like:

- Researching the national context policies on land tenure
 - Using the continuum of land rights in their National contexts to inform their work (HFH Cambodia and Philippines Alliance)
 - Continue building coalitions through bottom-up approaches
 - Advocate at policy-making spaces
- Make bilateral agencies more accommodative of local agenda

Annexes

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Annex 1. Final list of participants

GLTN CSOs urban cluster learning exchange meeting - Manila 7-8 November, 2017 FINAL LIST OF PARTICIPANTS					
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Action Aid India

ActionAid's work with the urban deprived in India

The underbelly of the growth story of urban India hides the depressing situation of a large population of people who live in slums and on the streets of cities in India. ActionAid understands the social character of this deprivation as a replication of the spatial discrimination that happens to people from the so called 'lower caste' communities in villages. It is not a coincidence that more than 80% of people in most slums belong to the lower caste dalit, backward communities and religious minorities.

ActionAid situates issues of urban slums in this historical deprivation on certain communities who are 'destined' to lead 'wretched' lives. We encourage and stand in solidarity with community based organizations of people in slums in their struggle for socio-economic justice. Action is at the forefront of land and housing rights in urban India, making the state accountable for the full implementation of relevant slum laws to be implemented in true spirit. We are also one of the few formations providing informed critique of contemporary urban sector reforms in the country in all its dimensions, building urban resource centers for young people in slums to understand the impact of such reforms and to constructively engage with the state to access their rightful resources as well as to stand as protagonists for their own cause in the larger policy landscape in urban India.

ActionAid works to strengthen the objective of the 74th amendment of the constitution which is to create cities that are 'vibrant units of self governments with equal rights for all', with a specific emphasis on substantially improving the participation of the urban poor in governance of cities. We take the organizational principles of reaching out to the most deprived and also focus on building collectives of young girls in its slums. An urban slum is probably the worst environment for girls to grow up in. Most cases of abuse and assault on girls in slums are unreported as interventions are usually not able to address the trappings and the stigma associated with their immediate surroundings. Sufficient research over the past two decades indicates that urban poverty acutely affects children, especially young girls from accessing formal education, and increasing their vulnerability. We work to empower young girls in slums to pursue their academic and professional dreams by addressing the abuse, social violence and stereotyping that they face in slums.

Besides direct interventions, ActionAid also pursues legal interventions and in policy advocacy with current focus of zero evictions and dignified housing for the urban deprived in India.

Dr. Kshithij Urs is a senior manager in ActionAid with an experience of more than 2 decades on issues of social justice in India. He occupies the space between activism and academics with a vantage opportunity of contributing both ways. He has founded many institutional, outreach and campaign interventions for deprived communities in India and has co-drafted state and central laws at the behest of governments.

ARKOMJOGJA/ACHR Indonesia

By Jasri Mulia, Coordinator of Urban Division

Arkomjogja is an organization consisting of various multidisciplinary sciences dedicated to the movement of community architects. Arkomjogja works together as a community: mutual help, across social strata, and cross-disciplinary knowledge. Our strategy in the movement of community: Capacity building of community, Research, Advocacy and Networking,

Arkomjogja use architecture and local knowledge as a media to organize community by community-led (people-driven) approaches and refers to the needs (demand-driven). Our method works in community :

1. Community Mapping : Building awareness people to know their problem and their potency
2. Community Planning : People can solve their problem by themselves and can be improve their potency.
3. Community Execution : People can priority what they need and execute what already their planned.
4. Community Monitoring : People as controlled settlement development in their village.

Community saving is one of media that we use to organize community. Saving is one of potencial aspect in community led development. Another media that we used to organize and to link community in the city level is settlement profiling. Arkomjogja will do settlement profiling in 6 cities; Yogyakarta, Solo, Surabaya, Semarang, Makassar, Pontianak, as land tenure advocacy. The pilot project will start in 2017 at Yogyakarta.

Arkomjogja during last 7 years establish, now work with 24 riverside community in Solo City with 5.000 people and 24 roverside community in Yogyakarta city with 5.000 people. By community-led approach, now success collaborate with local government on the on-site upgrading projects.

Community Development Foundation / ACHR Cambodia

Problems with supply driven approach does not match with demand side – the targeted urban poor.

Rethinking – How to make the demand side Become main actors and drivers at the realistic scale of the problems.

What we are doing to response:

1. Community profiling and Mapping.
2. Community organizing and saving.
3. Loan and credit.
4. Community welfare.
5. Decent Poor (Live no one behind).
6. City wide upgrading: Improved small scale physical infrastructures.
7. Partnership
8. Housing
9. Community base Tourist
10. Community land bank
11. Community architect network Cambodia (Can-Cam).
12. Community Development Training Center
13. Community Builder



Anibong Resettlement Project

Typhoon Yolanda Recovery Program

BUILDING RESILIENT COMMUNITIES AND LAND TENURE SECURITY, THROUGH A COMMUNITY-DRIVEN APPROACH, IN TACLOBAN, THE PHILIPPINES

The Anibong Resettlement Project (ARP) is community-driven resettlement project to assist 900 Anibong households living in an informal urban settlement of Tacloban City's, affected by Yolanda, and declared No-Dwell-Zone by the government.

CRS Philippines is implementing a project that will (1) strength the organization of the Anibong community according to their sectoral preferences, (2) provide individual land tenure, livelihoods, financial inclusion and savings; and prepare beneficiaries to manage resettlement structures, and (3) implement a resilient permanent-housing and safe relocation site with access to services and facilities, throughout participatory processes.



Topographical surveying and geo-hazard mapping estimate that up to 900 household lots could be accommodated in the 16 hectares of land purchased by CRS, through its local partner the Archdiocese of Palo. Land has been classified as residential by HLURB, and it is part of the CLUP of Tacloban City Government as socialized housing.

The resettlement site is located within Tacloban City, in the Barangay Bagacay, 7.5 km far from the Anibong district. The site is located close to the Eastern Visayas Regional Medical Center and San Juanico bridge.

Land tenure security

CRS has defined a tenure security approach for the ARP families, that aims affordable and tailored fit tenure solutions for the 900 families' beneficiaries of the project. This innovative approach involves different key elements interrelated with land tenure concepts and land regulations in the Philippines, while considers strategic partnerships, and deep community understanding and decision making. The key elements used in the land tenure approach are briefly described below:

- **Affordability** study targeting financial capacity of the families.
- Partnership with Pag IBIG Fund through their Affordable Housing Program, as a **land cost recovery** system.
- Tailored fit tenure solutions (individual ownership, leasing) according to families' financial capacities and characteristics.
- **Participatory urban planning** and location of families at the resettlement site according to their social fabric, specific needs and characteristics, using ITC4D tools.
- **Governance**: Formation of a Home Owner's Association to manage the resettlement site, ensuring regular revenue for O&M purposes.
- **Legal support** focused in rights and responsibilities for land owners/leasers.
- Comprehensive savings groups and livelihoods approach targeting financial sustainability and behavioral change

CRS representatives are available for any request for clarification or further information about the project. You may contact Erin LaCroix, Head of Office, CRS Tacloban at Erin.LaCroix@crs.org and Mikel Larraza, Anibong Resettlement Program Manager at mikel.larraza@crs.org

faith. action. results.

Landlessness in Cambodia

It has been observed in various studies that the number of landless Cambodians is rising, there are however no updated available official statistics on this. A 2014 study conducted by the Cambodian Development Resource Institute (CDRI) found that 28 percent of its survey sample was landless between 2004 and 2011, and 47 percent held less than half a hectare of land – the minimum required for subsistence. Recognizing the problem, the Cambodian government has developed and implemented a system to redistribute state land to the land-poor.

