TENURE RESPONSIVE LAND USE PLANNING: CRITICAL STEPS FOR ACTIONS IN TACKLING URBAN POVERTY IN DEVELOPING COUNTRIES

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By

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Abstract

Land use planning and tenure security improvement are two possible strategies for improving living conditions of people and securing their land rights. When appropriately implemented they have positive impacts on poverty. However, they are usually separately implemented. This paper argues that combining them—by implementing land use planning in a way that sensitizes tenure security—presents a new approach to pro-poor development. It does this by exploring the concept and practice of "tenure responsive land use planning". Tenure responsive land use planning is a new Land Tool developed by the Global Land Tool Network (of UN-Habitat). The tool, which includes a Learning Package, was designed to respond to land use planning and tenure security needs of developing countries for country-level implementation. It was created by using the tool development procedure of the Global Land Tool Network. This paper uses the operational framework of the newly developed Land Tool to illustrate how tenure responsive land use planning can help in urban poverty alleviation in developing countries. It also states some policy and practical implications of implementing the tool for urban poverty reduction.

Key Words: land use planning, land tool, learning package, poverty, tenure responsive, tenure security

1. INTRODUCTION

Productive land use is a prerequisite for meeting competing needs and demands. Tenure security is a requirement for ensuring the protection of various ownerships, rights, privileges and values vested in land. That is why land use planning and tenure security improvement are viewed as necessary strategies for dealing with development challenges in developing countries. It is now acknowledged that the responsibility for eradicating or reducing poverty, food insecurity, environmental risks, and climate change mitigation and adaptation (to mention a few) will not be sustainable without recourse to land management (Chigbu *et al*., 2015a). Improving these challenges will depend on how people use land. How people use land will determine the direction of human and physical developments. From an urban development perspective, this makes the planning of land uses and land tenure security improvement pertinent issues in the post-2015 period, especially concerning the issue of poverty eradication.[1]

In recent decades, an extensive body of literature has emerged on the definition of poverty (Chamhuri *et al*., 2012). However, poverty remains an extremely contentious concept, and at the same time, a critically undebatable reality. It is a controversial concept because it evokes different images or ideas in different societies. It is a reality because, no matter how it is defined, the evidence is obvious that several individuals and households around the world live under conditions of extreme lack of resources and unequal opportunities. It is a condition that is not spatially limited. It is present in rural, urban and peri-urban areas. The situation is very serious in urban areas where majority of the world's population already live. Urban growth or urbanization is a challenge that humanity faces today. More than half of African and Asian populations and more than three-quarter of South American populations now live in urban areas (UN-Habitat, 2012a). Expectedly, most of the future urban population growth will happen in Asia, Africa and South America (*ibid*). This is not surprising since the fastest developing cities in the world are also located in these three continents. Existing urban facilities in these regions have been overstretched, and provision of new infrastructure to cater for their burgeoning increase in population has become a serious challenge. The consequence is that the many urban dwellers in Africa, Asia, and South America now live in slums and temporary shelters or in places where their living conditions are under constant pressure in the urban areas. That is why urban poverty has become an extraordinary development challenge.

Within the global context of urban growth, urban poverty is a worldwide problem. It exists everywhere, with different intensity in developing and developed countries. It manifests in various forms. It has spatial, economic, social and environmental manifestations in many developing countries. In some cities, it is recognizable in deficient basic infrastructural provisions and services, as well as the low standard of incomes and living conditions in urban areas. In other cities, it is identifiable in inadequate and inefficient

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[1] The number 1 goal of the Global Sustainable Development Goals is to end poverty in all its forms everywhere by 2030.

housing along with unhealthy sanitary conditions. In all regions of the world, it is recognizable in makeshift housing that is vulnerable to natural disasters. In all situations, slums provide the clearest picture in which poverty manifests in cities (UN-Habitat, 2015). Urban slum conditions would not improve if no possible efforts are put into giving people access to the basic resources they need for living— e.g. improving food and nutrition security, secure tenure, access to income for their sustenance, etc. Generally, urban poverty has links to insecure land tenure and a lack of land use planning or inappropriate land use planning. This makes urban planning activities, especially land use planning and tenure security improvement, two critical and realistic strategies for eradicating or reducing urban poverty. Increasing insecurity of land tenure and inefficient land use planning, exacerbated by the impacts of climate change, are major reasons for urban poverty. This is especially true in cities in developing countries, where often, land use planning exists but is not formally combined with tenure security in implementation (Chigbu *et al*., 2015a). It makes the land use planning in developing countries not to be pro-poor in implementation. Continuing with a business-as-usual approach would lead to further increase in urban poverty.

This paper presents the concept of tenure responsive land use planning. Its essential contribution to urban development studies is that presents the "how-to" aspect of operationalizing tenure responsive land use planning in tackling urban poverty in developing countries. The paper begins by describing land use planning and land tenure security in general and then introducing the concept of tenure responsive land use planning. It then shows the methodology involved in the development of the concept into a tool. And finally, it presents and discusses an operational framework for tackling urban poverty based on the concept of tenure responsive land use planning, with a focus on the critical steps for action in developing countries.

2. TENURE RESPONSIVE LAND USE PLANNING: CONCEPT AND TOOL

2.1 Illustrating the meaning of land use planning

To understand the idea behind tenure responsive land use planning, it is necessary to define or illustrate what land use planning and tenure security mean in general. In academic, practice and policy-making circles, the meaning of land use planning is contentious. It is viewable and conceivable in different ways in different countries and from different perspectives by different development agencies. A comparison of existing definitions of land use planning shows that some authors have viewed it differently. For instance, from the perspectives of rural development, processes or procedures, economic development, international development cooperation, environmental, regional integration, and public administration (compare FAO, 1993; European Commission, 1999; World Bank, 2010; GIZ, 2012; Chigbu and Kalashyan, 2015).

