REPORT OF THE EXPERT GROUP MEETING ON LAND FOR SUSTAINABLE URBANISATION IN AFRICA: 21-22 FEBRUARY 2008

The Expert Group Meeting on Land for Sustainable Urbanisation in Africa took place in Addis Ababa, Ethiopia, on 21-22 February 2008. Sponsored by the Global Land Tool Network, the purpose of the meeting was to prepare for the thematic reviews on Land and on Africa for the upcoming sixteenth session of the United Nations Commission on Sustainable Development (CSD-16), which will take place at the UN Headquarters in New York, United States, from 5-16 May 2008.

Attendee by 25 participants, drawn from governments, international organizations, civil society organizations and academia, the Expert Group Meeting (EGM) provided an opportunity for African participants that will be attending CSD-16 to highlight and debate urban land issues that can inform decision making in the African context. Participants met in plenary and breakout groups and considered urban-rural linkages in the context of land for sustainable urbanisation in Africa, land and livelihoods in urban and peri-urban Africa, land information management for sustainable urbanisation, the urban land market in Africa, gender and land, innovative land management, land rights, and land administration, governance and corruption.

The EGM considered presentations by experts and drafted key messages for transmission to CSD-16. They identified emerging issues requiring attention, emphasized the need for innovation in Africa’s land management, called for recognition of the dynamic nature of land tenure systems in Africa, proposed off-farm activities to increase Africa’s land productivity in order to alleviate poverty and reduce urban problems, and called for improvement in information management in order to streamline land administration and attain better governance.

A BRIEF HISTORY OF LAND AND URBANISATION IN AFRICA

Africa is the world’s fastest urbanizing region. Current trends show that 90% of the new developments in cities in Africa occur in slums. Since a majority of Africa’s population lives in cities, an urban land policy is important in strategies to improve people’s conditions and achieve sustainable development.

Despite wide recognition that urban lands are more profitable, dynamic, contentious, valuable, and sought after, they remain under-regulated, allowing vested interests to benefit at the expense of the poor and the public. Moreover, evidence suggests that rapid concentration and movement in African cities increase conflicts over land.

UN CONFERENCES, SUMMITS AND FOLLOW-UP MEETINGS

A key element of the United Nations (UN) strategy to address global economic, social and environment challenges is the hosting of UN Conferences and Summits dedicated to developing global plans of action to move the world towards a more sustainable future and to address a broader development agenda encompassing poverty reduction, social development and environmental sustainability.

This section presents an overview of UN Conferences, Summits and their follow-up meetings that have taken place since the early 1990s with respect to land and sustainable urbanisation in Africa.

HABITAT II: The Second UN Conference on Human Settlements (Habitat II) convened in Istanbul, Turkey, from 3-14 June 1996, on the 20th anniversary of the first Habitat
Millennium Summit: The UN Millennium Summit was held from 6-8 September 2000 in New York, United States. At the Summit, world leaders agreed on a far-reaching plan to support global development objectives for the new century, and reaffirmed their commitment to work towards a world of peace and security for all, in which sustainable development and poverty eradication have the highest priority. The Millennium Declaration, agreed to at the Summit, outlines a set of responses to these challenges, and establishes concrete measures for judging performance through a set of interrelated commitments, goals and targets on development, governance, peace, security and human rights. In the Declaration, governments resolved to improve the lives of at least 100 million slum dwellers, as proposed in the “Cities Without Slums” initiative, by 2020.

IISD's coverage of HABITAT II is available at http://www.iisd.ca/habitat/news.html

World Summit on Sustainable Development: The World Summit on Sustainable Development (WSSD) met from 26 August to 4 September 2002 in Johannesburg, South Africa, and adopted two main documents: the Johannesburg Plan of Implementation (JPOI) and the Johannesburg Declaration on Sustainable Development. In the JPOI Chapter VIII (Sustainable Development for Africa), governments agreed to support African countries in their efforts to implement the Habitat Agenda and the Istanbul Declaration through initiatives to: strengthen national and local institutional capacities in the areas of sustainable urbanisation and human settlements; provide support for adequate shelter and basic services; and develop efficient and effective governance systems in cities and other human settlements.

IISD's coverage of Istanbul+5 is available at http://www.iisd.ca/habitat/istanbul+5/index.html

Second AU Summit: The second AU Summit took place from 4-12 July 2003, in Maputo, Mozambique. The Assembly adopted a decision on “Promoting the Development of Sustainable Cities and Towns in Africa” (Assembly/ AU/Dec.29 (II)). In the decision, the Assembly expressed concern that rapid urbanisation is leading to the urbanisation of poverty on the African continent with attendant problems, including unemployment, food insecurity, and life in unplanned neighborhoods lacking basic services and with a high risk to health and safety. The Assembly expressed its determination to reap the potential benefits of cities and towns as centers of economic growth and places of opportunity and prosperity for all African people in the course of economic development and structural transformation. The Assembly requested UN-HABITAT to continue to render support to the AU Commission in the implementation of programmes to address urbanisation challenges in Africa.

NEPAD: The New Partnership for Africa’s Development (NEPAD) is Africa’s principal agenda for development. It provides a holistic and comprehensive integrated strategic framework for socioeconomic development. NEPAD is a mandated initiative of the AU.

NEPAD Cities Programme: As part of its strategy for achieving sustainable development in Africa, NEPAD aims to address urbanisation and its consequences in order to make African cities more attractive for economic investment. The UN/NEPAD Cluster on Environment, Population and Urbanisation formulated the NEPAD City Programme in February 2003 with UN-HABITAT as the lead agency. The seven cities selected to start off the programme in July 2003 are Bamako, Douala, Durban, Lagos, Lusaka, Nairobi and Rabat.
AU-ECA-AFDB LAND POLICY INITIATIVE: This is a joint initiative of the African Union Commission, the UN Economic Commission for Africa (ECA) and the African Development Bank (AfDB) to develop mechanisms to facilitate the flow of knowledge, lesson sharing, innovative resource mobilization strategies, and to enhance political will, all critical to catalyzing the formulation and implementation of land policy and institutional reforms on the continent. To catalyze land policy formulation and implementation, the Initiative supports national, regional and international efforts. Specifically, the AU-ECA-AfDB land policy initiative, working in close collaboration with Regional Economic Communities and other stakeholders, has engaged in a process of developing a framework and guidelines for land policy in Africa supported by benchmarks and indicators for assessing performance of land policy formulation and implementation processes.

