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PRESENTATIONS
SIDE EVENT 6

SIDE EVENT 6:
Good land administration and sustainable urban development

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rise
REVITALISING INFORMAL
SETTLEMENTS AND
THEIR ENVIRONMENTS

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SIDE EVENT 6:
Good land administration and sustainable urban development

Day 2 (2 July, 2019. Nadi, Republic of Fiji).

Organized by: RMIT University, Melbourne and UN-Habitat
Moderator: Prof.Darryn McEvoy, RMIT University
Speakers:
- Mr. Luke Kiddle, Lecturer, Victoria University of Wellington
- Mr. Alexei Trundle, PhD Candidate, University of Melbourne
- Prof. Jaap Zevenbergen, University of Twente ITC

The capital cities of the South Pacific are currently experiencing rapid urbanisation pressures as increasing numbers of rural people migrate to the primary cities either in search of employment and greater access to healthcare and education, or as a consequence of environmental 'push' factors in their homelands. However, the limited capacity of municipal Government in Small Island Developing States (SIDS) to respond to the scale and pace of change is leading to a significant growth of informal settlements in urban and peri-urban locations. These unplanned settlements are often located in high-risk areas and are mainly comprised of poor quality housing with limited access to services; with new settlers often lacking the adaptive capacity of other more established urban dwellers. This urbanisation process is therefore creating new climate risks. Settlements in peri-urban areas can also be contested and sometimes lead to conflict. Given the complexity of property rights, and the duality tensions that exist between Western-influenced land tenure arrangements within cities (a legacy of colonial times) and customary arrangements that operate in the surrounding peri-urban and provincial areas, land administration solutions will need to bridge city and customary laws and practices if they are to be locally acceptable.This side event not only highlighted critical land tenure issues for Honiara's peri-urban areas but will also seeked to explore what role international best practice has to help facilitate good land administration, in turn enhancing the climate resilience of Honiara (and other Pacific cities) and ultimately leading to a more sustainable pathway.

## GOOD LAND ADMINISTRATION & SUSTAINABLE URBAN DEVELOPMENT

Prof. Darryn McEvoy, RMIT University

Climate Resilient Honiara

- 4-year project funded by UNFCCC Adaptation Fund and administered by UN-Habitat. RMIT University provide scientific support. HCC and SIG are project leaders.
- Community level (community profiling, climate action plans and engineering solutions)
- Ward level (communication of climate risks with women and youth, urban agriculture, nature-based solutions, climate resilient infrastructure e.g. evacuation centres, CCA / DRR training of ward councillors, and **responsible land administration in peri-urban areas**).
- City level (training and short professional courses in Honiara and Melbourne).

Vulnerability Hotspots in Honiara
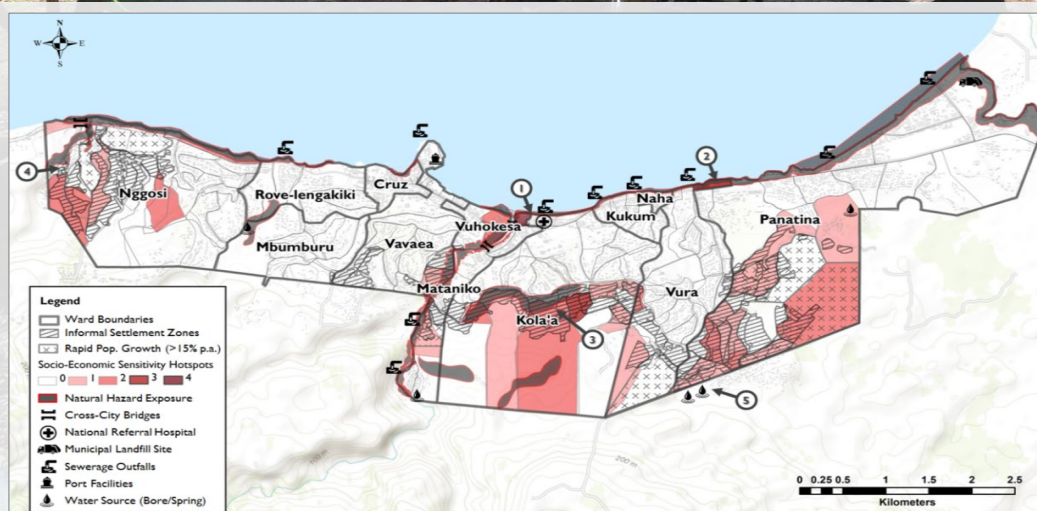
Speakers

- **Luke Kiddle**, Victoria University of Wellington, New Zealand.
  Introduction to the Honiara context.

- **Alexei Trundle**, University of Melbourne, Australia.
  Peri-urban challenges in informal settlements (Honiara and Port Vila).

- **Prof. Jaap Zevenbergen**, University of Twente, Netherlands.
  Reflections on the expert workshop, and lessons from international best practice.
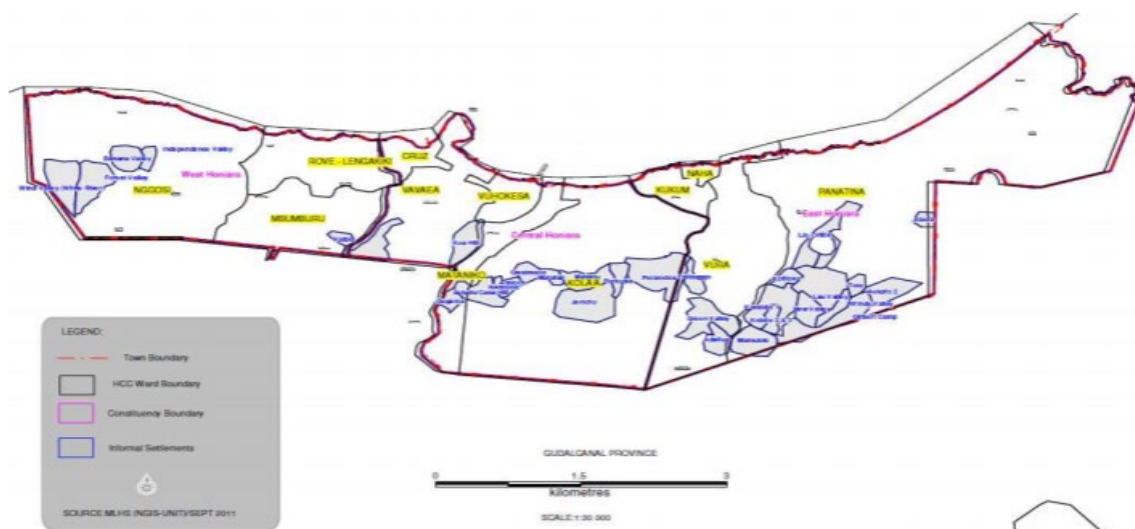
Informal settlement in Honiara