This paper does not suggest a new definition for land use planning because existing definitions have covered nearly all possible scenarios from which land use planning is viewable. However, it uses Figure 1 to illustrate the general meaning of land use planning, as it would apply in most developing countries.

Institutions
Setting rules and regulations for the use, allocation and management of land

Decisions
Determining various land uses and their locations

Land use planning
Integration of institutional, decisional and physical activities on sustainable use of land

Activities
Implementing various activities to improve current and future land use and spatial conditions based on agreed decisions and rules
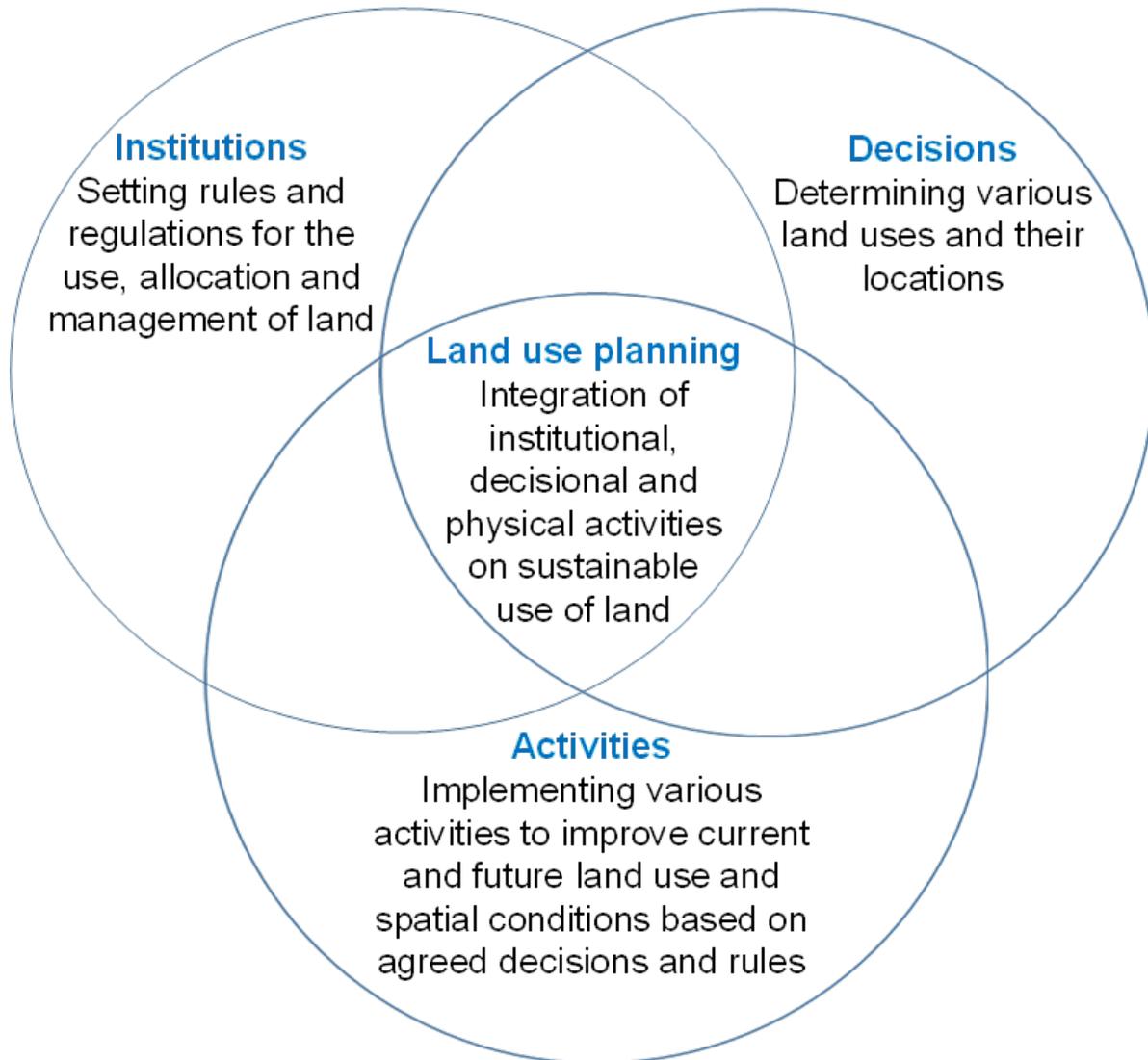
Figure 1: An illustration of the meaning of land use planning

However, anyone defines land use planning, it is a culmination of three factors—namely institutions, decisions, and activities concerning and guiding the allocation and use of land—usually with the aim of situating and influencing the use of land to improve the well-being of people and the environment. Its implementation depends on the specific objectives it stands to achieve. The objectives of land use planning are the specific or intended targets various land use planning efforts are intended to attain. This can vary

depending on the interests of stakeholders involved in a land use planning process. In general, "Land use planning creates the preconditions required to achieve a type of land use that is environmentally sustainable, socially just and desirable and economically sound. It thereby activates social processes of decision making and consensus building concerning the utilization and protection of private, communal or public areas" (GTZ, 1995: 7).