Policy and Legal Framework

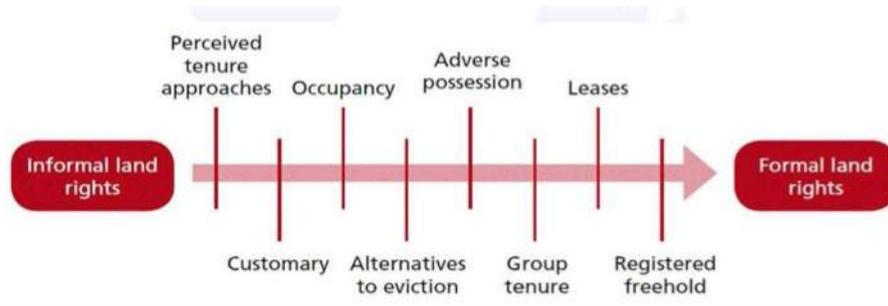
In 2002 the Cambodian government adopted an interim land policy, which, among other objectives, aimed to promote land distribution with equity. The government issued a declaration on Land Policy in 2009, and re-asserted its aim to distribute land to those in need. Under its Land Distribution Sub-Sector Program, the government aims to distribute land through social land concessions “(SLCs) in a transparent and equitable manner in response to the needs for land of the people”, focusing in particular on the poor, disabled soldiers, and families of deceased soldiers. The 2001 Land Law formally established SLCs, and with Sub-Decree No.19 on Social Land Concessions, set out the conditions under which SLCs can be granted and used. The Land Law states that an SLC is a land concession responding to a social purpose “which allows beneficiaries to build residential constructions and/or to cultivate lands belonging to the State for their subsistence.” During the concession period, the rights of a concessionaire are similar to those of an owner. Importantly, they do not have the right to transfer the land to any other person.

Habitat for Humanity Cambodia Land, Housing and Advocacy Initiatives

The Land Allocation for Social and Economic Development (LASED) Project funded by The World Bank has helped provide land, infrastructure and social services to poor and landless Cambodian families for residential and agricultural purposes. Habitat for Humanity Cambodia (HFHC) was one among the three non-government organizations that were awarded the implementation of the project, particularly in the pilot testing of Land Law Framework on Social Land Concession (SLC) within the urban area of Battambang Municipal, Battambang Province. The project began in May 2008 and ended in March 2015, and HFHC engaged the government in the direct implementation of the existing legal framework for the regularization of land occupied by informal settlers. It was one of the driving forces for the adoption the Circular 03 and Social Land Concession (sub-decree 19). The continued implementation of strengthening civil society-government partnerships to improve the delivery of secure land tenure in Battambang received further support from Clifford Chance and two other funding partners Habitat for Humanity Australia and Habitat for Humanity Canada for the allotment of 82 secure land plots, and the project names SECURE (Safe and Empowered Communities for Urban Reintegration), will reach its conclusion in September 2017.

Habitat for Humanity Cambodia has been a staunch advocate for secure land for housing. The effort to continue to effectively demonstrate and improve the secure tenure and safe, quality and affordable housing encouraged HFHC to actively seek out opportunities to maintain and expand its work in tenure security within the urban context, including the provision of support to land recipients from the first LASED project in Battambang. This can be achieved by being a key facilitator in the continued implementation of SLC and by identifying regulatory and other barriers to the provision of affordable legally approved land and housing in collaboration with partners. Through the recognition and application of the Continuum of Land Rights in the context of Battambang, Cambodia, an effective alternative to focusing on individual land titling, which is seen as lying on a continuum between informal and formal rights to land could be applied thereby removing possible barriers to secure tenure. In between these

extremes (according to UN-Habitat) lie a wide and complex range of rights and SLC could be found in the continuum and could be explored further.



To scale up efforts in secure tenure and housing, HFHC signed a Memorandum of Understanding (MoU) with the General Department of Housing (GDH) of the Ministry of Land Management, Urban Planning and Construction (MLMUPC). The MoU details HFHC’s partnership and support for the implementation of National Housing Policy in Cambodia to advance access to secure tenure, and safe, quality, affordable housing in Cambodia. The MoU is a result of the project called Supporting the Implementation and Adaption of National Housing Policy to Advance Access to Housing and Secure Tenure, which is under the global program of Habitat for Humanity International – Solid Ground. Outcomes of the project in terms of families served will be shared in the learning exchange.

The experience of Habitat Cambodia in the LASED project within urban Battambang and the current project with the 82 plots adds significant value of civil-society and government’s partnership successful efforts in delivering secure tenure for the poorest and most vulnerable families. And Habitat Cambodia is inclined to share some key lessons learned and challenges faced through the GLTN learning exchange in November 2017.

Habitat for Humanity Fiji

Partial Land Tenure Security for Informal Housing Sector in Fiji

Tropical Cyclone Evan struck Fiji in December, 2012 devastating XXX homes including thousands in informal settlements on the northern coast of the island of Viti Levu. The National Shelter Cluster was activated and it was agreed that government would focus on the formal housing sector and NGO/CSOs would focus their shelter response on the informal housing sector.

Discussions with the Ministry of Local Development, Housing and Environment resulted in a MoU with Government allowing six NGO shelter providers to build in informal settlements. This was unique in that it allowed the construction of cyclone-resilient homes on non- residential land. As one of the six NGOs, Habitat for Humanity Fiji (HFH Fiji) sought to further increase the security of homeowners by requiring as conditions of construction the following criteria:

1. Written approval from the landowner allowing HFH Fiji to build on their land.
2. Written approval from local government that the landowner letter is indeed signed by the landowner.
3. Written agreement that the structure to be built belongs to the home owner who can remove it if needed, and
4. Written agreement from the homeowners in the case of a husband and wife or

de facto relationship, that the structure is co-owned to protect the women who is often not be awarded the property in the case of a separation or the husband passes away.

HFH Fiji built 274 cyclone rated core houses under this MoU in informal settlements, which has set a precedent to allow the organisation to build close to 250 more homes with this form of partial land tenure security.

Habitat for Humanity India

*Solid Ground Advocacy Campaign for Land in Disaster Affected Areas
Experiences in Urban Poverty Reduction by Strengthening Land Tenure*

India - Notes

- According to Government of India's Ministry of Housing and Urban Poverty Alleviation, the urban housing shortage in India in 2012, was estimated to be as high as 18.79 million units. 99% of this shortage is in Economically Weaker Sections (EWS) and Low Income Groups (LIG)
- Urban India experiences lack of access to land for basic infrastructure. Therefore, it is important to have an effective and appropriate land policy that would promote sustainable development.
- Urban housing is critical to safety and security of families as well as home based earners who use their homes as places of livelihood generation.
- City planning and zoning does not consider the need to identify spaces for microenterprises of the urban poor. This relegates informal economic activities to the realm of 'illegality', leaving the urban poor entrepreneur vulnerable to evictions, confiscation of physical capital of the micro-enterprises and/or payment of bribes for the privilege of operating within a given area.
- Securing land rights plays an important role in driving economic growth and poverty reduction. Clear and secure land tenure can improve livelihoods and incomes.

Case Study - Chennai, Tamil Nadu

Sadayankuppam is located in north Chennai. The total geographical area of village is 668.51 hectares. Sadayankuppam village has 26% Schedule Caste (SC) and 4% Schedule Tribe (ST). This area was originally an agrarian and fisher folk area as the river Kostalayar River runs through it. People were involved in agriculture and in fishing for many years until 'development' took over their lands and their livelihood. Deprived of their main livelihood most of them are working as daily wage earners in the factories and commercial establishments in the area. Their economic condition is very low with irregular job opportunities. In addition, this area is prone to regular flooding.