Dr Luke Kiddle, School of Geography, Environment & Earth Science, Victoria University of Wellington

Snapshot

- Greater Honiara growing quickly
- Approx. 40% of Honiara's municipal population now living in informal settlement areas
  - 4,000 households (around 28,000 people)
  - In 36 formal 'Informal Settlement Zones' in municipal Honiara
  - And other informal settlement pockets across town
  - Settlement traces back to 1960s
- Quickly expanding informal settlement areas on peri-urban land outside of municipal Honiara in Guadalcanal Province
  - Numbers unclear
  - Access arrangements varies
- All areas: Patchy services and typically located in environmentally hazardous areas
- Honiara's housing profile divided
  - Highly expensive formal housing areas
  - Informal settlement areas
- No low-income housing provision from the State or other providers
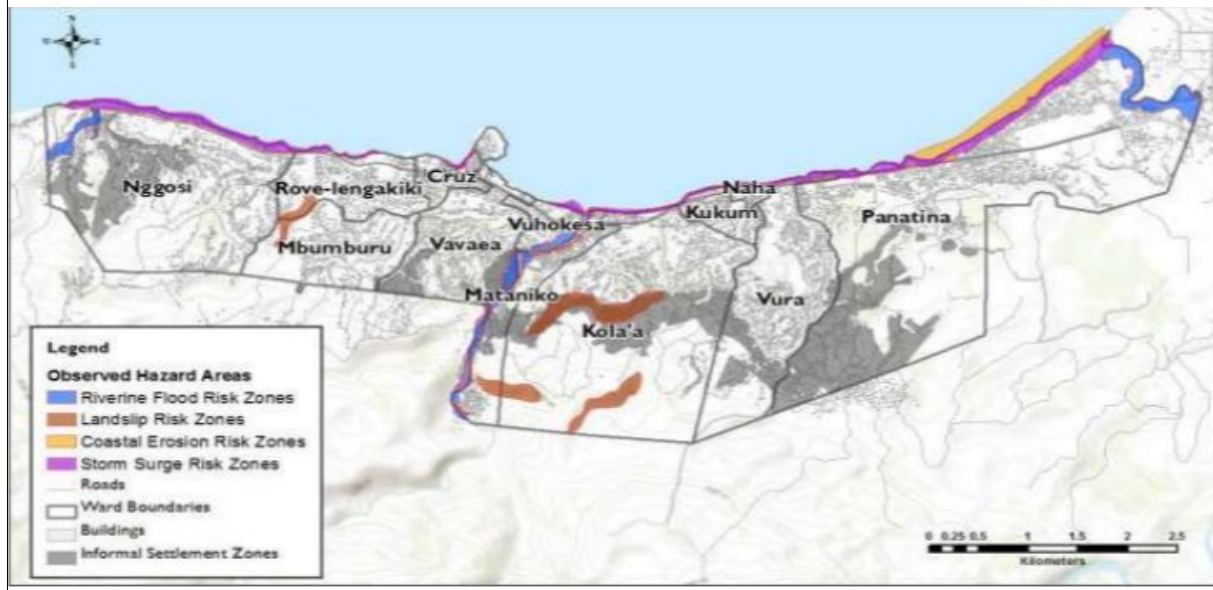
Informal settlement zones

Source: MLHS (2011)

Current and project growth
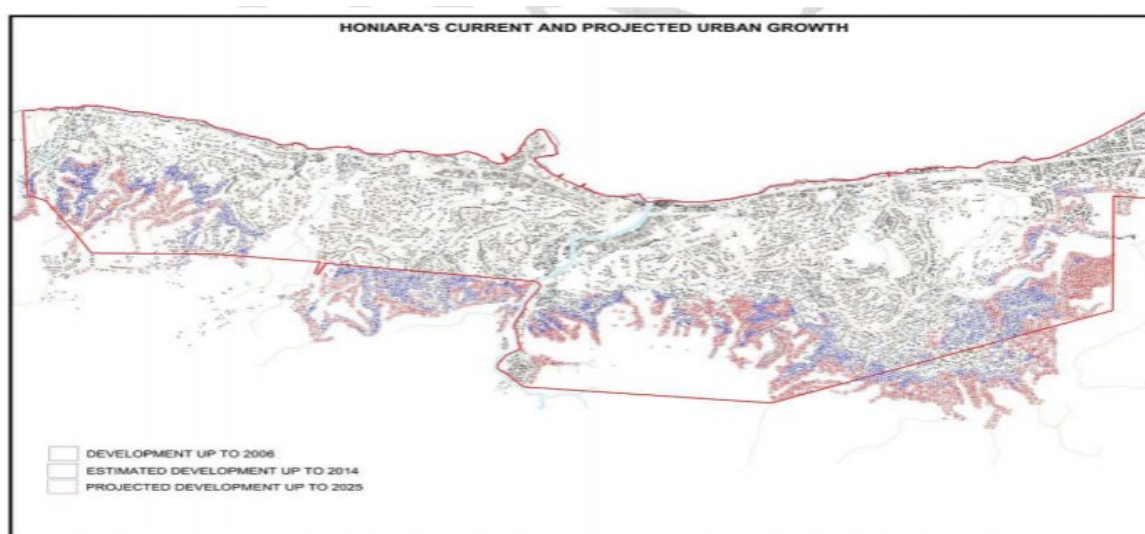
Source: MLHS, 2014, Draft Honiara Local Planning Scheme 2015