A land use plan may be prepared for an urban area, a rural area, or a region encompassing both urban and rural areas" (World Bank, 2010: 108-109). Whatever the objective of land use planning is, the outcome usually involves some "allocation and zoning of land for specific purposes, regulation of the intensity of use, and formulation of legal and administrative instruments that support the plan. This positive outcome is only possible when land use planning is done appropriately. In the context of tenure responsive land use planning, inappropriate land use planning is "associated with insecurity of tenure and incompletely specified land rights" (UN-Habitat, 2008: 17). These lead to problems of air and water-borne pollution from agricultural, commercial and industrial land uses. The level of success attained in achieving land use planning objectives depends largely on some acceptable conducts or principles. It is normal for these principles to vary, depending on the objectives being pursued in any particular land use planning initiative. Some key principles of land use planning include continuity or upgradability, vision, sustainability, accountability, participation, public interest and gender sensitivity, to mention a few (see FAO, 1993; World Bank, 2010; GIZ, 2012).

2.2 Understanding land tenure security

Tenure is "the way in which the rights, restrictions, and responsibilities that people have on land (and property) are held" (International Federation of Surveyors–FIG, 1999). It is "the status of individuals or groups in relationship to property" or land (Boudreaux and Sacks, 2009: 1). It can be freehold, leasehold or any of the different possessory or use rights and privileges individuals and groups can hold in land. Land tenure security (or tenure security) entails the right of individuals and groups of people to adequate protection by their government against forced evictions (UN-Habitat, 2008). It involves the permanent or temporary removal of individuals, families and/or communities from the homes and/or land that they occupy against their will "without the provision of, and access to, appropriate forms of legal or other protection" (Sietchiping *et al*., 2012: 1). It is "an element of property rights: the right to remain on one's land and make use of and profit from that land in ways the individual or groups value (so long as they do not harm others)" (Boudreaux and Sacks, 2009: 1). Essential elements of tenure security include issues about land ownerships (including rights, social privileges, restrictions, and responsibilities) and land information. Identifying, recognizing, documenting and registering land ownerships and its associated rights provides a clear definition of who owns or holds what and the nature of entitlements held. It is only

when this is properly done that land tenure becomes secure—without limitations by gender, social class, ethnicity or any other forms of discriminatory restrictions. This ideal scenario is usually found lacking in the land tenure and property rights systems of most developing countries. Many developing countries depend rigidly on land registration (and titling) systems as a means of securing tenure. Registration (and titling), while being the most legal means of securing tenure have not been able to benefit the poor or the disadvantaged groups in societies. Hence, the need for identifying opportunities for scaling up tenure security in ways that will benefit the poor and contribute to poverty reduction. UN-Habitat's (2008) has identified different range of possible forms of land rights (tenure) which when viewed and implemented as a continuum (see Figure 2) can lead to tenure security, and improve poverty.
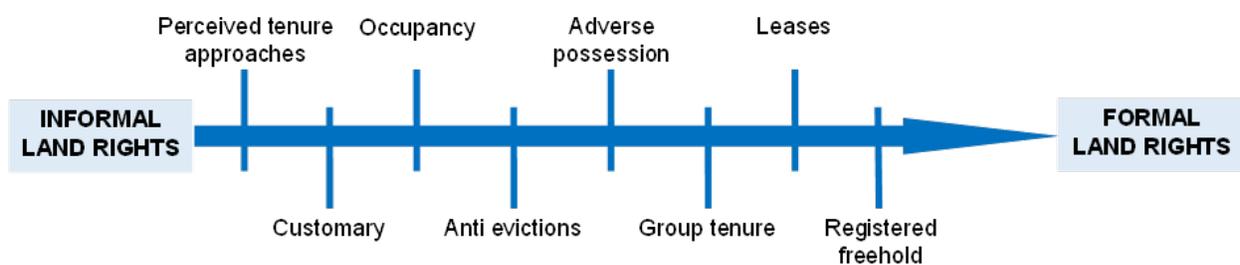

Figure 2: Continuum or range of land rights (UN-Habitat, 2008)

Tenure security, therefore, is an embodiment of a continuum of land rights, which can be identified from a level of informality to one of formality. At each point within the continuum, starting with perception incidences, there exist different sets of rights with varying degrees of security options. This implies that, by following a continuum of rights concept, individuals or groups with little or no legal tenure security can still be protected from facing evictions, rights infringement and other forms of tenure insecurity. This is possible through social protection or recognition of their land rights.

2.3 What is tenure responsive land use planning?

Many African, Asian and Latin American countries have invested in land use planning (in various forms and by various nomenclature) with the aim of organizing and improving land uses to attain sustainability in different aspects of their development. Likewise, most of these countries are investing in land registration and administration systems with the aim of improving tenure security and improving the efficiency of their land markets. All of these efforts, apart from being laudable initiatives, are indications that developing country governments have recognized the particular importance of land use planning and tenure security in their countries' development. Often, land use planning and tenure security improvement efforts exist in

these countries, but the two aspects are considered in isolation from each other. They are not sufficiently linked to each other.