Thulasigapuram – St.Thomas Mount is a cantonment in Kancheepuram district located in Chennai. It is home to the St.Thomas Mount, which is a sacred place of Christians where St.Thomas was believed to be martyred. The residents settled in Thulasigapuram more than 100 years ago on land given to them by the British. There were no legal registrations on land titles made, even though the residents are living over there for many years. The families are in a fear of insecurity of land, because the area has now been notified as cantonment area. Strong demands were raised from the community for secure tenure for secure shelter. The area was also badly affected by the recent Vardha cyclone. Lately land pattas have been given to few families recently by Government of Tamil Nadu. However there is much uncertainty.

Habitat India focus:

- Advocacy for land tenure
- Obtaining land pattas for housing

- Livelihood creation among the community

Process being piloted:

- Access household economic capacity and level of skills. Plan of model for economic empowerment
- **Create a physical authorized space for the informal economy** – Build a multipurpose community hall to organize, and train the beneficiary on livelihood skills.
- **Government advocacy** – Under the National Urban Livelihood Mission, Ministry of Urban Affairs which is directed to the Mission Director placed in Chennai, to discuss with him on identification of Land for the community hall and to explore opportunities for joint programs on developing the skills of beneficiaries for developing livelihoods.
- Demand for recognition and support for natural markets of the beneficiaries who are serving as street vendors with a non-eviction guarantee. Rehabilitated markets should be planned and allocated in a participatory manner through coalitions and networks in association with government departments, corporate and financial institutions.
- The District Collector and RDO, Thasildhar are all kept in loop in every course of action. The Principal Secretary / State Relief Commissioner, Government of Tamil Nadu was invited by Habitat for the handing over ceremony disaster resilient permanent houses in the above locations, and thus he has witnessed the situation of people living in the locations.
- Using the network of partners and SHGs to negotiate for and share common space for manufacture, storage, vending etc.

Habitat for Humanity Nepal

Each year, Habitat Nepal organizes a Panel Discussion on the themes of Gender Equality in Property and Housing Rights as part of the Solid Ground campaign. The panelists include Secretaries from relevant ministries, representatives from relevant UN offices, NGOs, law students, young activists and celebrities. While government officials share what steps are being taken to tackle the problem of gender disparity in property ownership, landlessness and lack of adequate housing for the poor, other experts in the Panel and the participants point out whether the government initiatives are having sufficient impact. During this year's Panel Discussion, many participants criticized the lack of adequate measures and support from respective government bodies to ensure property and housing rights of freed indentured laborers, earthquake-displaced families and women.

Habitat Nepal has also been in discussion with the GLTN(Global Land Tool Network) team of UN Habitat and is looking forward to use or promote pro-poor land tenure security tools developed by the GLTN group, which is also likely to be part of Solid Ground initiative. A few months back, UN Habitat invited Habitat Nepal, along with officials from relevant government departments, to take part in a workshop held in Kathmandu in which GLTN experts from Nairobi, Kenya explained the features and functions of Social Tenure Domain Model (STDM) tool. UN Habitat promotes STDM as pro poor, gender sensitive land tool. STDM is capable of recording a wide range of land rights, including private, public and customary/traditional, as well as both individual and group rights, and including both rights and claims. STDM will improve security of tenure, reduce evictions and lower planning and servicing costs.

Habitat Nepal recently hired a Senior Manager - Financial Inclusion to support microfinance institutions (MFIs) in the process of rolling out housing loan products for low-income families. Habitat Nepal expects to dramatically increase the number of families served by building upon the successes of our early partnerships with MFIs. The aim is to provide improved housing loan products to low-income families and provide them construction technical assistance as they build their homes. Habitat Nepal will undertake this pilot guided and supported by Habitat's Terwilliger Center for Innovation in Shelter and the Housing and Human Settlements (HHS) department. While it is

well-accepted that tenure security encourages families to invest in land and housing, it can also be that the prospect of having a decent home will encourage low-families to take necessary steps for better tenure status.

Urban poverty is mainly associated with migrants who enter cities and urban areas in search of employments. Most of them end up living in slums and give in to unhealthy lifestyles, thereby, get categorized as poor. Rural and peri-urban communities that will benefit from Habitat Nepal's initiatives are likely to stay in their own communities and make long term investments that will keep them from migrating to cities.

Habitat for Humanity New Zealand

Habitat for Humanity New Zealand (HfHNZ) run a number of overseas development project and disaster responses in the Pacific. Through our work with Pacific peoples in New Zealand and our overseas work we have seen the complex issues populations are dealing with in the area of land tenure. We feel joining the workshop would be beneficial to HfHNZ in our implementation of our Solid Ground work in Tonga and wider. Our Solid Ground work focusses on Tonga and the issue of women's lack of access to secure land tenure because they are unable to register land in their name. We would like to talk to other organisations that have worked on similar issues and learn from their experiences. They may have programmes that could be adapted to the Tongan situation that would aid in our Solid Ground work in Tonga.

HfHNZ have also been working on land tenure issues in New Zealand. Communally owned land makes up roughly 80% of land owned in the Pacific. New Zealand also has communally owned land known as "Iwi land" (tribal land owned by indigenous Maori). Maori and Pacific peoples have some of the highest rates of poverty within New Zealand and make up the largest percentage of people HfHNZ work with. We have come up with some innovative solutions to being able to build family homes on Iwi land that historically has been difficult for people to secure loans for to build on. These learnings could be useful to others at the workshop facing the issue of communal land ownership.

The learnings from the workshop would be passed back into wider HfHNZ at our national conference at the end of November. We would also discuss the learnings and approaches with the Habitat Pacific Taskforce (PTF) (HfH Asia Pacific, HfHNZ, HfH Fiji, HfH Australia), the PTF would discuss how we as a group can apply this to the Pacific and our Solid Ground and Development projects there.

Huairou Commission

- **Emma Manjares – Secretary General, DAMPA Philippines**

Damayan ng Maralitang Pilipinong Api (DAMPA) Inc, is a grassroots federation of 237 member organization from Luzon, Visayas and Mindanao. DAMPA was organized due to massive demolition of informal settlers in Metro Manila. DAMPA works on issues on land and housing, disaster risk reduction and management, addressing sexual harassment on public spaces, youth and children participation on good governance, livelihood .

DAMPA plans to share its works on Strengthening of Land Tenure Security for Urban Poverty Reduction through :

A. **Land sharing** - sharing experience from its member-network work in Bulacan, Samahang Magkakapitbisig sa Sitio Crusher that worked and negotiate to acquire their rights on the land they occupied within the subdivision (open space) through legal process for free . Implemented a saving mechanism for the legal battle of the land acquisition and realty tax. Negotiated with Local Government Units (LGU) for basic services and livelihood. Manage to access resources from LGU, Private sector and government agencies.

B. **Direct Buying** – experience from DAMPA’s members Baltazarville in Bulacan and two organizations (Happy Family, KABISIG) in Payatas Quezon City that worked and negotiate to the land owner to acquire their rights on the land through direct buying. The community implemented a saving mechanism to be use as payment for the land.

C. **Resettlement sites** (Negotiated relocation)

D. **Community Mortgage Program (CMP)**

- **Naseem Babasaheb Shaikh - Swayam Shikshan Prayog (SSP); Pune, India**

Swayam Shikshan Prayog SSP (member group of Huairou Commission) works with small and marginal women farmers in drought hit regions to get empowered by enhancing their knowledge on sustainable farming and becoming decision makers on their farm. Facilitated by CRPs at village level we have established the proof of concept that once empowered, women can access rights over land.