Hazard risk

Importance of home gardening

Intervention

- Informal Settlement Zones: transference of Temporary Occupation licenses to FTE (formalization) & subdivision planning
    - But low uptake of FTEs
    - Why? Perceived security of tenure relatively high(?)
- UN-Habitat support Participatory Slum Upgrading Programme (PSUP):
    - Profiling
    - Informal settlement upgrading strategy: likely a pilot approach
- Small-scale project interventions (e.g. WASH from NGOs)
- Currently little focus on areas outside of the Honiara town boundary:
    - Why: <u>land tenure confused & contested</u>
- What's also important: nuanced understanding of often unique informal settlements

Source: Alexei Trundle 2017

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Peri-Urban Challenges in Informal Settlements: Hybrid Land Governance

5th Pacific Urban Forum, Nadi

AUSTRALIAN-GERMAN CLIMATE & ENERGY COLLEGE

Acknowledgements:

The communities, governments and civil societies of Port Vila & Honiara

The University of Melbourne's School of Design, Melbourne Sustainable Society Institute, and Climate & Energy College

UN-Habitat Cities & Climate Change Initiative / Regional Office for Asia & the Pacific

Some history: the 'Ecology' of Honiara, 1967

LEGEND

ADMIN & COMMERCE	SOLOMON ISLANDER MARRIED QUARTERS	VILLAGES	VILLAGE-LIKE AREAS
EUROPEAN RESIDENTAL	S.I. LABOUR LINE RESIDENCES	FISHING SETTLEMENTS	TOWN BOUNDARY
CHINATOWN		SQUATTER SETTLEMENTS	LINE OF TERRACE

Digitized from Bellam 1970

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Peri-Urban Growth: A Pacific Urban Blind Spot?

34.6 percent of ni-Vanuatu currently live within the combined urban areas of Metropolitan Port Vila and Luganville, 10 percent above official figures and already a larger share than the UN projections for the country to 2050
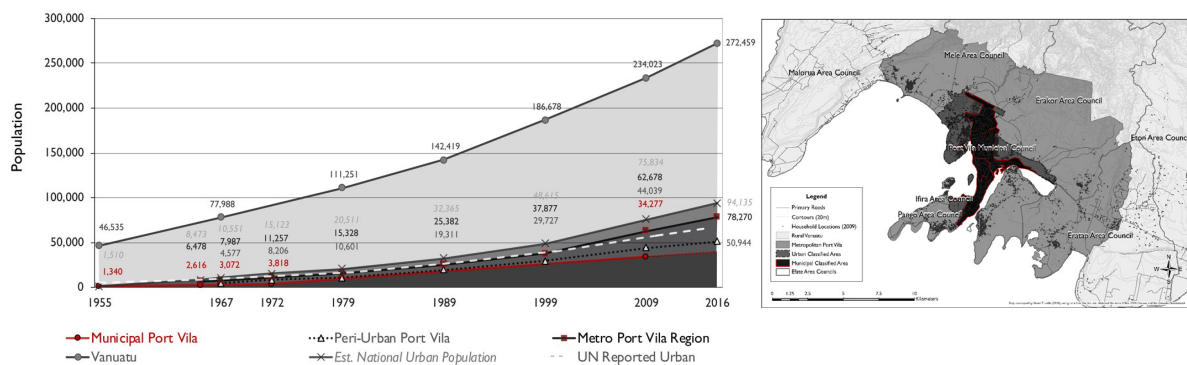
Source; Trundle, Forthcoming

'Home' and Peri-Urban Identities

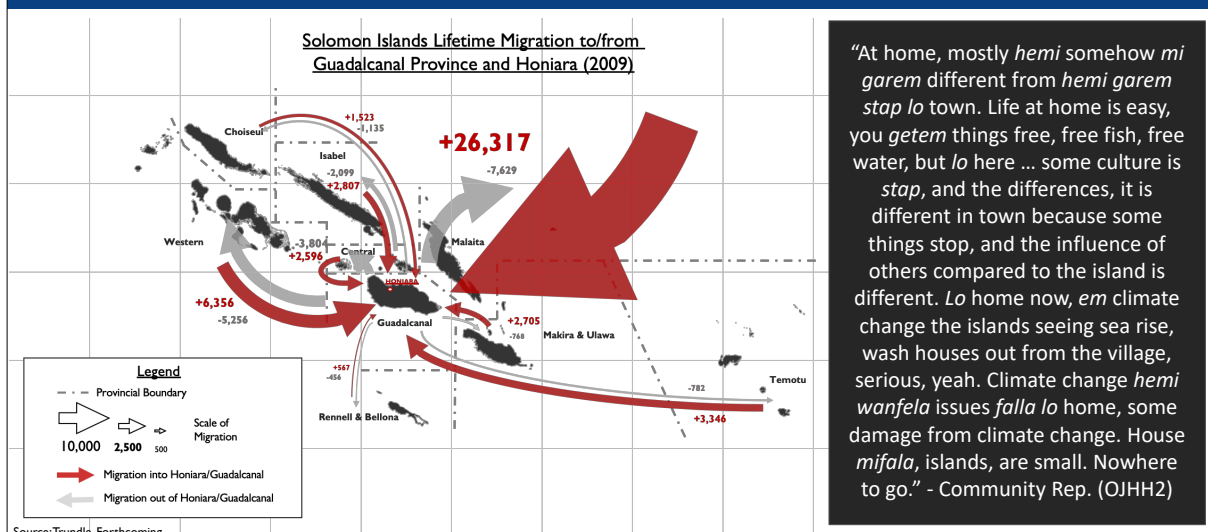Solomon Islands Lifetime Migration to/from Guadalcanal Province and Honiara (2009)