A land management approach to poverty improvement has always been deemed suitable for developing countries due to the importance of land to their economies, as well as to their cultures. In this regard, land use planning has always served as a veritable tool for land-based development in most of these countries. However, there is evidence that most land use planning initiatives in developing countries restrict rather than improve tenure security of urban dwellers. Sometimes, land use planning have resulted in "misleading perceptions about reality and narrow interest-group politics" (Berke *et al.*, 2006: 4). Strictly implemented land use planning principles, which have been formulated at top level "potentially restrict local planning authority quite considerably" from their "ability to induce cooperation and support from local development interests" (Schulz and Berli, 2015). The implication is that, in most cases, the outcome of land use planning does not fully support positive economic, social and environmental benefits that tie people to secure tenure in land ownership (including rights) and uses. It either has contributed to urban poverty or has been unable to reduce it. This is a gap the emergence of tenure responsive land use planning stands to fill.

While urbanization creates wealth in most developing countries, such growth does not guarantee that no one is left behind. The tenure responsive land use planning approach is crucial because it creates an opportunity for other means of improving tenure security because more people can benefit from it (unlike in the case of formal land registration and cadastre). The concept and practice of tenure responsive land use planning are a complementary initiative that is based on the premise of implementing land use planning to include opportunities for widening the margins of tenure security improvements. Tenure responsive land use planning, in its simplest definition, means mainstreaming tenure security principles and considerations in land use planning implementations to make it have a direct or indirect influence on the tenure security improvement. It represents interdisciplinary and cross-sectional task at macro, meso and micro levels of development.

2.4 Tenure responsive land use planning as a pro-poor Land Tool

Land is scarce. Increasing population around the world, particularly in urban areas has raised the demand for security of tenure through alternative tenure systems—as part of the effort in reducing poverty. To reach the general goal of poverty alleviation through land management, the GLTN and its partners have engaged in the process of developing Land Tools with different levels and capacities. This practice is in response to UN-Habitat's aspiration to "help the urban poor by transforming cities into safer, healthier, greener places with better opportunities where everyone can live in dignity" (UN-Habitat, 2014: 25).

"A land tool is a practical way to solve a problem in land administration and management. It is a way to put principles, policies and legislation into effect. The term covers a wide range of methods: from a simple checklist to use when conducting a survey, a set of software and accompanying protocols, or a broad set of guidelines and approaches. The emphasis is on practicality: users should be able to take a land tool and apply it (or adapt it) to their own situation".

Although tenure responsive land use planning was first conceived as a concept, it has now been developed into a Land Tool for country-level interventions in developing countries. It was tenure security borne out of the necessity to improve land tenure security particularly for poor men and women in developing countries. GLTN recognizes that there is tremendous efforts and works done on land use planning through partners like GIZ, FAO and the World Bank, and many others (Mabikke, 2015). However, there is still a significant gap on how to use land use planning to improve tenure security. In order to fill this gap, GLTN (in collaboration with the TUM and the GIZ) began to develop the concept of tenure responsive land use planning into a Land Tool. The objective of the Land Tool is to the improve tenure security of the urban and rural poor in developing countries. As a tool, it is based on the implementation of land use planning as an "interactive process that involves state and non-state stakeholders in designing sustainable approaches to land use that promote security of tenure for both urban and rural poor" (*ibid*). The next sections of this paper discuss how the tool was developed, followed by the "how-to" aspect of using the tool for tackling urban poverty (and policy implications) in developing countries.

3. METHODOLOGY

The tool, which includes a Learning Package, is expected to respond to the needs of developing countries for country-level implementation. The methodology for creating the tool (together with its Learning Package) was based on the GLTN's (2014) tool development process. The tool development process (Figure 3) involved several steps or stages, ranging from the first stage of pre-scoping studies activities to the final stage of training/capacity building. However, the tool has gone through the product development process and heading to the piloting phase.

Figure 3: Generic steps in GLTN's tool development process

The Learning Package has gone through the testing stage and heading to the dissemination stage. These steps were generic and were adapted to project realities. In general, Land Tool development involved processes of reviewing, designing, documenting, implementing, disseminating, evaluating and monitoring the tool.

3.1 From concept to Land Tool: Methods for developing "Tenure Responsive Land Use Planning" Tool

This aspect of the project was qualitative in approach and depended on data selection techniques. All case study researches done as part of the project involved purposive selection of respondents interviewed using semi-structured questions. Field visits were also used to gain direct impressions and experiences of the

land-use planning in case studies. In general, the development of the "tenure responsive land use planning" Tool involved the following activities:

- In-depth theoretical exploration of existing participatory land-use planning methodologies;
- Global country case studies: this involved identifying and selecting land use planning case studies from 10 countries. The countries include Philippines, Zambia, Ghana, Bangladesh, Ethiopia, The Laos, Brazil, Namibia, Chile, and Nigeria. Short-term evaluation studies were conducted to ascertain the relationships between land use planning and tenure security in these countries. Also, the studies assessed the land use planning processes based on their degree of responsiveness to tenure security in these countries.
- Analysis and development of tenure responsive criteria for land-use planning based on the experiences derived from country case studies.
- Conference presentations: this was used to sharpen ideas and gain broader global input into the work. Case studies and conceptual papers were presented at the World Bank Land and Poverty Conference in Washington DC. (March 2015) and at the International Social Science Council's (ISSC) World Social Science Fellows' Seminar on Urbanization in September 2015. Also, improvements and refinements were specifically dedicated to the progress of the project during the sixth GLTN Partners Meeting held in November 2015 in Nairobi, Kenya.
- Workshops to discuss and adopt recommendations from the studies conducted. Three workshops were held with international experts in land use planning and tenure security in Munich Germany) in 2014, in Washington DC (United States) in 2015 and Bonn (Germany) in 2016. The first Workshop was consultative in nature; the second was a broader consultative forum while the final one was a validation of the final product—consisting of an Operational Guide and a Learning Package.