Over 16,000 women in SSP's operational area got cultivation /user rights to family land (transformed over 12,000 acres from cash crops to food crops). However, these women are yet to gain legal rights.

SSP will gain exposure to take this work forward by strengthening farmer groups to fight for their legal rights. By going beyond proof of concept, these women farmers have made a beginning.

Also sharing and as well as looking forward learning on the urban-rural link dimension of land rights and how important these are for women.

Naseem in her role as Associate Director of Programmes is an expert with over two decades of experience in organizing rural grassroots women to build their economic, social and political competencies and move from the margin to the mainstream. Naseem has a life time commitment in building women’s leadership and empowering women in varied contexts of disasters –droughts and floods and long term development and poverty reduction. Naseem has spent the last two decades in conceptualizing, centre staging rural women’s leadership in community driven climate change and disaster resilience, agriculture, health and nutrition, particularly in the water and sanitation sectors.

In the last few years, Naseem has learnt from and is now an active global leader in the GROOTS International and Huairou Commission - global network of grassroots women’s organizations of which SSP is an active member. Naseem’s missionary zeal and SSP’s role as a global leader has sustained women’s local action and advocacy over the years and grown as a vibrant network in India and expanding to five countries in Asia. These insights from practice are centered on Naseem’s long years of sustaining and scaling up a movement of self help groups that includes over 100,000 women in rural India and build their capacities to reduce vulnerabilities through access and control over land and agriculture, water and sanitation and health services, climate change and build a culture of resilience. Her expertise also includes project planning, business strategy, process design and operations management.

- **Sri Husnaini Sofjan – Huairou Commission**

Huairou Commission leads the Rural Cluster of GLTN and has collaborated with partners in the testing of the Gender Evaluation Criteria (GEC). It also has introduced and used tools such as Local-to-Local Dialogues to initiate dialogues with other stakeholders on women and land issues. Community Mapping is another tools that Huairou Commission’s member network used to asses and put-together information on land and other infrastructures within a community. Land-related issues is also one area that its Community Resilience program focus.

Sri Husnaini Sofjan experience covers a wide spectrum of fields, ranging from ICT, good governance, regional-global coordination of women's networks and cities, and to managing and programming human settlements and gender equality projects funded by the United Nations agencies, as well as with governments.

LANDac

How LANDac and Partners are contributing to
Strengthening Land Tenure Security for Urban Poverty Reduction

CITYforum

It is projected that by 2050, almost two-thirds of the world population will be living in cities. Jakarta and Manila are two of the largest cities in the world and face unique urban challenges being located in river deltas. Both are also the subject of elaborate and extensive infrastructure-related "Master Plans" in which the Dutch are heavily involved, but which will likely have negative consequences for huge sections of the cities' populations, causing widespread displacement and loss of livelihoods.

To contribute to addressing these challenges, on 18th and 19th September 2017, a group of experts on urban development joined a multistakeholder meeting in Utrecht, the Netherlands to discuss new ways to optimise the link between land issues and inclusive urbanisation in Jakarta, Indonesia and Manila, the Philippines. In an era where vast amounts of capital are being directed towards making cities inclusive, safe, resilient, and sustainable, this coalition came together to reflect on the role of Dutch actors in facilitating and enabling community engagement abroad, and to design an agenda for action in the two cities.

This meeting was the first in a series to establish a multi-stakeholder network of policy makers, practitioners, private sector representatives and researchers from Jakarta, Manila and the Netherlands. Concurrently, bottom-up local research on community needs, challenges and opportunities in relation to urban development in these cities is being conducted. This workstream will continue to provide a platform to share experiences, bridge the gap between sectors, and facilitate both intra- and inter-city learning in relation to land-related issues, focussing on the adequate involvement of diverse communities in decision-making processes, as well as the role of different stakeholders in making Jakarta and Manila inclusive, safe, resilient and sustainable cities.

Note: This work is still at an early stage, so a brief presentation can be: on the bottom-up research that has been conducted so far and which was the reason for the initiation of the multistakeholder work; on the CITYforum concept and the initial findings; and seeking comments and suggestions on follow up.

Philippines Alliance / SDI and ACHR Philippines

The Philippine Alliance is a network of 5 organizations working together to assist urban poor communities attain land and housing security of tenure. At the center of this alliance is the Homeless People's Federation Philippines Inc. (HPFPI), a national coalition of 102 community organizations and over 200 savings groups undertaking self-help initiatives including community savings, land and housing acquisition, community mapping and upgrading. It is supported by the Philippine Action for Community-led Shelter Initiatives Inc. (PACSII), Technical Assistance Movement for People and Environment Inc. (TAMPEI), LinkBuild Inc., and Community Resources for the Advancement of Capable Societies (CoReACS).

The Philippine Alliance, led by the HPFPI as advocate and implementer of community-led undertakings, will be sharing its experience on the community-driven mapping and data gathering of informal settlements in Philippine cities and how these activities (1) provide the community residents with a tool or basis for negotiating and collaborating with local governments; and (2) allow the communities to learn more about their situation and to determine their priorities, leading to their empowered, inclusive and people-centered contribution to city planning and decision making. These impacts are further concreted and sustained through the formation of technical working groups per barangay and the establishment of a community learning hub.

Other topics related to the above include the following:

- Community-led, citywide settlement profiling and upgrading as evidence-based approach to land governance (Muntinlupa City experience)
- Community mapping, data gathering and the use of Social Tenure Domain Model (STDM) as a tool engendering multi-stakeholder partnership between and among communities, local government and civil society groups
- Challenges and possibilities for scaling up the mapping process including developing the capacity to influence other cities' shelter policies and land-use management

UN-Habitat Nepal

Land & Tenure Initiative in Nepal

With the promulgation of new constitution in September 2015, Nepal was declared as a federal democratic republic and has gone through State restructuring. As such all land related policies, acts and also institutional, organizational and technical infrastructures need to be restructured into the federal system. In April 2015, a massive earthquake occurred which added further complexity to the existing complex land governance in Nepal. At least 14 districts were severely hit in which nearly 9000 people were killed, more than 23000 people were injured and more than 900,000 houses destroyed- some 600,000 completely and another 300,000 partially. For reconstruction and rehabilitation, three major issues were identified- i). Relocation of households from the identified vulnerable sites, ii). Integrated settlement planning and iii). Secure tenure for informal and non-formal tenure holders.

With this background, a Fit for Purpose Land Administration was felt necessary and with the support from Global Land Tool Network (GLTN) and other national and international partners, UN-Habitat Nepal has initiated a project titled "Support to Land Reform and Land Tenure Initiative in Asia-Pacific". The main focus of the project is to device a land policy and suggest Fit for Purpose Land Administration Strategy. As part of the project, land tenure and land management solutions are piloted in Dolkha district which is also one of the 14 most earthquake affected district. The focus are mainly in three areas namely:

- Identification, Verification and Recording (IVR) of informal and non-formal tenure using STDM to secure tenure of beneficiaries and to facilitate them for accessing the housing reconstruction grants,
- Relocation of vulnerable settlement to safe sites, and
- Supporting development of Integrated Settlement Planning as "Build Back Better" community

The field work for the project is in the stage of completion. The outcome of the project will support in post-earthquake disaster housing recovery and reconstruction and in devising Fit for Purpose Land Administration (FFPLA) strategy in Nepal.

WOMEN THRIVE ALLIANCE

Women Thrive Alliance is a global feminist advocacy network with one goal: make gender equality a reality. We believe that gender equality can only be achieved through a grassroots-led bottom-up approach to development that is centered on those most marginalized by patriarchy. \

Our Alliance unites and mobilizes hundreds of women's rights and gender equality organizations in over 50 countries, equipping them with the skills, connections and support needed to influence social and gender justice agendas at local, national and global levels. Through our training, coaching and collective action, grassroots leaders take their place as equal partners in decision-making spaces so that their expertise and experiences contribute to strong and sustainable policies and programs for gender equality.