Source; Trundle, Forthcoming

"At home, mostly *hemi* somehow *mi garem* different from *hemi garem stap lo* town. Life at home is easy, you *getem* things free, free fish, free water, but *lo* here … some culture is *stap*, and the differences, it is different in town because some things stop, and the influence of others compared to the island is different. *Lo* home now, *em* climate change the islands seeing sea rise, wash houses out from the village, serious, yeah. Climate change *hemi wanfela* issues *falla lo* home, some damage from climate change. House *mifala*, islands, are small. Nowhere to go." - Community Rep. (OJHH2)

Differentiating Peri-urban Informality in Melanesia

The garden boundary – understanding the unzoned

Source; McEvoy et al. 2018
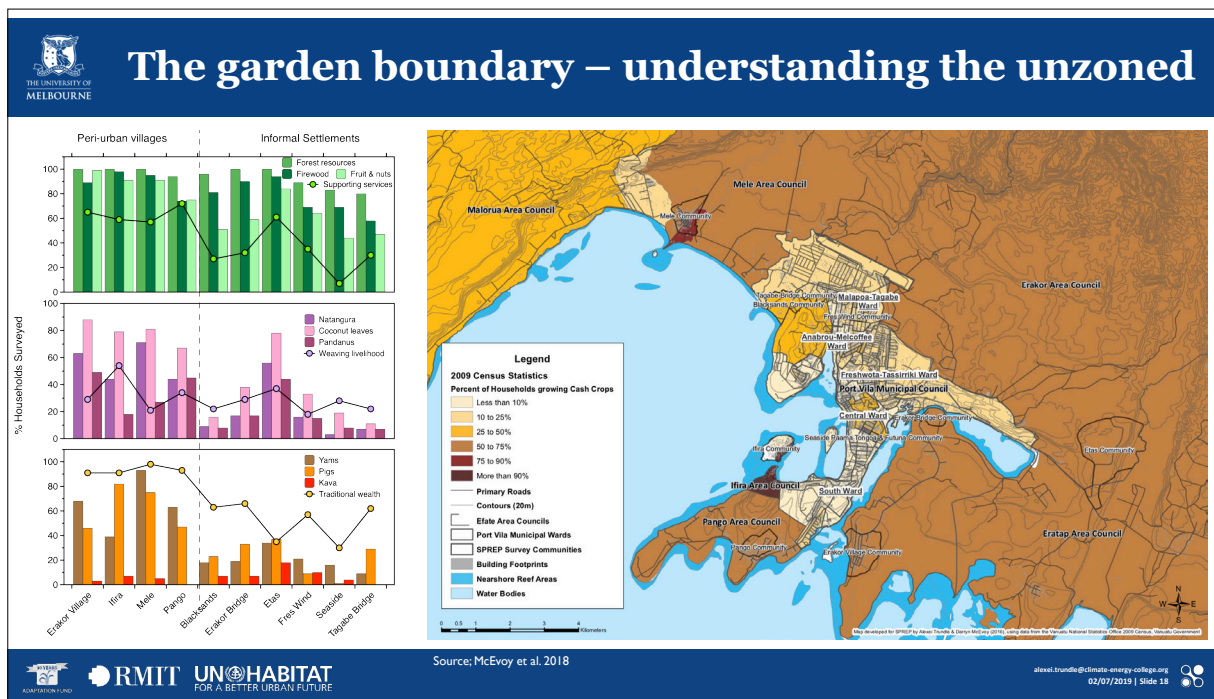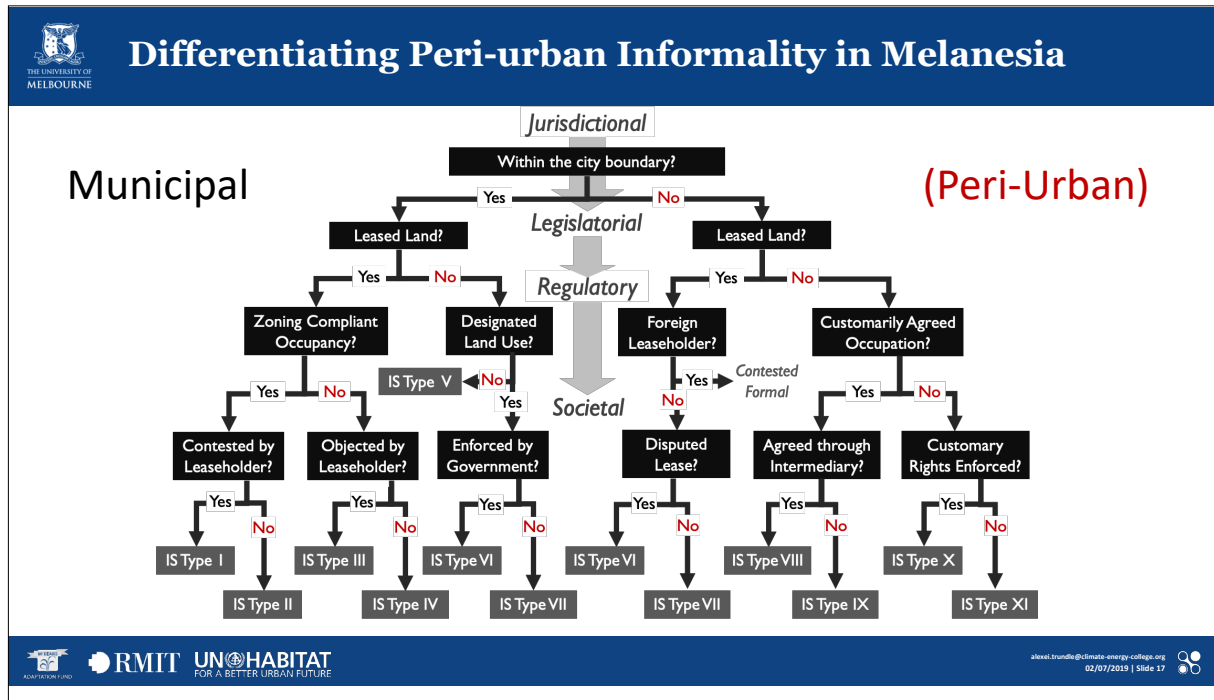
Alienation, Urban Elites and Neocolonialism