Even though these steps have been presented above in a linear sequence, there were a considerable amount of iterations and overlaps between them. The product is a land use planning Operational Guide entitled, *"Tenure Responsive Land Use Planning: A Guide for Country Level Interventions"* authored by a researcher at TUM (with Technical input from other contributors and the GLTN) and to be published by the GLTN/UN-Habitat.

3.2 From concept to capacity development tool: Methods for developing "Tenure Responsive Land Use Planning" Learning Package

Tenure responsive land use planning is an emerging concept that is barely known to the development community. It was necessary to integrate its Operational Guide with a Learning Package specifically designed for developing country usage. The Learning Package was developed to deliver content, exercises and guidelines for professional training programs as well as for individual learning. Hence, next to the textual Operational Guide exists an intuitive and interactive Learning Package. Together, they "constitute important approaches for addressing capacity building among practitioners and other actors within the land sector" (Chigbu *et al*., 2015b: 9). The development of the "tenure responsive land use planning" concept into a capacity development tool (Learning Package) explicitly followed GLTN's (2014) capacity development strategy (Figure 4).
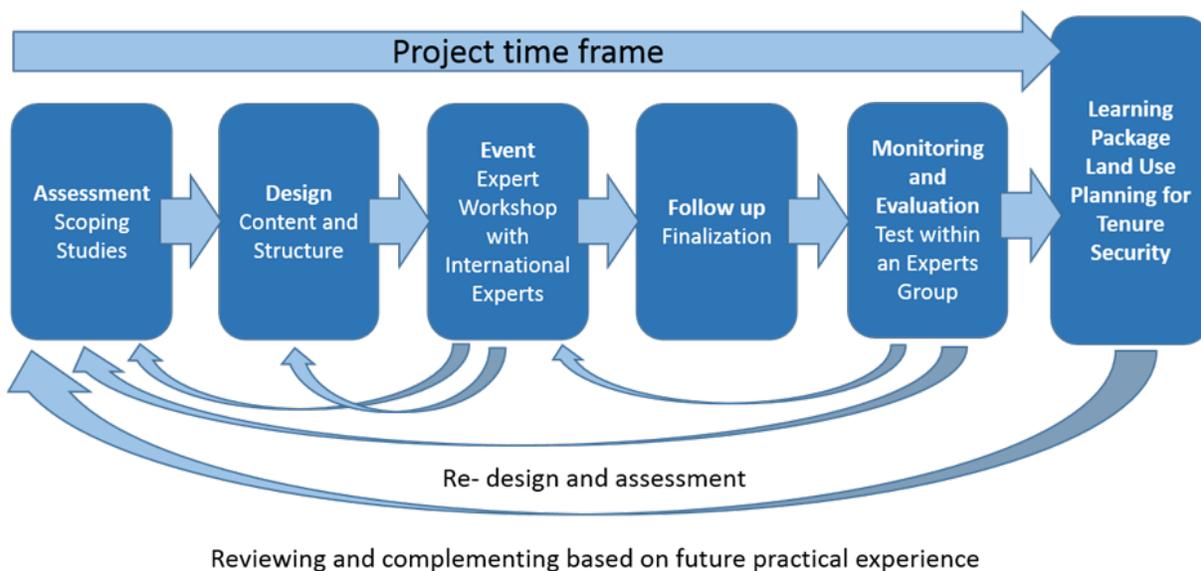
Figure 4: GLTN Capacity Development Strategy (Schopf, 2015—adapted from GLTN, 2014)

The pre-scoping study of the Learning Package was done within the scope and content of the Operational Guide entitled, "Tenure Responsive Land Use Planning: A Guide for Country Level Interventions". Specific activities involved the following:

- Exploration of existing learning tools: this was done by reviewing existing learning tools being used by global development organizations in land management –e.g. those of the IFAD, World Bank, FAO, GIZ, to name a few. Based on the reviews, opportunities were identified for innovations.

- Adaptation of *Creyoco* (Create Your Course), "a learning module editor for arranging different types of teaching and learning content (text, pictures, data for download, audio and video materials, etc.) as autonomous module" (TUM Media Centre, 2015: 4). The authoring tool *Creyoco* is the technical basis for the generation of the Learning Package content. With *Creyoco*, the creation of a learning module is easy and involves five steps. They include (1), the creation of a new learning module; (2) creation of a structure (navigation) of the learning module; (3) pasting content using the instructional Devices (*iDevices*); (4) choosing a layout; (5) export of the learning module.

- Creation of the Learning Package content: the main page (with general user information and five modules) were created based on the content of the Operational Guide for tenure responsive land use planning. In addition, videos, images, case studies, exercises and links to additional information were added to complement the content.

- Testing of the learning: various testings were conducted on the Learning Package in TUM and with GLTN's partners. The approach involved sending the learning web links and receiving valuable feedbacks from them.

- Feedback from workshops/conference: three workshops (as earlier explained concerning the Operational Guide) were used to brainstorm and discuss the progress of the work. The final workshop validated the process.

The product is the Learning Package for "Tenure Responsive Land Use Planning" that complements the Operational Guide, "Tenure Responsive Land Use Planning: A Guide for Country Level Interventions". Together these two products (the Operational Guide and Learning Package) form an integrated tool for tenure security improvement through land use planning–with designed for country-level interventions in developing countries.

The Learning Package can be used in different ways. It can be used as an e-learning, as well as for face-to-face learning. As an e-learning, it targets individuals (such as students) with interest in developing their knowledge in land use planning. For face-to-face learning, it targets trainers as well as groups who may have the need to improve their knowledge of and use planning and tenure security.