OUR PRESENCE IN ASIA AND THE PACIFIC

Women Thrive Alliance has nearly 20 years of experience in building the skills and amplifying the voices grassroots gender equality and women's rights advocates in the Global South. We have 62 member organizations across Asia and the Pacific, in Bangladesh, India, Indonesia, Laos, Maldives, Nepal, Pakistan, Papua New Guinea, Philippines, Sri Lanka, Timor-Leste, and Vanuatu. These organizations are led by local change-makers who believe that women and girls should live free from violence, enjoy quality education, and achieve economic empowerment. They believe that by challenging the status quo, they can achieve greater equality for all.

OUR WORK ON LAND TENURE SECURITY FOR POVERTY REDUCTION

Women Thrive Alliance and Habitat for Humanity International have been long-time partners in their work for gender equality and women's rights, and Women Thrive Alliance is proud to be a partner in Habitat for Humanity's Solid Ground campaign. Our members in Asia and the Pacific advocate on variety of issues related to the advancement of women and girls' rights, and access to secure housing and land rights is a fundamental issue to many of those organizations.

Women Thrive works to bring the voices of its members into decision-making spaces such as this meeting to share their (often overlooked and excluded) voices on:

- Their understanding of the challenges, tactics, and lessons learned from their advocacy to secure women's right to inherit, own, and utilize land (in rural and urban contexts);
- Their challenges in accessing decision-making spaces at local, national, and global levels related to land tenure and sustainable urbanization;
- How they are leveraging global frameworks and compacts (such as the Sustainable Development Goals) to push for greater gender equality and poverty reduction outcomes.



Global Land Tool Network's Civil Society Organizations' Urban Cluster in Asia Pacific

“Strengthening Land Tenure Security for Urban Poverty Reduction in Asia Pacific” learning exchange

Bayview park hotel, Manila, Philippines, November 7 and 8, 2017

AGENDA

Tuesday, November 7	
8:00 - 9:00	Registration
	Session 1: Welcome remarks, general methodology and house rules
9:00 - 9:30	<ul style="list-style-type: none"> Mr. Ernesto Castro Garcia, Habitat for Humanity International Dr. Samuel Mabikke, GLTN secretariat Ms. Brenda Perez-Castro, event coordinator
9:30 - 9:45	<i>Ice breaker activity</i>
	Session 2: Land challenges and barriers to improved tenure security in urban Asia Pacific
9:45 - 10:15	Dr. David Mitchell (RMIT University) <i>Land Tenure in Asia and the Pacific: main challenges and barriers to improved tenure security</i>
10:15 - 10:30	Q&A session
10:30 - 11:00	World cafe session. <i>Land tenure security and urban poverty reduction: challenges and barriers in AP</i>
11:00 - 11:30	COFFEE BREAK
	Session 3: Opportunities and way forward: the role of CSOs
11:30 - 11:50	Dr. David Mitchell (RMIT University) <i>Land Tenure in Asia and the Pacific: opportunities and way forward</i>
11:50 - 12:10	Ms. Jane Katz (HFHI) Roles of CSOs in fostering global frameworks on land: NUA/SDGs/VGGT
12:10 - 12:30	Q&A session
12:30 - 2:00	LUNCH
	Session 4: Key concepts, approaches and tools
2:00 - 2:30	Dr. Samuel Mabikke, <i>Key concepts and GLTN land tools and approaches</i>
2:30 - 2:45	Comments and panel on other clusters and networks <ul style="list-style-type: none"> Ms. Jane Katz, The urban cluster globally, Solid Ground Partners Ms. Sri Sofjan (Huairou) GLTN's rural cluster Ms. Lucy Oates (LANDac), the CITYforum
2:45 - 3:00	Q&A session
3:00 - 3:30	COFFEE BREAK
	Session 5: Building a shared understanding of the continuum of land rights in urban AP
3:30 - 4:30	Metaplan workshop (facilitated by Mr. Don Marquez and Ms. Brenda Perez Castro)
5:30 - 9:00	Welcome dinner

Wednesday, November 8	
	Session 6: Empowering women and organizing communities
9:00 – 9:20	Ms. Naseem Babasaheb Shaikh (Swayam Shikshan Prayog (SSP), Huairou India)
9:20 – 9:40	Ms. Lennilen Chou (Community Development Foundation, ACHR Cambodia)
9:40 – 10:00	Mr. Mikel Larraza (Catholic Relief Services)
10:00 – 10:20	Q&A/learning exchange activity. Facilitated by Ms. Sri Sofjan (Huairou)
10:20 – 10:50	COFFEE BREAK
	Session 7: Developing and promoting intermediate types of tenure, alternative mechanisms for access to land, and fit-for-purpose land administration systems
10:50 - 11:10	Ms. Emma Manjares (DAMPA, Huairou Philippines)
11:10 - 11:30	Mr. Sokimi Alfred (HFH Fiji)
11:30 - 11:50	Ms. Shristee Singh (UN HABITAT Nepal)
11:50 – 12:10	Q&A/learning exchange activity (Facilitated by Mr. David Mitchell)
12:10 – 1:30	LUNCH
	Session 8: Contributing to city planning and land/urban policy implementation: fostering innovative partnerships with local governments
1:30 – 1:50	Ms. Theresa L. Carampatana (Philippine Alliance, ACHR/SDI Philippines)
1:50 – 2:10	Mr. Oep Oann (HFH Cambodia)
2:10 – 2:20	Ms. Sheela Patel (SDI, video message)
2:20 – 2:40	Q&A/learning exchange activity (Facilitated by Ms. Lucy Oates)
	Session 9: Advocating for land tenure security, evidence-based
2:40 – 3:00	Mr. Don Marquez (ANGOC, Asia Pacific)
3:00 – 3:20	Dr. Kshithij Ur (Action Aid India)
3:20 – 3:40	Ms. Shivani Chaudri (HIC/HLRN India, videocall, TBC)
3:40 – 4:00	Q&A/learning exchange activity (Facilitated by Ms. Jane Katz)
4:00 – 4:20	COFFEE BREAK
	Session 10: Cluster's next steps
4:20 – 4:40	GLTN's CSOs urban cluster next steps
4:40 – 5:00	Closing remarks

Global Land Tool Network’s Civil Society Organizations’ Urban Cluster in Asia Pacific

Strengthening Land Tenure Security for Urban Poverty Reduction in Asia Pacific” learning exchange

World café session facilitation guide (30 - 45 minutes)

General info

- Day 1, Session 2: Land challenges and barriers to improved tenure security in urban Asia Pacific
- November 7, 2017, 10:30 – 11:00 am
- The duration of this session will be adapted depending on the preceding Q&A and energy of the group.

Facilitators

- General facilitator: Brenda Pérez-Castro
- Clarifications on methodology and dynamics: Ela Hefler and Carly Kraybill
- Topic facilitators (flip-chart hosts): Ms. Lara Shankar, Fr. Francis Lucas / Arch. Carla Santos, Ms. Emy Tapiru, Ms. Shristee Singh, Ms. Rhea Lyn M. Dealca.