EXPERT GROUP MEETING ON LAND POLICY INDICATORS: The Expert Group Meeting on Land Policy Indicators, co-hosted by the AU, ECA, and AfDB, and in the framework of the land policy initiative, took place from 3-4 May 2007 in Addis Ababa, Ethiopia. The meeting agreed on the mechanism to develop benchmarks and indicators that includes: a coordinated process of review of the concept paper based on inputs from the EGM; moderated e-discussions to engage a wider audience on the subject; and pilot studies on land policy indicators in a few selected countries.

SOUTHERN AFRICA CONSULTATION: The consultative workshop on the AU-ECA-AfDB land policy initiative for the Southern Africa sub-region took place from 29-31 August 2007 in Windhoek, Namibia. Participants identified important issues for consideration, including: unequal distribution of land; tenure security; historical colonial legacies; sustainable management of natural resources; dualism in property security; sustainable management of the environment; gender bias; the impact of HIV and AIDS; and the management of land in post conflict reconstruction. They also discussed absentee landlords, elites acquiring large land holdings, inheritance and land rights for vulnerable groups, and linking land issues with other aspects of the economy. They underscored the strong influence of land issues on economic development in the subregion.

EASTERN AFRICA CONSULTATION: The consultative workshop on the AU-ECA-AfDB land policy initiative for the Eastern African sub-region took place from 16-18 January 2008 in Kigali, Rwanda. The workshop identified seven issues of relevance to the sub-region. These are state sovereignty over land, legal pluralism and property systems, land and natural resource degradation, security of land tenure, conflict, inter- and intra-generational equity, and the Human Immunodeficiency Virus/Acquired Immuno-Deficiency Syndrome (HIV/AIDS). They also adopted a set of recommendations calling on African governments to allocate at least 10% of their national budgets to the land sector and identified several additional issues requiring emphasis, including: urbanisation; land rights for women; transboundary natural resource use; pastoralism; biofuels; land taxation, land investment and markets; sectoral linkages; land information management systems; land fragmentation; common property use; urban informal settlements; climate change; resettlement; compensation; expropriation and land management; illegal land acquisition; land administration; and issues of concern to island states.

AFRICAN MINISTERS CONFERENCE ON HOUSING AND URBAN DEVELOPMENT

The African Ministers Conference on Housing and Urban Development (AMCHUD) was established in 2005, as the main consultative mechanism for the promotion of sustainable development of human settlements in Africa. Operating under the auspices of the AU, AMCHUD is a vehicle for governments to improve African cities and realize their full potential as centers of hope and prosperity for their peoples. Discussions are underway to designate AMCHUD as a Specialized Technical Committee of the AU.

AMCHUD-1: The Inaugural Conference of AMCHUD took place, in Durban, South Africa from 3-4 February, 2005. Ministers adopted the Durban Declaration on the establishment of AMCHUD. Ministers also adopted the Enhanced Framework of Implementation which provides a basis for a concerted and coordinated programme of action focusing on the issues of: slums, shelter delivery, and the provision of and access to basic services for all; urbanisation and human settlements within the Framework of the AU’s Strategic Plan and the NEPAD Programme; governance and urban development; and financing for housing and urban development.

AMCHUD Special Conference: The AMCHUD Special Conference was held at the UN-HABITAT headquarters in Nairobi from 3-4 April 2006. The theme of the conference was “Achieving the Millennium Development Goals in Africa: Strategies for the Realization of the Millennium Review Summit Commitment on Slums.” Discussions stressed that rural and urban development are part of an interconnected system of social, economic and environmental transformation, and that sustainable development is impossible without sustainable urban development. Discussions also underscored the need for democratic, pro-poor, and decentralized action. The Conference adopted a framework memorandum for the mobilization of governments on slum prevention and upgrading.

UN HUMAN SETTLEMENTS PROGRAMME

The UN Human Settlements Programme (UN-HABITAT) is the UN entity responsible for human settlements. It is mandated by the UN General Assembly to promote socially and environmentally sustainable towns and cities in order to provide adequate shelter for all and achieve sustainable development. Land, particularly in the urban and peri-urban areas, is at the heart of UN-HABITAT’s strategy to promote sustainable urbanisation.

REGIONAL OFFICE FOR AFRICA AND THE ARAB STATES: Through its Regional Office for Africa and the Arab States (ROAAS), UN-HABITAT carries out technical cooperation and development activities in various African countries, in order to reinforce the implementation of the NEPAD objectives focusing on: urban development and improvement of housing; support for good local governance and urban security; slum upgrading, training and capacity building for effective shelter delivery; and decentralization and strengthening of local authorities. UN-HABITAT has national officers who collaborate closely with ROAAS on: promoting the integration of sustainable urbanisation into national development strategies and plans; promoting the global and normative mandates, programmes and campaigns of UN-HABITAT; and supporting the operational activities of UN-HABITAT at national and local levels.
GLOBAL CAMPAIGNS ON SECURE TENURE AND URBAN GOVERNANCE: The 19th session of UN-HABITAT’s Governing Council, held in Nairobi from 5-9 May 2003, adopted resolution 19/3 on Global Campaigns. The resolution, inter alia, encourages governments, with UN-HABITAT and its partners, to use advocacy instruments of the Global Campaigns and to accelerate national and local efforts to introduce legislation, promote policy reform, strengthen institutional arrangements and build consensus on security of tenure and urban governance. In 2004, the UN General Assembly adopted resolution 59/239, which encourages governments to support UN-HABITAT’s Global Campaigns as important tools for, inter alia, promoting administration of land and property rights, in accordance with national circumstances, and enhancing access to affordable credit by the urban poor. A further resolution (20/12) on the Global Campaigns was adopted at the 20th session of the Governing Council held in Nairobi from 4-8 April 2005. The resolution, inter alia, encourages governments and Habitat Agenda partners to mainstream the principles of the Global Campaigns within their human settlements policies and programmes.