4. TENURE RESPONSIVE LAND USE PLANNING: TOOL FOR URBAN POVERTY ALLEVIATION.

An essential aspect of Operational Guide is its operational framework consisting of a set of steps and activities necessary for tenure security improvements in a land use planning process. The framework was designed for general tenure security improvements in developing countries, irrespective of sector and particular spatial units. Hence, it is expected to apply the tool to urban, peri-urban and rural contexts. The question of whether it can be used as a tool for urban poverty alleviation remains unanswered. This paper argues that if used in urban land use planning and related activities, it has potentials to lead to urban poverty reduction.

4.1 Operational framework for tenure responsive land use planning

The operational framework for tenure responsive land use planning is based on the interactions between three major aspects of land management—consisting of the land use planning process, tenure needs, and local realities in which the land use planning and tenure security exist. The land use planning process serves as a methodology for tenure security improvement. Tenure security improvement serves as one of the key objectives that the land use planning process should achieve. Local realities are prevailing circumstances under which the land use planning process (with the tenure security as a key objective) is carried out. These local realities are important because land use planning processes and land tenure can vary from country to country or community to community.

Moreover, tenure security needs can vary too. The operational framework (as contained) in Operational Guide presents generic steps and activities only. Its adaptation to different developing country circumstances will be determined by culture, legal and administrative frameworks, institutional arrangements, to mention a few. It consists of 8 steps (with activities) that make the process of land use planning responsive to tenure security (Figure 5).

The steps are: (1) Problem identification and vision making and constituting of land-use planning for tenure security project team. (2) Setting strategic objectives and targets for tenure responsive land-use planning. (3) Conducting participatory land use inventories and analyses to sensitize tenure security. (4) Preparation of draft land-use plan that is tenure responsive. (5). Finalizing draft plan and seeking approval from stakeholders, including government authorities. (6) Implementation of the approved plan. (7) Conducting monitoring and impact assessments. (8) Identifying good experiences from the overall process and transferring it to other projects or parts of a country.
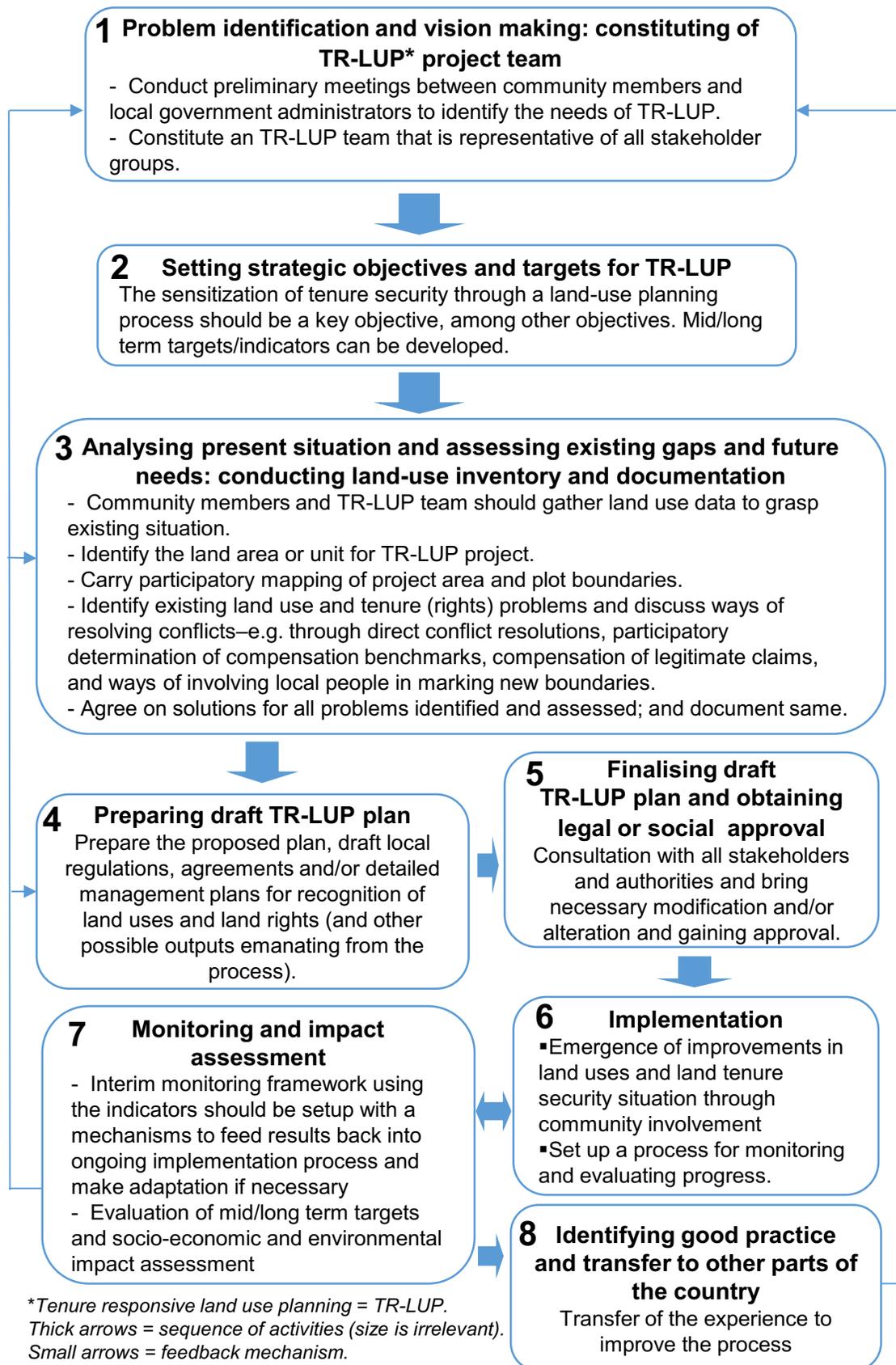
1 Problem identification and vision making: constituting of TR-LUP* project team

- Conduct preliminary meetings between community members and local government administrators to identify the needs of TR-LUP.
- Constitute an TR-LUP team that is representative of all stakeholder groups.