Objectives

- Deepen the discussion on the general challenges, limitations and barriers to improved tenure security presented by Dr. David Mitchell on the previous session
- Document the participants’ interpretations of the components, relations, causes and impacts of some of the land challenges presented

Required supplies, handouts and audiovisuals

Supplies	Handouts	Audiovisuals
<input type="checkbox"/> 5 flip-chart boards <input type="checkbox"/> Topics written on cards <input type="checkbox"/> 5 markers per group (25 total)	(None)	<input type="checkbox"/> PPT slide with activity steps <input type="checkbox"/> PPT slides with written topics <input type="checkbox"/> Bell

Steps

The group will have the opportunity to discuss in more detail 5 of the topics presented by Dr. Mitchell.

1. Each of the facilitators will stand next to the flipchart with the assigned topic.
2. The participants will be free to decide to which group to contribute first, but will have to contribute to at least 3 of the 5 topics.
3. The flipchart hosts will welcome the group and introduce them to the topic’s main question. This question can be adapted by the facilitator based on the discussion held in the Q&A session. (See suggested guiding questions below).

4. The facilitators will graphically reflect the participant’s contributions in a conceptual map / diagram on the flipchart (showing categories, subcategories and relations).
5. After 10 minutes, the bell will chime and the participants will rotate to a different topic flipchart.
6. The facilitator briefly fills them in on what happened in the previous round, and will ask questions to spur additional contributions to expand or detail existing ideas or bring new ones.
7. Once the participants have shifted in three different groups, the participants will go back to their seats
8. (15 minutes) The facilitators will present the resulting conceptual map/diagram (3 minutes each)

Flip-chart topics and suggested questions and inputs

Table subject	Facilitator	Suggested guiding questions	Examples of input from facilitators
Security of land tenure and access to other rights	Ms. Lara Shankar	What does it mean for urban communities living in poverty to not have land tenure security? How does it affect their access to other rights?	Links of security of tenure with access to basic services, adequate housing, jobs and livelihoods, social support networks, etc.
Urbanization and rural-urban linkages	Fr. Francis Lucas/ Arch. Carla Santos	What are the effects of urbanization on the security of tenure for the urban and rural poor?	Migration push and pull factors, less access and affordability of land, land conversion, land speculation, strained resources lead to commodification (i.e. safe land, water), etc.
Climate change and natural disasters in cities	Ms. Emy Tapiru	What vulnerabilities do the urban poor face in disaster prone and disaster hit areas?	Mitigable/non mitigable risks, lost/inexistent land records, relocation, etc.
Women’s tenure security and access to land	Ms. Shristee Singh	What are the causes and consequences of the limited access to land rights for women?	Patriarchal prescriptions on roles and rights by gender, inheritance traditions and laws, policy bias on households’ beneficiaries, etc.
Limitations in legislation, policy, land administration and management	Ms. Rhea Lyn M. Dealca	What are the main challenges national governments encounter when trying to improve security of tenure for the urban poor?	Institutional capacity, lack of political will, inapplicable laws, inefficient systems, limited resources, conflicting interests, etc.

Global Land Tool Network’s Civil Society Organizations’ Urban Cluster in Asia Pacific

**Strengthening Land Tenure Security for Urban Poverty Reduction in Asia Pacific”
Learning Exchange**

Continuum of land rights for urban AP - Metaplan workshop facilitation guide

General info

- Session 5: Building a shared understanding of the continuum of land rights in urban AP
- November 7, 2017, 3:30 – 4:30 pm.

Facilitators

- General facilitators: Don Marquez and Brenda Perez-Castro
- Clarifications on methodology: Ela Hefler and Carly Kraybill
- Technical inputs: David Mitchell and Sammy Mabikke

Required supplies, handouts and audiovisuals

Supplies	Handouts	Audiovisuals
<input type="checkbox"/> Banner with printed generic continuum of land rights <input type="checkbox"/> 15 Permanent markers <input type="checkbox"/> 10 rectangular color cards per country (50 in total) <input type="checkbox"/> 10 Color coded stickers per right (8), per group (5) (400 total) <input type="checkbox"/> 10 round white cards for problems/limitations of each type of tenure <input type="checkbox"/> 5 white sheets of for questions/doubts <input type="checkbox"/> Post-its <input type="checkbox"/> Scotch tape	<input type="checkbox"/> Working definitions <input type="checkbox"/> Pre-identified types of tenure per country <input type="checkbox"/> Printed generic continuum of land rights per group	<input type="checkbox"/> Participant’s laptops (previous announcement) <input type="checkbox"/> PPT slide with activity steps <input type="checkbox"/> PPT with color-coded generic rights <input type="checkbox"/> Audio recorder

Purpose and objectives

- Purpose: Acknowledging the complexity of the subject and the relativity of what is considered secure tenure across the region
- Objectives:
 - To integrate the existing knowledge of the participants on the types of tenure in their countries into the broader, more conceptual framework of the continuum
 - To co-design, with the help of all participants, the continuum of land rights for urban AP
 - To identify knowledge gaps and key questions

Steps

1. (10 minutes) Based on a banner with the generic continuum, **Don** will explain the concept of the continuum and a brief explanation on each of the types of tenure presented there. If necessary, **Sammy or David** will help in clarifying ideas around formal/informal, insecure/secure, bundle of rights, etc.
2. The participants will be split up based on their countries (Cambodia, Fiji, India, Nepal, Philippines). Those participants who work globally, regionally or focusing on other countries, will join the groups of the countries they know best or groups which might not have many participants (i.e. Fiji, Cambodia and Nepal). **All facilitators** will float around to solve methodological or technical doubts. Each group will:
 - a. (5 minutes) Discuss all the types of land tenure that are common in urban areas in the country, regardless their level of formality or recognition by the law. Write each of them on a card (one type of tenure per card)
 - b. (10 minutes) Discuss what poor households/communities can do in practice (formally or informally) under each type of tenure and represent them with color stickers on the card.

Color	What can people do under each type of tenure?
	Use (occupy)
	Develop (build)
	Claim provision of basic services and infrastructure
	Decide what can be done with it (control)
	Subdivide, sublet
	Buy/sell
	Mortgage/use as collateral for loans/microloans
	Inherit

- c. (5 minutes) Discuss how the tenure types can be placed along the continuum, bearing in mind our focus is on the level of security of tenure and not on the formality or recognition by law.
 - d. (5 minutes) Discuss the main problems/limitations poor communities face in relation to each type of tenure. Write them on the round white card and attach it to the tenure card.
 - e. (5 minutes) Write the questions/doubts they have in relation to the discussed types of tenure on the white sheet of paper.
3. (25 minutes) All participants will be asked to stand around the continuum billboard. The country with the bigger amount of tenure types will start presenting and placing the types of tenure discussed along the continuum, one type at the time:
 - a. Name of the type of tenure
 - b. what communities can do with it (explaining stickers)
 - c. The problems/limitations of the type (explaining round white cards).
4. After the first type of tenure is presented, participants will be asked to mention if in their country there is a similar type of tenure and what are the main differences.
5. This dynamic will carry on until all types of tenure are placed on the continuum billboard.
6. The white sheets with the doubts will be placed on the action wall.

Methodological doubts that may arise

- Do we write the name of the tenure in the original language or the English translation? – The original language, but Latin alphabet. During the presentation, the English translation can be introduced.
- Are we placing the types of tenure on the continuum based on how formal (recognized by the State) they are or based on the security people get / perceive? – Based on the level of security they get/perceive (clarify on the white sheet if it is recognized or perceived).
- The dot stickers represent a formally recognized right to land? The sticker represents what people can do in practice with the land they occupy under that tenure type, regardless of its legal recognition as a right.

Strengthening Land Tenure Security for Urban Poverty Reduction in Asia Pacific" learning exchange

WORKING DEFINITIONS HANDOUT¹

Adverse possession: Type of tenure that stipulates that anyone who lives on a piece of land for a certain period (usually five or ten years), without being evicted or charged rent or challenged by any person claiming to own that land and who pays land taxes for that period of time, can become the de facto owner of that land by "adverse possession".