Natives and Settlers on the New Hebrides Frontier, 1870-1900 (Thompson, 1981)

"The formation in New Caledonia in 1882 of the *Compagnie Calédonienne des Nouvelles-Hébrides* … had the avowed aim of turning the New Hebrides into a French colony

… a new principle of massive alienation of land had been introduced into the islands. And naturally the company's British competitors followed suit. They devoted little or no time to niceties such as seeking out the true owners, precisely delineating the boundaries, or carefully explaining the concept of permanent alienation."

Urban Land Grabbing by Political Elites (2017) (McDonnell)
"over the last 15 years, Vanuatu has experienced a dramatic land grab, with more than 10 per cent of all customary land now leased … on Efate Island alone, 56.5 per cent of what was previously held as customary land along the coastline is now leased"

Consequences for Climate Change Adaptation

"First, when we first settled here, we have our stream here. And then, the Solomon Water come and then, Solomon Water come and pipe it …when we arrive here we used to use our stream, then they take it from us." JBHH1

"He asked the chief if he could build a permanent church here, but no .. agreement so they could only build a temporary one … he wanted to build a good church for them so they could use it as an evacuation centre" BSHH5
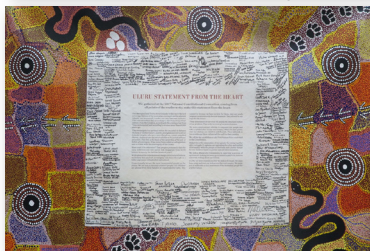
Rethinking Peri-Urban Good Governance

➢ **Breaking the cycle of Eurocentric urban planning assumptions**
   • Customary, cultural considerations
   • Continued misuse by planning literate 'urban elites', land councils
   • Chance to break outmoded conventions (community leases, digitization, non-cadastral)

➢ **Recognising 'invisible' boundaries**
   • Accepting non-municipal urban governments are hear to stay but resourcing appropriately
   • Understanding the importance of 'shared' resources: gardens, pathways, communal utilities

➢ **Good urban governance: supporting the Right to the City as equity in opportunity**
   • Security and services as enabling platforms for the urban poor, esp. in the face of climate shocks and stresses
   • Disadvantage within demographics, households, not just across them
   • 'Slum upgrading' more than housing: livelihoods & economic opportunities are as critical

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Macronesia: Customary Exclusion & Colonial Aspirations

Source: Vic Heritage Council 2017

"Calling for a complete rethinking of Australian policy towards Melanesia, not just West New Guinea, Hasluck's proposal was to first expand **Australia's empire** east-wards into the South Pacific and, only when that was established, to move westwards to include West New Guinea in a **greater Melanesia."** (Waters 2016)
– Australia's Minister for External Affairs Paul Hasluck, 1960

Source: The University of Melbourne 2018

"If our neighbours requested this, and their peoples agreed, Australia would become responsible for their territorial seas, their vast **Exclusive Economic Zones**, including the preservation of their precious fisheries reserves. Under this arrangement, Australia would also become responsible for the **relocation over time of the exposed populations** of these countries."
- Former Australian Prime Minister Kevin Rudd (2019)

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Thank you / Vinaka!

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HONIARA WORKSHOP OUTCOMES COMPARED TO INTERNATIONAL EXPERIENCE ON LAND ADMINISTRATION IN INFORMAL SETTLEMENTS

PROF.DR. JAAP ZEVENBERGEN, MSC, LLM

PROFESSOR LAND ADMINISTRATION & MANAGEMENT

HEAD OP DEPARTMENT URBAN & REGIONAL PLANNING AND GEOINFORMATION MANAGEMENT

2018 Q1 VISITING PROFESSOR **RMIT UNIVERSITY**

EDITOR JOURNAL LAND USE POLICY

FACULTY OF GEO-INFORMATION SCIENCE AND EARTH OBSERVATION

ADAPTATION FUND

LAND TENURE

- Three definitions
  - **people to people to land relation** (Bohannan 1973)
  - formal or **informal rules** of how people relate to land
  - An institution, i.e., **rules <u>invented by societies</u>** to regulate behavior. Rules of tenure define how property rights to land are to be <u>allocated</u> within societies. They define how <u>access is granted to rights to use, control, and transfer</u> land, as well as associated responsibilities and restraints. … (Shivji e.a. 98)

  - Rights, restrictions and responsibilities (RRR)

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LAND TENURE

- Different sources / societies that set land tenure
  - statutory law ('formal')
  - tradition ('customary law')
  - occupation ('informal')
- If mixed in same area → legal pluralism
  - Forum shopping (those with recourses tend to win in the end)
- UN Habitat's Continuum of land rights (2008):
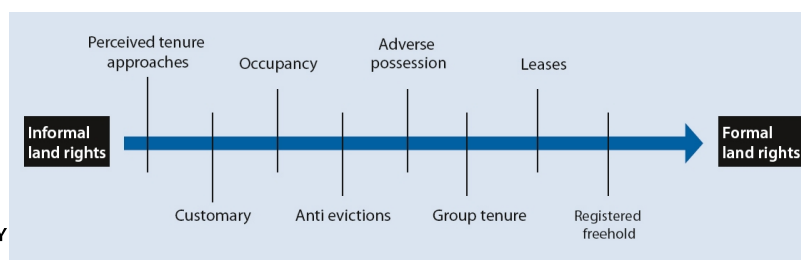
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LEVEL PLAYING FIELD: WHAT DO WE MEAN ?