GLOBAL LAND TOOL NETWORK: The Global Land Tool Network (GLTN) was established in 2006 by UN-HABITAT, in cooperation with the Swedish International Development Cooperation Agency and Norway’s Ministry of Foreign Affairs, at the request of member states of the UN and local communities. It is a global partnership designed to pursue a holistic approach to the land issue in efforts to alleviate poverty within the context of the Millennium Development Goals. GLTN focuses on six thematic areas, namely: land rights; records and registration; land use planning; land management; administration and information; land law and enforcement; land value taxation; and cross cutting issues. UN-HABITAT’s initiatives on Land and Africa focus on providing expertise and support with regard to gender, the poor, governance, the design of a continuum of land rights, land policies, security of tenure and forced evictions, land finances, and Islamic land issues.

UN ECONOMIC COMMISSION FOR AFRICA: Established in 1958, the ECA is one of five regional commissions under the administrative direction of the Economic and Social Council of the United Nations. It is mandated to support the economic and social development of its 53 member states, foster regional integration and promote international cooperation for Africa’s development. One of the most important tasks of the ECA is to ensure improved cooperation and coordination between UN agencies and African continental organizations for the effective implementation of NEPAD.

This section presents an overview of ECA activities related to land and sustainable urbanisation in Africa.

UN SUPPORT TO NEPAD: In November 2002, the UN General Assembly passed a declaration (57/2) and a resolution on NEPAD (57/7), affirming the UN system’s support for the implementation of NEPAD and recommending that the international community use NEPAD as its framework to support development in Africa. The ECA has been assigned the task of coordinating the UN support to NEPAD at the regional level. UN agencies working in Africa and other organizations have been organized into seven thematic clusters established around the priority areas of NEPAD. The cluster on Environment, Population and Urbanisation is chaired by UN-HABITAT with UNEP taking the lead on environmental issues. It focuses on the challenges posed by population growth and movement, environmental degradation and pollution, and data gaps.

THE FIFTH MEETING OF THE AFRICAN COMMITTEE ON SUSTAINABLE DEVELOPMENT (ACSD-5): The fifth meeting of the African Committee on Sustainable Development (ACSD-5), which included the African Regional Implementation Meeting for CSD-16, took place in Addis Ababa, Ethiopia, from 22-25 October 2007. The meeting convened under the theme “Transforming African Agriculture and Rural Economy for Sustainable Development.”

The meeting resulted in the adoption of the African Regional Statement to CSD-16 on Agriculture and Rural Development, Land, Drought and Desertification, and Africa. In the statement, delegates recommended that activities aimed at promoting sustainable human settlements and urbanisation must include access to land and security of tenure along with adequate mechanisms to finance housing and shelter for the poor. They stressed preventing slums, upgrading slums using local resources and technology, and promoting employment creation.

IISD’s report of ACSD-5 is available at http://www.iisd.ca/africa/pdf/arc1002e.pdf

SIDE-EVENT ON URBAN LAND IN AFRICA: At ACSD-5, UN-HABITAT hosted a side event on the theme “Urban Land in Africa” on 24 October 2007. Participants discussed UN-HABITAT’s perspectives and work in the areas of urban land, particularly in Africa, as well as urban land challenges and opportunities for African countries. Participants debated various issues raised in presentations, including: the causes of rural-urban migration; the presumed dichotomy between rural and urban areas; the failure to acknowledge the magnitude of the problem of rural slums; and geographic scope of policies to address rural-urban migration.

IISD’s report of the side-event is available at http://www.iisd.ca/africa/brief/briefing1002e.pdf

REPORT OF THE MEETING

On Thursday, February 21, Ousmane Laye, Chief, Environment and Sustainable Development Section, ECA, called to order the Expert Group Meeting (EGM) on Land and Sustainable Urbanisation in Africa. He emphasized the importance of land rights to Africa, observing that land governance has created many problems, including the displacement of people in urban areas.

Josué Dioné, Director, Food Security and Sustainable Development Division, ECA, on behalf of ECA Executive Director Abdouli Jannneh, welcomed the participants. He highlighted rapid urbanisation taking place in Africa, accompanied by increases in urban insecurity and the cost of urban land, and said there is a need to address these problems, through, inter alia, providing secure land rights for slum dwellers, examining urban and peri-urban land issues in housing and related policies, and examining rural-urban linkages.

Alioune Badiane, Director, ROAAS, underscored the significance of urban land rights, noting their significance in the 2008 political crisis in Kenya. He stressed the need for Africa to identify key messages that will be conveyed and articulated consistently at CSD-16, and expressed hope that participants
will consider the issues of: access to land and security of tenure; gender and land rights; support for the AU-ECA-AfDB land policy initiative; and the need to consider the interests the poor have in urban land when addressing other vested interests.

Recalling the themes dealt with at ACSD-5 in October 2007, Ali Mohamed (Kenya), Chair of ACSD-5, noted the centrality of land in all the ACSD-5 themes as well as its relevance to sustainable development in Africa. Highlighting the situation in Kenya, he noted that a number of countries are facing challenges revolving around land and land policy. He called on participants to move beyond rhetoric and develop a concrete position for Africa for CSD-16 by stressing “specific-point statements” on the way forward and ways in which to involve the international community.

Mafa Chipeta, Subregional Coordinator for Eastern Africa and FAO Representative in Ethiopia to the AU and ECA, noted that cities are no longer just industrial centers and rural areas are no longer only agricultural. Stressing the “non-static” nature of the land issue in Africa, he said land can only be defended if there are clear plans for its productive use. He stressed that land rights must be coupled with the responsibility to use land productively, arguing that while urban areas in Africa are sustained by imports, it is the marginalized rural areas that should sustain them.