2 Setting strategic objectives and targets for TR-LUP

The sensitization of tenure security through a land-use planning process should be a key objective, among other objectives. Mid/long term targets/indicators can be developed.

3 Analysing present situation and assessing existing gaps and future needs: conducting land-use inventory and documentation

- Community members and TR-LUP team should gather land use data to grasp existing situation.
- Identify the land area or unit for TR-LUP project.
- Carry participatory mapping of project area and plot boundaries.
- Identify existing land use and tenure (rights) problems and discuss ways of resolving conflicts–e.g. through direct conflict resolutions, participatory determination of compensation benchmarks, compensation of legitimate claims, and ways of involving local people in marking new boundaries.
- Agree on solutions for all problems identified and assessed; and document same.

4 Preparing draft TR-LUP plan

Prepare the proposed plan, draft local regulations, agreements and/or detailed management plans for recognition of land uses and land rights (and other possible outputs emanating from the process).

5 Finalising draft TR-LUP plan and obtaining legal or social approval

Consultation with all stakeholders and authorities and bring necessary modification and/or alteration and gaining approval.

6 Implementation

- Emergence of improvements in land uses and land tenure security situation through community involvement
- Set up a process for monitoring and evaluating progress.

7 Monitoring and impact assessment

- Interim monitoring framework using the indicators should be setup with a mechanisms to feed results back into ongoing implementation process and make adaptation if necessary
- Evaluation of mid/long term targets and socio-economic and environmental impact assessment

8 Identifying good practice and transfer to other parts of the country

Transfer of the experience to improve the process

*Tenure responsive land use planning = TR-LUP.
Thick arrows = sequence of activities (size is irrelevant).
Small arrows = feedback mechanism.

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Figure 5: Operational framework for tenure responsive land use planning (TR-LUP)

4.2 How tenure responsive land use planning can help in urban poverty alleviation

Urban poverty reduction or eradication in the post-2015 era demands making urban communities as places where people have equal rights and opportunities particularly in developing their full potentials. This is the most reliable way for them to lead productive lives in fulfilling their needs. Urban poverty eradication or reduction, therefore, cannot be achieved without planning or widening the choices for people in tackling livelihoods challenges. From a developing country context, this involves issues of rights, privileges, and interests over land and related resources. It calls for new ways of thinking and implementing the development agenda. Chigbu *et al.* (2015a: 2) noted that land use planning and tenure security are essential to achieving global development goals because "it is crucial that individuals and communities have some level of certainty that governments and influential individuals would not infringe on their interests, ownerships, privileges and rights on land." Their argument being that "if others recognize people's rights to land and if they are protected in cases of particular challenges, incidences of competing claims, conflicts, evictions, and food insecurity will reduce" (*ibid*). This will lead to poverty reduction. This argument is very logical because land use planning and land tenure have legal, cultural and socioeconomic benefits, hence, must have a role in poverty reduction. This paper uses the 8 steps (in Figure 5) to outline the role tenure responsive land use planning play in urban poverty alleviation.

- *Problem identification and vision making and constituting of land use planning for tenure security project team:* the first stage of problem identification and visioning can embrace the poor in the process of initiating and forming a team. The team has to be representative of all stakeholder that have an interest in the land use planning process, but must be inclusive of the poor. This way the interest of the poor will be expressed and addressed from the onset.

- *Setting of strategic objectives and targets for tenure responsive land use planning:* the second stage should involve setting strategic objectives for the tenure responsiveness. It will be crucial that the planning team cooperates with the local communities prioritize their needs, and then use the priority issues to formulate clear and realistic objectives. These objectives must embrace tenure security improvement, stakeholder involvements and gender evaluation with recourse to poverty alleviation.

- *Conducting participatory land use inventories and analyzes to sensitize tenure security:* this involves the process of data collection and analysis. The data to be collected must include those relating to land use, land tenure, environmental, legal, cultural land rights; and political and socioeconomic information concerning land matters and poverty situations and opportunities for alleviation. Data analysis would involve the use of technical and analytical tools such as land

suitability classifications, mapping of natural resources. The data should be analyzed to identify the nature of the problems, especially regarding their causes and effects. An excellent analysis of the problems will help in developing an effective strategy for solutions. It should go beyond identifying existing land use and tenure (rights) problems by discussing ways of resolving conflicts—e.g. through direct conflict resolutions, participatory determination of compensation benchmarks, compensation of legitimate claims, and ways of involving local people in marking new boundaries. They have to agree on solutions to all problems identified and assessed.