EQUALITY   EQUITY

Source: http://culturalorganizing.org/the-problem-with-that-equity-vs-equality-graphic/
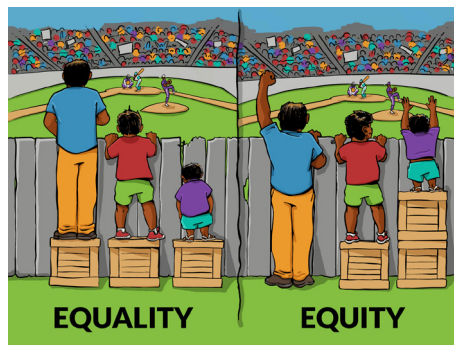
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OUTCOME LA EXPERT WORKSHOP HONIARA 28 JULY

- Within urban boundary
  - Unregistered
  - Temporary License Holders
    - Renewal every year (100) now 3 years (1000 SBD)
    - Few do it, but without no services, no upgrading
    - House numbers, not land plot identification
      - Densification continues
  - Fixed Term Estates (often 75 years)
    - conversion from (paid up) TOLs after 'proper' subdivision
    - subdivision, surveying in systematic way moving slowly along
    - offer letters slower, needs payment(s) and registration
    - uptake divers; comes with annual payment

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OUTCOME LA EXPERT WORKSHOP HONIARA 28 JULY

- FTEs seen by ... as holy grail, will solve many issues
- no parallel process to get them services
- costs of conversion + yearly payments might not suit everybody
  - those with stable income yes, and can get mortgage as well
- no mention of risks of gentrification
  - poor FTE holder sells on, and squats again

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OUTCOME LA EXPERT WORKSHOP HONIARA 28 JULY

- access to land for climate resilience actions
  - relocation not very usual, and hard to know where to go to
    - registration of customary land not yet started, so risk of having to negotiate with several 'landowners'
  - participation, community involvement key
    - some communities organized and coherent, others not
  - Permanent Estates (also for gov.) are around as well, but not always clear what the exact status is

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INTERNATIONAL EXPERIENCES

- Uganda
  - Customary land is 1 of 4 land types in Constitution
  - Land Act 1998 introduced for this land
    - CCOs – certificate of customary ownership
    - CLAs – communal land association
    - Slow uptake only recently CCOs issued, recorded at lower government level (~province)
    - Conversion to freehold is possible – gov. seems to push for that
  - Successful pilots in peri-urban areas / informal settlements with
    - documenting de facto land occupation by NGOs, local government buy-in and increasingly Ministry of housing / urban development
    - use of STDM (simple GIS for land records), local certificates

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INTERNATIONAL EXPERIENCES

- Global Land Took Network / UN Habitat
- Designed 'pro poor land tools' for responsible land management
- To be able to implement the Continuum of Land Rights idea

- Social tenure   odel
  - Approach
  - Data model
  - Software
- Allows overlap
  - layered rights
  - also conflicts

STDM Conceptual Model

Party — Person/s or group/s — has — Social Tenure Relationship
- Use rights
- Occupancy
- Ownership
- Informal
- Customary tenure
- Common land
- Tenancy
- Hunting

with — Spatial Unit — Point, line, polygon

supported by — Source Document — Sketch, audio, video, photos etc.

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Different Data Acquisition Approaches

Residential Area

Slum

Slum

Residential Area

Urban Business District

Slum

Customary Area

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STDM ON LOCAL COMPUTER

- Mashimoni Community Office,   i, Kenya
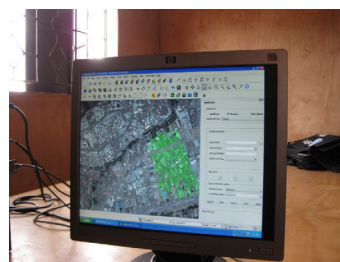
-
-   hilar approach/software by
-   . Cadasta foundation, FAO

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INTERNATIONAL EXPERIENCES

- Namibia
  - communal land rights in more rural areas, registered last decade
  - Informal settlements (often townships of apartheid era)
  - since late 1990s working on flexible land tenure system
    - 3 step approach to land rights
      - Starter title (locally recorded indicative area, part of larger block that itself is registered)
      - Land hold title (locally recorded with boundaries)
      - Full title (registered in national deeds register)

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INTERNATIONAL EXPERIENCES

Parallel registration of Flexible Land Tenure Rights

- FLT bill circulated for 10 years
- Now an Act, but regulations took again very long
- Pilot areas continued without legal frame over that time

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INTERNATIONAL EXPERIENCES

- Bottom up approach to land record keeping
- Upcoming version 2 of

  **Designing and implementing
  a pro-poor land recordation system**

- At community level keep records of land tenure as community sees it – start to link to national system in due course
- Often linked to specific 'project' (e.g. irrigation, upgrading)
  - Many people stay with **'halfway document'** ~ TOL, or documents of the process towards getting a FTE, without actually getting it
    - Formal (last) steps are too expensive (getting it and later transactions)

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- Gbawe Customary Land Secretariat (Ghana)
  - Keep own records
  - Liaise with formal land agencies
  - ..