**AGENDA AND ORGANIZATION OF WORK**

The EGM met in plenary all day Thursday, 21 February. After the opening plenary, experts made presentations on the land issue in Africa from a variety of perspectives clustered around particular themes, and then participants discussed the issues brought up. On Friday, 22 February, participants met in a brief morning plenary to conclude discussion from Thursday evening on the presentations on gender, innovative land management and the continuum of rights, and on land administration, governance and corruption. Thereafter they met in two breakout groups to discuss and develop key messages for CSD-16. Group I focused on “Sustainable urbanisation: the continuum on rights” and Group II on “Land information management and governance.” Discussion was framed around four questions: the concrete actions taken by governments; challenges encountered in implementing these actions; lessons learned; and recommendations. Plenary re-convened in the afternoon for participants to discuss and agree on the key messages to be communicated at CSD-16, prepare the draft report, and close the meeting.

The structure of this report is based on the agenda.

**LAND AND AFRICA FOR CSD-16**

Participants considered this topic during a morning and afternoon plenary sessions chaired by Ali Mohamed, Chair of ACSD-5, and Rokhaya Sene (Senegal), Rapporteur of ACSD-5.

Alioune Badiane, UN-HABITAT, presented on land for sustainable urbanisation in Africa. He highlighted Africa’s urbanisation trends and said the process was unstoppable. He explained why land is at the heart of development in Africa, emphasizing the nexus between urban and rural areas, its centrality in the transformation to a new settlement order, and that while it is a primary source of wealth, it is immovable, non-transferable, and non-expandable. He said to develop sustainably in an urbanizing environment requires attention to: long-term approaches; equity and justice; and systems thinking, specifically, evidence-based decision making, knowledge management and integrated planning. He recommended the development of land tools and techniques to secure land rights for the poor, innovative institutional arrangements that accompany increased population, and access to technology for information systems.

On the subject of land and livelihoods in urban and peri-urban Africa, Mafa Chipeta, FAO, highlighted six key points of relevance: the responsibility of the urban populations to commercialize rural agriculture; the increase in urban and peri-urban small-scale agriculture to meet the direct needs of the urban poor; the need to integrate the economies of urban areas with those of rural areas; the creation of economies of scale within countries in order to support rural and urban farmers; the sustainability of land ownership and land access; and food security issues arising from the separation of urban and rural areas. Discussion dwelt on the Asia experience in land ownership and access rights, security of tenure for the urban poor, long-term access to land, the balance of small-scale farming and large-scale farming, and the question of technology and its influence on agricultural production.

Ousmane Laye, ECA, presented the ACSD-5 report on Land that will be presented at CSD-16. In order to place the EGM in the ACSD-5 context, he outlined its contents highlighting the concrete actions taken and progress made to address land issues in Africa, the challenges and constraints, and lessons learned and priority recommended approaches and actions.

Remy Sietchiping, UN-HABITAT, presented the Global Land Tool Network (GLTN), an operational means to address the land issue aimed at providing partners with a way to move the land agenda forward. The Network’s approach is to document practices, involve civil society and experts, support land policy reforms and alleviate poverty through land reform. He identified land rights, land use planning, land management, land law and land value taxation as the key issues that require attention, and noted that the four cross cutting issues of gender, capacity building, governance and the environment also need to be considered.

Following these presentations, discussants emphasized: the emergence of rural settlements that are increasing in density and that require planning and development; the poor status of documentation in land administration; the continuum of rights and the sometimes problematic nature of customary land rights; and UN-HABITAT’s limited capacity to support African countries’ land issues. They also discussed: the structure of the ACSD-5 report; the political dimension to the land question; how the continuum of land rights in Africa affects women; the need for incentives for farmers to increase land productivity; the links between capacity building and technology, and land; and individual country experiences on the land question. Senegal highlighted its urban restructuring of informal settlements and pro-poor land regulations. Ghana discussed a recent land administration project to streamline land management. Tanzania briefed participants on the decentralization of its land policy structure.

In the afternoon, Joan Kagwanja, ECA, presented the AU-ECA-AfDB land policy initiative, a regional-level effort to enhance the goals pursued at the national and sub-regional levels. She described the process followed to elaborate the framework, the stakeholders involved, and progress made so far. Joan Kagwanja said urban and peri-urban issues have been identified as a regional concern in part due to high urban
growth and urbanisation, the high African urban population living in slums, and inadequate initiatives to deal with urban issues.

Douzie Ezigbalike, ECA, presented on “Land Information and Sustainable Urbanisation.” Highlighting the necessity of information for urban planners, he underscored the need for planners to pre-empt potential conflicts within residential areas by identifying different land zones for the provision of services such as water and energy supplies, and education and transportation facilities. Acknowledging that there may be requests to change the zoned use of an area, he said the planning review teams need to be armed with information so that only appropriate changes are approved in order to safeguard the overall plan of the area. Douzie Ezigbalike highlighted spontaneous developments, the replacement and maintenance of infrastructure, and cultural sensitivities. He said these are inevitable and should be taken into consideration by planners. Emphasizing the need for relevant policies, he called for gender sensitive and pro-poor policies, and urged the use of the spatial data infrastructure (SDI) system to coordinate and manage information so that there are fewer information gaps and no overlaps.

In his presentation on urban land markets in Africa, Shuaib Lwasa, International Potato Center, distinguished between formal and informal land markets, stressed that the transfer of land rights is the key concern in land markets, and drew attention to the fact that a piece of land often has bundles of rights attached to it. He explained the drivers of land markets, including speculation, public policy and urbanisation, and underscored the strong connections between land use and land markets. He highlighted the distortion of Africa’s land markets in the urban and peri-urban land gradients, where unlike in most other cities, the price of land in African cities increases as you move from the center to the suburbs. Shuaib Lwasa said the emerging issues in the urban land markets include (non) regulation of land, land speculation, the fusion of formal and informal land markets, development with limited planning, and multiple tenure regimes. He concluded by posing the question: “is the sustainable urban development challenge in Africa technical or institutional?”