Collective tenure: Type of tenure that allows people to own or lease property as a group, through cooperatives or homeowners' associations. Group tenure can reduce per-household land and registration costs and can help build and maintain social cohesion within a community. The main problem is the reluctance of authorities to recognize these rights. Also, land rights may vary within the group. For example, men and women may have unequal rights, or decisions or collective rights may be taken only by a few.

Customary rights: traditional rights, rights granted under a customary system or regime.

Customary systems and regimes: Traditional systems in which land is held and used by individuals, by households, by communities, by feudal elites, by villages and by groups with a common interest or geographical area. Oftentimes, allocation, use, transfer, and other rights, are determined by the leaders of the community according to its needs. Many of these systems date back to feudal times, when localities and villages were often more independent than they are now and had more freedom to determine how land was used. In cities, however, there are fewer and fewer cases of individual households and communities occupying land under these tenure systems, which are not always recognized by governments and can therefore be somewhat insecure.

De facto tenure: refers to the actual control of land and residential property, regardless of the legal status in which it is held. It can best be defined by the elements that compose it or contribute to it, such as the length of time of occupation, its socially accepted legitimacy and the level and cohesion of community organization.

De jure tenure: types of tenure and associated rights that are legally recognized, whether the practices exist in reality or not.

Forced eviction: The permanent or temporary removal against their will of individuals, families or communities, from the home or land which they occupy, without the provision of, access to, appropriate for of legal or other protection.

Formal systems/types of land tenure: Modalities of land tenure in which there is an agreement or understanding between an individual or group to land and residential property, which is governed and regulated by a legal and administrative framework. those that are explicitly acknowledged by the state and which may be protected using legal means.

Formalization (of informal settlements): The incorporation of informal settlements into the formal land and housing market

Freehold: Full ownership of land, providing the largest 'bundle of rights' available.

Informal systems/types of land tenure: The relationship of individuals and communities with the land they occupy that does not comply with the recognized law. Informal systems, however, are often the result of inadequate, inappropriate, ineffective policies or legal frameworks that regulate activities based on assumptions regarding the social-economic environment that do not reflect realities on the ground

Informal development (of an informal area): Area that has been developed outside the formal (legal) planning and subdivision systems.

¹ The definitions included in this handout seek to help the participants of the learning exchange in clarifying concepts, better communicating and identifying dissent in the understanding of the ideas. Working definitions are not official or institutional definitions and are considered bases for ongoing discussions. The definitions on this handout have been extracted and adapted from official documents from ESCAP, UN-Habitat, FAO, USAID and the Habitat III process.

Informal settlement: Residential areas where 1) inhabitants have no security of tenure vis-à-vis the land or dwellings they inhabit, with modalities ranging from squatting to informal rental housing, 2) the neighborhoods usually lack, or are cut off from, basic services and city infrastructure and 3) the housing may not comply with current planning and building regulations, and is often situated in geographically and environmentally hazardous areas.

Intermediate systems/types of land tenure: Tenure solutions that legally/formally recognize contextual, socially accepted, extralegal norms and arrangements (i.e. customary rights and informal settlements), through a formal system or a legitimate authority. Intermediate systems provide increased tenure security and may bring additional rights, but still hold a lower legal status, a limited bundle of rights and lower security than full land titles. Intermediate types of land tenure allow individuals, households and communities to incrementally gain access to or recognize their existing land rights, while preparing them for the responsibilities of formalization or legal forms of land tenure. Intermediate tenure might include temporary occupation licenses, private land leases, land rights certificates or homeowner association registration.

Land administration: Systems and institutions that identify, record and disseminate information about the rights, value and use of land when implementing a city's land management policies.

Land governance: The rules, processes and structures through which decisions are made about the use, access to and control over land, the manner in which the decisions are implemented and enforced, and the way that competing interests in land are managed. It encompasses statutory, customary and religious institutions. It includes state structures such as land agencies, courts and ministries responsible for land, as well as non-statutory actors such as traditional bodies and informal agents. It covers both the legal and policy framework for land as well as traditional and informal practices that enjoy social legitimacy.

Land management: The actions undertaken by governments to make informed, equitable and effective policies and decisions about the allocation, use and development of the city's land resources.

Land pooling: A government-managed technique for land readjustment, where the whole redevelopment process is implemented by a special public agency, and participation by land-rights holders (usually both owners and tenants) within a project area is compulsory.

Land readjustment: A way of joining several adjacent pieces of land (held by different landowners) and eliminating the property boundaries to create a large site on which to make a new, planned redevelopment project. Land readjustment schemes are usually launched in older, run-down, lower-density neighborhoods in inner cities, and transform them into new, higher-density subdivisions, with more house plots of smaller sizes, more efficient layouts and better public amenities and infrastructure.

Land sharing: A strategy for resolving urban land conflicts between poor communities (who need the land they occupy for their housing) and private or government landowners (who want the land back to develop it). After a period of planning and negotiation, an agreement is reached to "share" the land. The community is given, sold or leased one part of the land for reconstructing their housing (usually the least commercially viable part of the land), and the rest of the land is returned to the landowner to develop.

Land tenure: The relationship, whether legally or customarily defined, among people, as individuals or groups, with respect to land. They define how access is granted to rights to use, control, and transfer land.

Land tenure rights: A recognized interest in land vested in an individual or group. Land tenure rights may include access, use, development or transfer. Land rights can apply separately to land, the resources in it (soil, water, air and minerals), the development on it (infrastructure and housing) and the product of it.

Land tenure security: The right of all individuals and groups to effective protection by state against forced eviction. Security of tenure can also be defined as an agreement or understanding between an individual or group to land and residential property, which is governed and regulated by a legal and administrative framework.

Land use regulations: Rules defined by local governments on how the land in a city will be used. Some typical categories of land use are: residential, commercial, industrial, recreational, transport, public facilities, *buffer* or peri-urban areas, etc. Residential use often stipulates how the land can be subdivided, minimum lot sizes, allowed densities and building heights, and kinds of infrastructure services that must be provided.

Leasehold: Land leases come in many forms, including rental contracts between renters and individual landowners, private companies, government agencies and religious institutions. Lease contracts can involve individual households or whole communities, and usually cover only a limited period of between one and thirty years. Some rental contracts are informal and agreed upon by word of mouth, while others are drawn up in proper legal documents and require the assistance of notaries and lawyers. Renting land offers tenants the advantage of greater flexibility and freedom than ownership, while it offers public landowners a means of managing the use of public land in the city within a planned period.

Lease-holder: Possessor of a contractual agreement for the exclusive use of land for a fixed period.

Legal tenure security: The legal status of tenure and its protection backed up by state authority.

Occupation: The process by which communities settle on a piece of privately or publicly owned land, without any legal permission and are able to stay on that land for a long time without being evicted. The resulting sense of security on that land amounts to a kind of perceived tenure. This perception of security is enhanced when the local authorities are persuaded to provide basic services to the settlement.

Perceived tenure security: An individual's or group's experience of their tenure situation or their estimate probability that their land rights will not be lost as a result of eviction by the state, land owner or other authority, or because of other factors that may cause involuntary relocation or curtail their use of the land, such as threats of land conflicts. See also "occupation".

Provisional land title: Form of tenure usually granted in cases where poor communities are in a process of transition from being squatters to being owners of the land they occupy. Usually, the deal is that provisional land title is converted to full land title once the households have paid their land development fees or repaid their land and housing loans.

Property rights: See land tenure rights. Although "property rights" is used in some contexts to refer only to the rights associated with "ownership" or the more formal types of tenure, it is more commonly used as a synonym of land tenure rights.