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POSSIBLE SOLUTIONS

- Massive support for rolling out FTEs, but expensive for gov. and in future for landholders, OR
  - Introduce land records with (satellite or drone) images of areas with mainly TOLs a/o still undocumented at community/ward level
  - Use tool like STDM to also map (not survey) plots and that shows overlaps of claims
  - Get a community FTE for the area registered, and deal with individual households via local records

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POSSIBLE SOLUTIONS

- Engage communities with adaptation action plans
- Look jointly for solutions, where and how to access the land
- Try to negotiate relocation when needed
- Engage with customary landowners for land outside the municipal border for needed relocation
- Consider a land tool like Land Readjustment (swamping of parts of land within an area; pilot voluntary but consider a law later on)

- Compulsory acquisition is needed sometimes
  - after participatory process and against FAIR compensation, and as little as possible

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POSSIBLE SOLUTIONS

- It should always be fit for purpose
- Differences between areas, within areas, between people, within demographics, hazard types, etc.
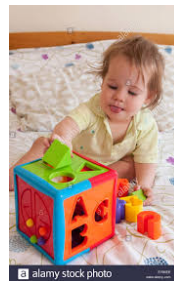
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THE TEN PRINCIPLES OF THE UNITED NATIONS GLOBAL COMPACT

Human Rights

1 Businesses should support and respect the protection of internationally proclaimed human rights; and

2 Make sure that they are not complicit in human rights abuses.

Labour

3 Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining;

4 The elimination of all forms of forced and compulsory labour;

5 The effective abolition of child labour; and

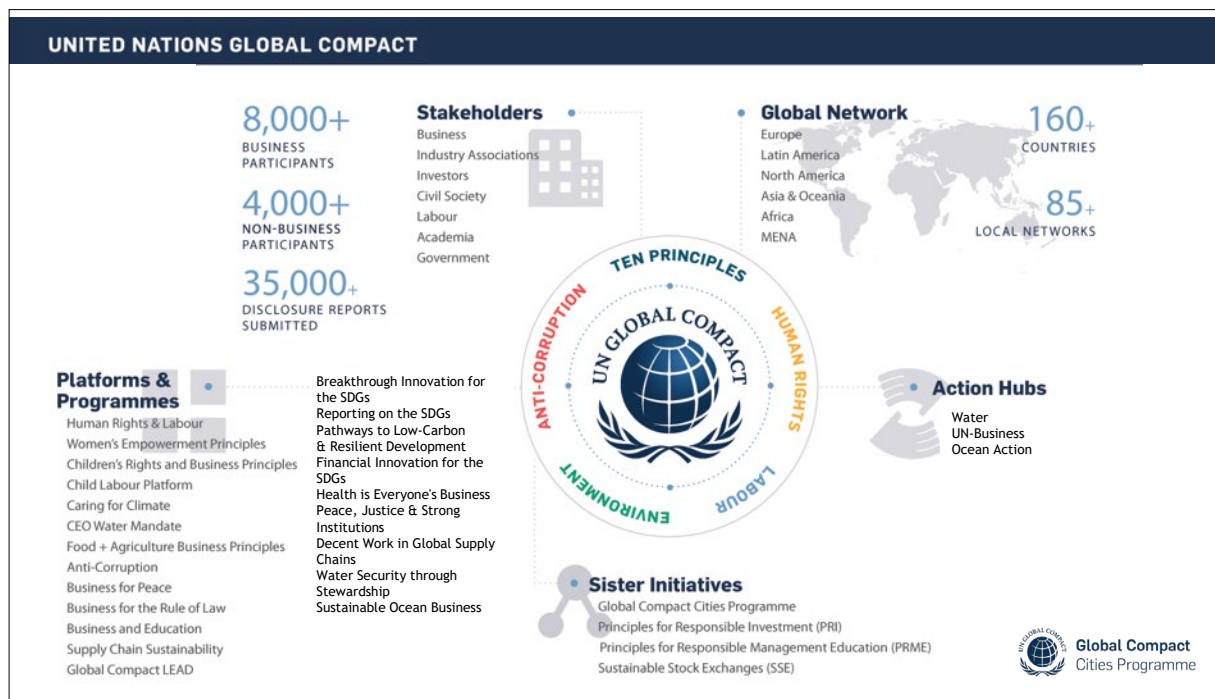**6** The elimination of discrimination in respect of employment and occupation.

Environment

7 Businesses should support a precautionary approach to environmental challenges;

8 Undertake initiatives to promote greater environmental responsibility; and

9 Encourage the development and diffusion of environmentally friendly technologies.

Anti-Corruption

10 Businesses should work against corruption in all its forms, including extortion and bribery.

———

The UN Global Compact's Ten Principles are derived from: the Universal Declaration of Human Rights, the International Labour Organization's Declaration on Fundamental Principles and Rights at Work, the Rio Declaration on Environment and Development, and the United Nations Convention Against Corruption.

Source: UN Global Compact Guide to Corporate Sustainability

Global Compact
Cities Programme

THE SUSTAINABLE DEVELOPMENT GOALS BY 2030

Global Compact
Cities Programme

ABOUT THE CITIES PROGRAMME

- Established in Melbourne (2003) by UN Secretary General approval

- Approach is based on the Melbourne Model of cross-sectoral collaboration between **business**, **government** and **civil society**

- 125+ signatory cities and regions in 29 countries

- The International Secretariat has been hosted by RMIT University in Melbourne since 2008:

  - Connecting cities with leading urban researchers and expert technical advice
  - Networking between cities and knowledge exchange
  - Capacity Development and facilitating cross-sectorial action through tools such as the City Scan, and programs such as the City Partnerships Challenge
  - Supporting signatory cities with their reporting to the UN Global Compact, the world's largest corporate sustainability initiative
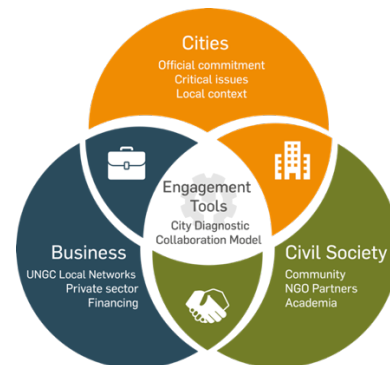
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Cities Programme

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asaki Compact –
partner with
industry
Kawasaki

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Cities Programme

WAYS TO PARTICIPATE IN THE UN GLOBAL COMPACT - CITIES PROGRAMME

1.

JOIN THE
UN GLOBAL COMPACT

The initial and foundation stage of becoming engaged with the United Nations Global Compact and its Cities Programme is to **become a signatory** to the United Nations Global Compact.