Presenting on “Gender and Land,” Ansa Masaud, UN-HABITAT, said gender issues include ownership of land, the role of land titling in addressing rights, as well as the long duration of and numerous transactions in the titling process, and highlighted innovative land measures in Africa such as co-ownership of land by spouses. She proposed, as key messages to CSD-16, the need to: extend land administration systems beyond titling; develop tools to implement the continuum of rights; develop innovative and affordable forms of tenure for poor women; consider the meaning of the continuum of land rights for the poor; and recognize the bundle of formal and informal rights associated with it.

Remy Sietchiping, UN-HABITAT, noted that there is a need to create innovative systems to manage land, as the bureaucracy in most African countries is tedious, further noting that adopting the continuum of land rights would be one way to tackle the issue. He highlighted the need to shift towards land rights and away from land ownership given that 90% of slum dwellers are tenants, and said a number of innovative ways to manage land have been identified including village titles, certificates of occupancy, group ranches, flexible titles, customary rights, local land rights’ boards and starter titles for informal settlement dwellers. Other innovations are: residential licenses for slum dwellers and recognition of their de facto security of tenure based on a variety of land rights within the continuum; mainstreaming sustainability, equity and fairness in land laws; recognition of customary land rights by issuing certificates; laws addressing specific land issues; and pro-poor land approaches. He said the lessons learned include the:

- need for decentralization with the requisite resources and capacity building;
- need for affordable and accessible means of land documentation;
- adoption and adaptation to conventional land registration systems; and
- inclusion of women in land policy issues and in the land continuum debate.

In his presentation on “Land, Administration, Governance, and Corruption in Africa,” Solomon Haile, UN-HABITAT, said studies show that land offices are among the most corrupt in African countries, noting that 47% to 75% of Africa’s total value of assets is attached to land and attached buildings. He elaborated the practices in land title acquisition that are indicators of urban land corruption and of vulnerability to corruption. He elaborated the framework being used to address corruption, and outlined the principles of good land governance such as security of tenure and equity, along with elements that can improve governance at the macro-level, including flexible and simplified procedures and processes, and at the operational level, including the “one-stop shop and one-window service,” setting service standards, and well-organized front offices.

In the discussion, participants noted that the land issue in Africa is institutional, and that while access to land for women in some countries has been addressed, land inheritance has not. Participants drew attention to the challenges in reconciling and integrating customary tenure systems, as well as the need for inter-ministerial integration for information sharing and for recognition of informal processes as part of mainstream policy formulation. They raised concerns about:

- the availability of land information in some countries in Africa;
- leadership and governance in relation to land issues;
- the translation of complex information systems to the “common man”;
- the dynamic nature of law;
- the institutional and technical aspects of land policy implementation;
- unequal distribution of land with regard to ethnicity; and
- links to peace, security and sustainable development.

Some suggested that a study on the linkages between land and ethnicity be undertaken to preempt conflicts. Recalling the work done at ACSD-5, it was noted that a lot of “leg work” needs to be done to make the case for sustainable urbanisation in Africa.

Expressing regret that he would be departing early, Alioune Badiane, UN-HABITAT, highlighted seven major areas that would be essential for the achievement of sustainable urbanisation goals: the need to give special attention to countries in conflict situations; means of linking the rural areas to the urban areas; the need to take into account the socioeconomic sensitivities; the need to integrate technology and capacity building in the land policy information network;
consideration of a regional approach to questions of land management; integration of women in land policy issues; and the essential role to be played by civil society in the process.

Discussion dealt with gender concerns on: access and security of land for women; cultural and societal attitudes towards women and land that vary from country to country; lack of access to information on land for women; the need to sensitize the community and other actors to the importance of securing land rights for women; the progress being made by the GLTN; and the need to involve civil society in land rights’ awareness campaigns at the grassroots level and to implement existing laws dealing with land rights for women. On land management and corruption, participants emphasized the need to share best practices, develop a comprehensive land management framework, and acquire knowledge on non-traditional forms of corruption to better fight corruption. They highlighted the variety of tools available to combat corruption and increase community involvement and public interest, and stressed the need to create systems that enhance accountability. On planning, GLTN stressed its commitment to continue research on how to better integrate various systems and ministries for better planning of urban areas. Participants discussed the modern planning strategies being promoted by GLTN and UN-HABITAT; the need to make land use intensive, especially in areas with high populations, the importance of integrating social, economic and environmental factors in the planning sector, and the need for information on planning.

REPORT OF THE RAPPORTEUR: Reporting on the proceedings from the experts’ presentations, Shuaib Lwaso, International Potato Center, one of the rapporteurs, said ten presentations were made, and highlighted some of the key messages the authors and participants emphasized for CSD-16. On the process to be followed, he noted that experts had emphasized: the need for a single voice from Africa; the specific identification of actors expected to address specific recommendations; recommendations that are actionable; and consideration of the dynamism in the various rights in Africa.

With regard to the content of the messages to be conveyed to CSD-16, participants and authors highlighted: access to land; security of tenure, particularly for women; innovative land management such as the land rights continuum; Africa’s productivity and institutions as key concerns; institutional innovation and land management; initiatives that tap into market opportunities; the management of information for land processes, including working through partnerships; the need to embrace the whole range of rights; decentralization; affordable documentation of land rights; and the establishment of principles and tools to deal with corruption and land disputes.

Further, participants noted that whereas the land issue has been resolved in most of Western Africa, little progress has been made in the Eastern and Southern African sub-regions, that Africa’s challenges are more institutional than they are technical, and that the land sector is among the most corrupt in Africa largely due to poor information management.

BREAKOUT GROUPS

SUSTAINABLE URBANISATION: THE CONTINUUM ON RIGHTS: This group, chaired by Abby Mgugu, Women’s Land and Water Rights in Southern Africa, agreed to focus on access to land, security of tenure, and rural-urban linkages.