- *Preparation of a draft land use plan that is tenure responsive:* the fourth stage should concern the actual preparation of a draft land-use plan that is tenure responsive. This should involve preparing a pro-poor land use plan that is tenure responsive. A practical approach would be to zone the land into future priority uses while recognizing the needs of the poor. This can be done by local land users and should form the basis for their community action plans and participation. Issues relating to the protection of rights and social values are important, and drafting local regulations, agreements, certification documents and/or detailed management plans for recognition of recognized land uses and continuum of land rights are mandatory. This will help in making the process not only participatory but gender sensitive and responsive; as well as pro-poor.

- *Finalizing draft plan and seeking approval from stakeholders, including government authorities:* the fifth stage entails finalizing draft plan and seeking approval from stakeholders, including government authorities. After preparing the plan, it is necessary to use community meetings to ratify the proposed plan and document all outputs. The proposed plan should be submitted to the relevant authority for endorsement. As an addendum to the plan, any other documentations arising from the plan should be made available to the authorities for recognition. This should include an enumeration and/or documentation of the rights of the poor.

- *Implementation of the approved plan and conduction of monitoring and impact assessments*: the sixth stage entails the execution of the tenets of the plan guided by poverty alleviation principles. This would lead to the emergence of improvements in land uses and land tenure security situation through community involvement. At this point, it is necessary to set up a process for monitoring and evaluating its progress (seventh stage). This will create effective feedback mechanisms for necessary adaptions or improvements.

- *Identifying good experiences from the overall process and transferring it to other projects or parts of a country:* finally, it will be important to identify good experiences from the overall process and transfer it to other projects or parts of a city. It is understandable that land use planning is contentious. In reality, some things may work and others may not. However, it is important to

transfer good experiences gained from one project as a means of improving the implementation of other projects.

4.3 How the Learning Package can help in capacity development for urban poverty alleviation

Capacity development, "whether intentional or not, can lead to shifts in roles and responsibilities" because it is a "process through which individuals, organizations, and societies obtain, strengthen and maintain the capabilities to set and achieve their development objectives over time" (United Nations Development Programme, 2008: 4). The tenure responsive land use planning steps presented above demands for development of skills and the collective capacities of stakeholders, especially the urban poor, to master the activities involved in a planning process. Hence, every aspect of the 8 steps in Figure 4 demands capacity development. This is where the learning tool for tenure responsive land use planning is of critical importance. The Learning Package modules cover all steps in the implementation of tenure responsive land use planning that can be taught to community members and stakeholders to enable them to participate in the process. Aspects of capacity development that has potentials make positive effects on urban poverty alleviation include:

- Sensitization of pro-poor activities in a land use planning process, especially concerning the practice of continuum of rights of land users.
- Recognition of the connection between land use planning and tenure security.
- Serving as a Learning Package for creating the knowledge necessary for gender-responsive participatory land use planning and stakeholders' engagement. I will also enable the understanding of procedures for enumeration of land rights, and its land rights recognition and protection from vested interests.

5. EMERGING ISSUES: PRACTICAL AND POLICY IMPLICATIONS

Questions on how land can be used and who takes decisions over that are critical in land use planning processes. They are contentious issues that communities, governments, and stakeholders face in their land use planning tasks. Land related policies in different developing countries (and their communities) might provide different answers to these pertinent questions. Hence, the ability of people to live in urban areas and their capacity to create favorable living conditions are key motivations to initiate and participate in tenure responsive land use planning. "To a large extent, current land use policies" in most developing countries "have been ineffective in altering land use patterns and slowing the influx of people into the

interface" (Kundell *et al*., 2002). The key practical and policy implications of operationalizing tenure responsive land use planning for urban poverty reduction are:

- Creating possibilities for the integration of tenure responsive land use planning into slum upgrading and other pro-poor urban development programs. It is through this way the poor can benefit from land use planning.
- There is a need for land use planning to move beyond mere land/boundary demarcation into ownership/rights demarcation based on a continuum of rights practice.
- The rights of land users in urban areas (whether formal or informal) would need to be afforded political, social (and, if necessary, legal) recognitions to enable land rights holders to become more secure in their tenure security ladder. This has to be done in the interest of the public.
- Implementing tenure responsive land use planning in cities may call for pro-poor zonings that can protect resources the poor depend on for their livelihood. This can include environmentally sensitive land, such as wetlands, forests, floodplains, etc.
- It may require the inclusion of tenure responsive land use planning in the overall development plans of a city or develop country (or local) specific plans to manage tenure responsive land use planning.
- There will be funding implications in countries or communities where funds are set aside only for traditional land use planning. It may demand investments in fiscal and social capital for developing cohesion and organizational resources.

6. CONCLUSION AND NEXT STEPS

Land use planning is a well-known but difficult task in land management. Making it tenure responsive is what is not popularly practiced in developing countries. In using the approach to improve urban poverty, emphasis must be put in making the participatory and inclusive so that it secures and protects people's tenure, instead of restricting their land rights. Using land use planning as a means of sensitization of tenure security is what makes tenure responsive land use planning different from traditional land use planning. This is what makes it a new tool for improving tenure. It is still being developed. Hence, there would be many opportunities for its further development. Particularly in the aspects of developing the capacity of organizations and practitioners for its implementation in developing countries. It is hoped that the upcoming GLTN/UN-Habitat publication, "Tenure Responsive Land Use Planning: A Guide for Country Level Interventions" (and its accompanying Learning Package) will provide the opportunity for practitioners to arm themselves with a hands-on Operational Guide and capacity development instrument in achieving this. This Land Tool presented here will still be tested within country pilot projects. Its piloting would help in

fine-tuning aspects of its operational framework for better applicability and outcome regarding urban poverty improvements.

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