Re-blocking: process of physically re-designing an informal settlement that has gained security of tenure over the land they occupy. The process aims to create a more efficient layout of plots, increase density to make room for more housing units and reduce the per-unit costs of buying the land and rebuilding the community

Regularization: process of recognizing and granting legal land tenure to slum-dwellers or residents of informally occupied land. It often entails the inclusion of entire communities in the official city cadastral registry and it can be followed by the provision of individual or collective right to use, leasehold or freehold titles.

Right to access: Depending on the context, the right to access land might refer to 1) the right of every citizen to access land they can occupy in any modality (often claimed by traditionally excluded groups, and notably by women) or 2) the right of access, transit or transitory dwelling (right of way) to a specific land plot.

Right to use: In urban contexts, it refers to the right to use the land for residential, commercial productive, recreational or mixed uses. It is separated from other rights, since it can often be the only right a poor household or community may be able to access. In statutory types of tenure like leaseholds, the agreements specify who can use what resources in the land, for how long, and under what conditions. It might or not include the right to build on the land, to own the produce of the land.

Right to control: right to make decisions on who can use the land and how the land should be used.

Right to transfer: right to sell or mortgage the land, to convey the land to others through intra-community reallocations, to transmit the land to heirs through inheritance, and to reallocate use and control rights. The right to use land as a collateral for productive or housing micro-credit is comprised within.

Squatter: Illegal occupier of another person's land or property.

Slum: a slum household as a group of individuals living under the same roof in an urban area who lack one or more of the following: 1. Durable housing of a permanent nature that protects against extreme climate conditions. 2. Sufficient living space which means not more than three people sharing the same room. 3. Easy access to safe water in sufficient amounts at an affordable price. 4. Access to adequate sanitation in the form of a private or public toilet shared by a reasonable number of people. 5. Security of tenure that prevents forced evictions.

Statutory rights: formally recognized rights.

Urbanization: Proportion of national population living in urban centers.

Global Land Tool Network's Civil Society Organizations' Urban Cluster in Asia Pacific

Strengthening Land Tenure Security for Urban Poverty Reduction in Asia Pacific” learning exchange

Examples of land tenure types handout

The following are examples of different tenure types and arrangements that somehow describe **the relation of the urban poor communities with the land they occupy**. This list is not exhaustive, and may describe common practices, physical manifestations of tenure arrangements or, laws or documents.

These are intended simply to prompt conversation and further thought on the various types of tenure found in urban contexts in each country.

Cambodia

- **Low income settlements on public land:** squatter settlements in the peri-urban areas on marginal public land, along wider streets, railway tracks, riversides and water reservoirs
- **Low income settlements on private land:** squatter settlements` in dilapidated, multiple-occupancy buildings, or rooftop squatting
- **Letter of Possessory Rights:** Letter of Possessory Rights is issued by District Chiefs and indicates right to land that does not have a certificate of title; in some cases holders of possessory rights can apply to have their interests converted into a certificate of title
- **Soft title without documentation:** Based on long-term possession (pre-2001), formally recognized in the 2001 Land Law
- **Unfulfilled compensation leading to forced evictions:** ie. Dey Krahom, where slum dwellers who refused to take company subsidies had their homes bulldozed or Borei Keila, where the government committed to housing Phnom Penh's urban poor through new family apartments in exchange for land given to commercial developers
- **Social Land Concessions to address civil poor landlessness:** Two types of concessions are managed or co-managed by the government and donor organizations (including the World Bank and Habitat for Humanity)
- **Low-income government housing:** ie. WorldBridge Land affordable housing initiative, which focuses first on government officials married with kids who are unable to purchase a home within market value, then on other families' monthly incomes less than \$500.

Fiji

- **Squatter-settlements/Informal settlements:** communities living on land or in properties they have no rights to (can be on state, freehold, or native lands), on marginal lands (i.e. disputed ownership, riverbanks, swamps), access to basic services challenging
- **Re-lease of native land:** no customary landowner of native land can legally re-lease their land without permission from the Native Land Trust Board as they are the Legal owner of the land
- **Negotiations with landowners:** some kind of informal agreement made with landowners
- **Vakavanua leases:** informal gifting of land to people outside the community in response to a traditional request which usually takes the form of a ceremonial presentation. These days the vakavanua requests are usually accompanied by cash payments to circumvent the leasing

arrangements normally administered by the Native Land Trust Board. (i.e. gifting of land to informal settlement)

India

- **Tenements in chawls:** Public housing apartments, built in the early 1900
- **Zopadpatti:** Informal settlements, on private and public land
- **Pavement Dwellers:** Families and/or individuals who live on public thoroughfares because they cannot afford to live in slums. Eviction and demolition of their homes is an ongoing threat. Less formality and permanence, most exposed and transient.
- **Notified slum:** Recognized by the municipal authority and holds quasi-legal status. Qualify for basic public services and are eligible for inclusion in urban development programs.
- **Non-notified slum:** No legal status. Do not qualify for programs because such programs. Might grant the residents of the slum de facto tenure. On both public and private land. If government land, government can evict residents at any time without notification.
- **Resettlement and relocation colonies:** Many residents hold 10-year right to use license to allow them to live on land. License holders may not sell or lease land, rarely enforced and land sales are common.
- **Urban villages:** Villages maintain land legally, but individual land titles are difficult to trace
- **Illegal subletting:** Free housing for resident, but then turn around and sublet
- **Unauthorized/Illegal construction of residential buildings:** Residents unable to buy loans (i.e. Campa Cola)
- **Pattas:** Legal document issued by the government in the name for the owner of the plot of land

Nepal

- **Group Tenure:** ie. Kirtipur Housing project, which relocated *sukumbasi* (“genuine squatters” possessing no land elsewhere) from the Kirtipur Settlement for construction of the Vishnumati Link Road
- **Joint Land Ownership:** promotes decision making power over land by women
- **Informal Settlements:** Slums and squatter settlements are often located in ecologically sensitive and marginal areas such as riverbeds, lowlands, and flood-prone areas; narrow streets and the incremental growth of informal settlements increases the vulnerability of the urban poor to seismic hazards
- **Informal Settlements with upgrading:** ie. Shankamul Squatter Settlement has been provided drinking water, toilets and footpaths by NGO Lumanti Support Group for Shelter, with support from Nepal’s Department of Urban Development and Building construction

Philippines

- **Land proclamations:** Presidential proclamations are legal instruments issued by the President that reserve the whole or part of an idle government property for use as socialized housing by informal settlers. Assure squatters of public land that they will not be evicted and social services will be improved while the formalization of plot ownership is being processed.
- **Certificate of Entitlement for Lot Award (CELA) (derived from the presidential proclamations):** to receive the award the receiver must produce specific documents (i.e. valid ID card, prove natural –born Filipino citizen, head of family, certification issued by Beneficiary Selection Committee, etc...)

- **Usufruct:** gives the right to enjoy the property of another with the obligation of preserving its form and substance, unless the title constituting it or the law provides otherwise. Occupant can use/consume/benefit from the proceeds of use.
- **Transitory ownership of property:** many Filipinos believe that a space/land belongs to the occupant until someone with greater legitimacy/power displaces them. This can be regarding both private and public land.
- **Regularized Settlement:** varying level of government involvement/engagement and improvement of access to basic services, can be detrimental to those who have the most vulnerable legal or social status (i.e. women of households, renters/sub-renters on squatter land)
- **Un-regularized Settlement:** unregulated, makeshift housing, occupation of public or private land without legal permission
- **Fake land titles:** producing fake land titles allowing for resisting eviction notices from landowners creating confusion and at the very least delaying eviction