On the question of access, discussion focused on the challenges to access, due particularly to discrimination. Some participants noted that discrimination takes various forms including religious, gender, class, and ethnic, and that it is a problem in multi-ethnic societies. Others suggested that perceptions of unfairness when the land is initially acquired also matter. Participants debated the causes of urbanisation, with some arguing that rural-urban migration is the key cause and others claiming it is secondary, emphasizing urban growth instead. Participants considered the encroachment of urban centers on rural land, and the resulting loss of rural land, as rural land, hitherto under customary law, is over-ridden by statutory land law.

The discussion on security of tenure centered on three issues: the dominance of the freehold and leasehold tenure systems; evidence that land presumed to be under secure tenure was threatened or challenged; and, how to deal with evictions, particularly where they are unavoidable. In light of recent political conflicts in Côte d’Ivoire and Kenya, and of evidence that similar tensions simmering in Botswana are centering on land that was already under secure tenure, participants puzzled over how to address such threats, and speculated that other multi-ethnic African countries may suffer similar fates.

On the issue of rural-urban migration, the group noted that in the absence of examples of actions that have been taken by governments, this should be considered an emerging issue. Although participants disagreed on the primary and secondary causes of urban growth, they agreed that migration is putting pressure on urban infrastructure because people are moving into areas not yet planned to accommodate the influx, development is concentrated in urban areas, and respect for human rights often constrains the interventions chosen. They proposed alternatives to ease forced evictions, especially during slum upgrading.

In the plenary discussion following the presentation of the group’s report, some participants drew attention to ongoing activities in peri-urban areas under the “Cities Without Slums” initiative that emphasizes integrated land-use planning and slum upgrading. Participants elaborated that governments are documenting rapid urbanisation, access to land, urban infrastructure financing, and transportation issues. Although some contested the suggestion that the growth of urban areas resembles the growth rate in the slums, UN-HABITAT reported that in a majority of the cases, 90% of urban growth is in the slum areas. Participants also agreed that because the gender issue is continually reiterated, the title of the report should also capture gender. Participants agreed that the importance of security of tenure, access to land and gender should not be minimized.

Draft report on sustainable urbanisation - the continuum on rights: On the issue of urban land rights, the draft report, as orally amended addresses three issues: access to land; security of tenure; and rural-urban linkages.

First, regarding access to land, the report states that progress has taken the form of legislation, institutions and administrative structures to govern access rights. The report further states that the challenges are urban encroachment and sprawl, perceived discrimination and lack of access to information on land. The lesson learned is that there is a discrepancy between formal law and actual practice. The recommendation is harmonization of laws and practice.
Second, the report notes progress made on security of tenure in the establishment of legislation and institutions and administrative structures to govern land tenure. It further discusses the challenges as: that the current systems of land governance, specifically freehold and registered lease hold, and cadastral and conventional land registration, do not guarantee rights to women and other vulnerable groups; and the discrimination women face under both the informal and the formal tenure system. The report recommends that member states:

- adopt a range of tenure forms and options within the continuum that provide adequate security of tenure for all users;
- recognise and protect land rights established under the full range of tenure systems as well as provide legal guarantees and remedies against arbitrary eviction;
- support initiatives and innovations that prevent and remedy forced evictions;
- ensure that multilateral and bilateral development partners support African-led land policies processes and innovative land management; and
- promote land policies that are pro-poor and gender responsive.

Third, the draft notes no progress made on rural-urban linkages, but enumerates the challenges as rapid urbanisation, rapid population growth, reclassification of rural areas as urban/peri-urban areas, and rural-urban migration. The draft recommends that member states:

- promote high productivity of land by ensuring efficient and effective land utilization in both rural and urban areas;
- promote off-farm activities and employment;
- ensure a balanced and equitable approach to rural and urban development; and
- adopt pro-poor, gender sensitive participatory planning approaches.

Finally, the draft gives general recommendations to member states to strive to make information on land rights publicly available and to establish reliable, decentralized and sustainable land administration to address land disputes and transfers.

**LAND INFORMATION MANAGEMENT AND GOVERNANCE:** This group, chaired by Ali Mohamed, ACSD-5 Chair, initially listed and then elaborated the challenges, progress made, lessons learned and recommendations for the future. Challenges within land information management that attracted discussion were the: lack of technical capacity to generate, package and disseminate information; continued use of obsolete methods of information collection that need revamping to make more relevant information available; allocation of land in areas lacking adequate support infrastructure; information formats that are not easily interpreted by the end users; and the lack of inter-agency information sharing in urban planning.

The challenges discussed on land governance were: the poor remuneration of land administrators as the cause of corrupt practices; private vested interests that create “poor man’s urbanisation,” skew the priorities of administrators and endanger already vulnerable groups; and heavy state presence and political interference in the appointment of land administration officers.

Participants said the lessons learned are: the importance of good information systems to dispel corrupt practices; the advantages of new technologies and approaches in land management systems; and the need to provide land administration services at the grass-root level.

The recommendations identified for CSD-16 were the need: to change attitudes towards sustainable urbanisation through education of stakeholders, particularly youth; for state protection of vulnerable groups in terms of land and access rights; for capacity building and better working conditions for land administrators; and to adapt best practices and international standards to local realities. The group emphasized that the aim of including lessons from the global north was not to duplicate their processes but use them as lessons to improve local systems.

During the report-back session, no substantive changes were made.

**Draft report on land information management and governance:** The provisional draft that was orally presented to participants states that the challenges of land information management are:

- the disconnect between land custodians and land information custodians;
- the need to build technical capacity to manage the systems;
- inaccessibility of information due to interpretation difficulties; and
- the breakdown of inter-agency information sharing capacities.

The draft further states that better information management necessitates undertaking comprehensive land reviews, training of relevant personnel in managing information, involving stakeholders and people at the grass-root level, creating awareness on the issue and establishing land information systems.

The lessons learned and recommended approaches and practices identified in the draft are: the introduction of appropriate technologies in land administration; the need to encourage more sustainable, mainstream routes towards information management; easier access to information through user-friendly dissemination tools; and the introduction of capacity building and training packages for ongoing programmes on land administration.

On land governance, the draft identifies the following challenges:

- different forms of corruption and the connivance between political leadership and social leaders;
- the high value of land;
- state engineered land transactions and fraudulent practices;
- private vested interests which leave women and vulnerable groups even more vulnerable; and
- unclear rules of engagement between stakeholders.

The progress and actions identified are: decentralization and the shift away from colonial systems to more pertinent ones; reduction of stages in land administration; and consultation and participation of the public in decision making processes. The lessons and recommendations elaborated in the draft are:

- decentralizing information services, involving community based organizations, civil society organization and state actors, and putting in place the requisite resources and tools to effectively enable land governance;
• providing better services to land officers as a way of combating corruption;
• instituting pro-poor policies on land governance and administration;
• de-emphasizing privatization, commodification and commercialization of land to ensure that governments in Africa continue to provide services to the citizenry;
• demystifying land administration processes and land information;
• capacity building for all stakeholders, especially the younger generation; and
• reviewing the existing land acts for the harmonization of laws and practices within regions.

CLOSING PLENARY
Osman Laye, ECA, highlighted the key outputs of the meeting, noted the experts’ contribution in demonstrating how land management had constrained development and contributed to conflict in Africa, and said the recommendations would strengthen the ACSD-5 statement sent to CSD-16.

Lamourdia Thiombiano, FAO, highlighted the symbiotic relationship between the ECA, UN-HABITAT and FAO at this EGM. He underscored: the need to involve all the stakeholders including those at the grass-root level in the formulation of land policies; the importance participants accorded urban-rural linkages; and the need for crosscutting partnerships to strengthen the proposals made on land management policy and planning framework for the peri-urban and rural areas.

Remy Sietchiping, on behalf of UN-HABITAT, noted that the continuum of rights is the way forward, called on participants to prepare their governments so that they can support these issues at CSD-16 and expressed interest in working with those that will pursue this, and emphasized the need to filter these outcomes into national-level policy making.

Chair Ali Mohamed said the meeting had enriched participants’ understanding of the links between land and the environment, and has enabled them to articulate the issues better both in Africa and to CSD-16. He called the meeting to a close at 5:33 pm.

UPCOMING MEETINGS

14TH AFRICAN WATER ASSOCIATION CONGRESS: The 14th African Water Association Congress will take place from 25-29 February 2008 in Cotonou, Benin. The theme of the congress is “Partnership and Good Governance for Achieving the Millennium Development Goals in the Water and Sanitation Sector in Africa.” For more information, contact: AfWA/UADE, fax: +225-21-241-443, +225-21-240-496 or +225-21-247-353; e-mail: uade@aviso.ci or kofana.ua.de@aviso.ci; internet: http://www.ua.de.org/angl/CALL_FOR_PAPERS_14.pdf

SCIENCE WITH AFRICA: The Science with Africa conference takes place from 3-7 March 2008, in Addis Ababa, Ethiopia. The conference is organized by the United Nations Economic Commission for Africa (ECA) and ISC Intelligence in Science with a view to promote and enhance the role of science and technology in Africa. For more information, contact: Dixon Ondieki, tel: +251-11-551 1167 or +251-11-544 3562; fax: +251-11-551 0512; e-mail: Dondieki@uneca.org; internet: http://www.une.ca.org/sciencewithafrica/

AFRICAN REGIONAL SEMINAR ON PARTICIPATORY BUDGETING: The African regional seminar on participatory budgeting takes place from 10-13 March 2008 in Durban, South Africa. The African regional seminar on participatory budgeting is a World Bank Institute initiative prepared in collaboration with UN-HABITAT and the Municipal Development Partnership for Eastern and Southern Africa (MDP-ESA). Optional field visits to local authorities are planned for 14 March. For more information, contact: George Matovu; tel: +263-4-774385/6; fax: 263-4-774387; e-mail: gmatovu@mdpafrika.org.zw; internet: http://www.worldbank.org/africanbseminar

GENDER AND LAND PROFESSIONALS WORKSHOP: This meeting will be held from 11-12 March 2008 in Bagamoyo, Tanzania, with a view to develop criteria for gendered land tools. For more information, contact: Aså Jonsson; tel: +254-20-762 4242; fax: +254-20-762 3080; e-mail: asa.jonsson@unhabitat.org; internet: http://www.gltn.net

GENDER AND POST-CONFLICT RESOLUTION: This Expert Group Meeting will take place from 13-14 March 2008 in Geneva, Switzerland. The meeting will review the practitioners’ handbook on gender and post-conflict governance and analyze gender and post-conflict governance issues and make recommendations for the handbook. For more information, contact: Ansa Masaud; tel: +254-20-762 3705; fax: +254-20-762 3080; e-mail: Ansa.masaud@unhabitat.org; internet: http://www.unhabitat.org

GEOSPATIAL SCIENCES FOR SUSTAINABLE DEVELOPMENT IN AFRICA: The meeting on Geospatial Sciences for Sustainable Development in Africa takes places from 17-19 March 2008 in Cape Town, South Africa. The meeting will explore the challenges, opportunities and potential steps towards the effective use of geospatial science for sustainable development in Africa. For more information, contact: Paul Bartel; tel: +1-202-203-7787; fax: +1-202-203-7790; e-mail: bartelpp@state.gov; internet: http://www.space.gov.za/downloads/GDEST.pdf

FIRST AFRICAN WATER WEEK: The first African Water week (AWW-1) takes place from 26-28 March 2008 in Tunis, Tunisia. Organized by the AfDB and AMCOW, the meeting will address the theme “Accelerating the Water Security for Socio-Economic Development of Africa.” For more information, contact: Arthur M. Swatson Jr.; tel: +216-7110 2672; fax: +216-7110 3744; e-mail: AfricanWaterWeek@afdb.org; internet: http://www.afdb.org/portal/page?_pageid=473,969995&_dad=portal&_schema=portal

CONFERENCE OF AFRICAN MINISTERS OF FINANCE, PLANNING AND ECONOMIC DEVELOPMENT: The Committee of Experts of the Conference of African Ministers of Finance, Planning and Economic Development will meet from 26-28 March 2008, and the forty-first session of the Conference takes place from 28 March to 2 April 2008 in Addis Ababa, Ethiopia. For more information, contact: Urbain Zadi; tel: +251-11-551 5827; fax: +254-11-551 4461; e-mail: uzadi@uneca.org; internet: http://www.une.ca.org

INTERNATIONAL WORKSHOP ON FOREST GOVERNANCE AND DECENTRALIZATION IN AFRICA: The Workshop on Forest Governance and Decentralization in Africa, a country-led initiative in support
of UNFF, takes place from 8-11 April 2008 in Durban, South Africa. Workshop participants will share experiences and explore opportunities for generating concrete gains from governance reforms and decentralized forest management. For more information, contact: Makhosini Nyathi; tel: +27-12-336 8268; fax: +27-12-324 6592; e-mail: nyathiM@dwaf.gov.za; internet: http://www.dwafapp4.dwaf.gov.za/webapptmp/files/ForestGovernancePamphlet110907.pdf

WEST AFRICAN CONSULTATION ON THE PAN-AFRICAN LAND POLICY: This is a multi-stakeholder consultation meeting to identify key region-specific land issues, gaps and challenges to policy and administration reforms, and benchmarks and targets that can be used to assess progress in these areas, and to explore mechanisms for knowledge management. The meeting will take place from 15-18 April 2008 in Ouagadougou, Burkina Faso. For more information, contact: Joan Kagwanja; tel: +251-11-544 3518; fax: +251-11-551 4416; e-mail: Kagwanja.uneca@un.org; internet: http://www.uneca.org/eca_programmes/sdd/default.htm


WEST AFRICAN BIOFUELS SUMMIT: The West African Biofuels Summit 2008 (WABIS 2008) takes place from 22-24 April 2008 in Abuja, Nigeria. The topics to be considered include technology, policy, finance, and regulation. For more information, contact: tel: +234-802-320 1920 or +234-1-743 2668; e-mail: info@westafricanbiofuels.net or jakolgate@gmail.com; internet: http://www.westafricanbiofuels.net/

43RD ANNUAL MEETING OF THE AFRICAN DEVELOPMENT BANK: The 43rd Annual Meeting of the Board of Governors of the African Development Bank and 34th Annual Meeting of the Board of Governors of the African Development Fund will take place from 14-15 May 2008 in Maputo, Mozambique. The theme of the meeting is “Fostering shared growth: Urbanisation, Inequality and Poverty.” For more information, contact: tel: +216-71-333-511 or +216-71-103-450; fax: +216-71-351-933; e-mail: afdb@afdb.org; internet: http://www.afdb.org/portal/page?_pageid=473,26740393&_dad=portal&_schema=PORTAL

SIXTEENTH SESSION OF THE UN COMMISSION ON SUSTAINABLE DEVELOPMENT: This meeting will take place from 5-16 May 2008 at the UN Headquarters in New York, United States. The meeting is the review session for the six thematic areas on Agriculture, Rural Development, Land, Drought, Desertification and Africa. For more information, contact: tel: +1 212-963-8102; fax: +1-212-963-4260; e-mail: dsd@un.org; internet: http://www.un.org/esa/sustdev/csd/review.htm

NORTH AFRICAN CONSULTATION ON THE PAN-AFRICAN LAND POLICY: This is a multi-stakeholder consultation meeting to identify key region-specific land issues, gaps and challenges to policy and administration reforms, and benchmarks and targets that can be used to assess progress in these areas, and to explore mechanisms for knowledge management. The date, possibly May 2008, and venue are yet to be determined. For more information, contact: Joan Kagwanja; tel: +251-11-544 3518; fax: +251-11-551 4416; e-mail: Kagwanja.uneca@un.org; internet: http://www.uneca.org/eca_programmes/sdd/default.htm

CENTRAL AFRICAN CONSULTATION ON THE PAN-AFRICAN LAND POLICY: This is a multi-stakeholder consultation meeting to identify key region-specific land issues, gaps and challenges to policy and administration reforms, and benchmarks and targets that can be used to assess progress in these areas, and to explore mechanisms for knowledge management. The date, possibly in May 2008, and venue are yet to be determined. For more information, contact: Joan Kagwanja; tel: +251-11-544 3518; fax: +251-11-551 4416; e-mail: Kagwanja.uneca@un.org; internet: http://www.uneca.org/eca_programmes/sdd/default.htm

WORLD URBAN FORUM 4: The fourth session of the World Urban Forum, which meets every two years, will take place from 13-17 October 2008 in Nanjing, China. The theme for the session is “Harmonious Urbanisation: The Challenge of Balanced Territorial Development.” For more information, contact: tel: +254-20-762 3334 or +254-20-762 3903; fax: 254-20-726 4175; e-mail: wuf@unhabitat.org; internet: http://www.unhabitat.org/wuf

LIST OF ABBREVIATIONS

<table>
<thead>
<tr>
<th>Acronym</th>
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<tr>
<td>ACSD</td>
<td>African Commission on Sustainable Development</td>
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<td>AfDB</td>
<td>African Development Bank</td>
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<td>AMCHUD</td>
<td>African Ministers Conference on Housing and Urban Development</td>
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<td>AU</td>
<td>African Union</td>
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<td>CFSSD</td>
<td>Committee on Food Security and Sustainable Development</td>
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<td>CSD</td>
<td>United Nations Commission on Sustainable Development</td>
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<td>ECA</td>
<td>United Nations Economic Commission for Africa</td>
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<td>EGM</td>
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<td>FAO</td>
<td>United Nations Food and Agriculture Organization</td>
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<td>Global Land Tool Network</td>
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<td>ROAAS</td>
<td>UN-HABITAT Regional Office for Africa and the Arab States</td>
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<td>SIDA</td>
<td>Swedish International Development Agency</td>
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<td>UN-HABITAT</td>
<td>United Nations Human Settlements Programme</td>
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