This commitment is made by the Mayor who on behalf of the city or region, **expresses commitment to advance the Ten Principles of the United Nations Global Compact and the Sustainable Development Goals**.

The municipal government is then required to **document its progress** on this commitment through submitting a Communication on Engagement [CoE] report to the UN Global Compact **every two years**.

There is **no cost involved** in joining the UN Global Compact for the city/municipality non-business category.

Image: COPEL community gardens project, Parana Brazil.

Global Compact
Cities Programme

WAYS TO PARTICIPATE IN THE UN GLOBAL COMPACT - CITIES PROGRAMME

2.

COMPLETE A CITY SCAN

The 'City Scan' diagnostic and reporting tool was developed as a response to cities' need for tools that provided a collaborative understanding of challenges to support decision making.

The tool measures the city against 157 challenges in three key areas: City Development, City Sustainability and City Governance. It generally takes 3 to 6 weeks to complete with the data gathering from multiple departments in the city or regional government.

The City Scan **helps** local and regional governments to **identify practice and policy areas with opportunities for improvement to achieve the Sustainable Development Goals and promote the UN Global Compact 10 principles**, and is also used as part of the City Partnerships Challenge Process.

City Governance	City Sustainability	City Development
Anti-corruption	Environmental Sustainability	Social Inclusion & Equality
Leadership	Water Management	Food Security
Transparency	Energy Security	Access to Employment
Accountability	Waste Management and Reduction	Education
Community Participation	Climate Change Mitigation	Access to Adequate Housing
Resources and Leadership	Climate Change Adaptation	Fair work
	Inter-generational Equity	Health & Wellbeing
	Resilience	Access to Mobility and Public Transport
		Public Safety and Security
		Social Care Services
		Community and Cultural Identity
		Sustainable Economic Development

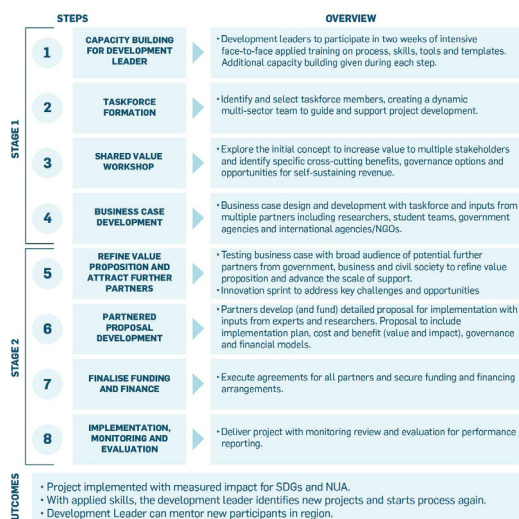

Global Compact
Cities Programme

3.

PARTICIPATE IN THE CITY PARTNERSHIPS CHALLENGE

A **two year capacity development, facilitation and coaching process for city and regional city governments** to produce people centred public private partnership projects to advance the SDGs and the New Urban Agenda.

What is required from participant organisations?

- **A dedicated Development Leader (2 days a week)** to be the focal point for the city and an executive level champion within the organisation to provide senior support and guidance throughout the two-year period.

- **USD$20,000 per year for two years.** This financial contribution can be reduced depending on supporting contributions from local, regional, national and international partners. This financial contribution is required for facilitation, capacity building, coordination of partners, research and student support services.
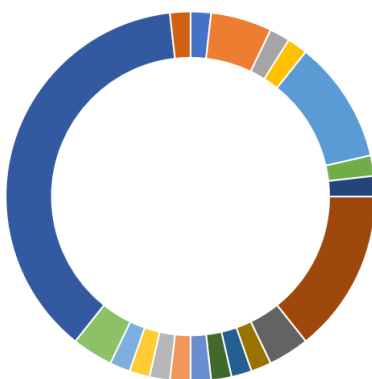

STEPS		OVERVIEW
1	CAPACITY BUILDING FOR DEVELOPMENT LEADER	• Development leaders to participate in two weeks of intensive face-to-face applied training on process, skills, tools and templates. Additional capacity building given during each step.
2	TASKFORCE FORMATION	• Identify and select taskforce members, creating a dynamic multi-sector team to guide and support project development.
3	SHARED VALUE WORKSHOP	• Explore the initial concept to increase value to multiple stakeholders and identify specific cross-cutting benefits, governance options and opportunities for self-sustaining revenue.
4	BUSINESS CASE DEVELOPMENT	• Business case design and development with taskforce and inputs from multiple partners including researchers, student teams, government agencies and international agencies/NGOs.
5	REFINE VALUE PROPOSITION AND ATTRACT FURTHER PARTNERS	• Testing business case with broad audience of potential further partners from government, business and civil society to refine value proposition and advance the scale of support. • Innovation sprint to address key challenges and opportunities
6	PARTNERED PROPOSAL DEVELOPMENT	• Partners develop (and fund) detailed proposal for implementation with inputs from experts and researchers. Proposal to include implementation plan, cost and benefit (value and impact), governance and financial models.
7	FINALISE FUNDING AND FINANCE	• Execute agreements for all partners and secure funding and financing arrangements.
8	IMPLEMENTATION, MONITORING AND EVALUATION	• Deliver project with monitoring review and evaluation for performance reporting.
OUTCOMES		• Project implemented with measured impact for SDGs and NUA. • With applied skills, the development leader identifies new projects and starts process again. • Development Leader can mentor new participants in region.

Global Compact
Cities Programme

City Partnerships

City EOI - Country Spread

CITY PARTNERSHIPS CHALLENGE 2018 EXPRESSIONS OF INTEREST

The City Partnership Challenge was launched globally in Kuala Lumpur, Malaysia in February 2018 during the World Urban Forum (WUF9) with the opening of an Expression of Interest process [EOI].

The response to the EOI process was impressive with 152 applications received internationally from cities in 59 countries by the November 2018.

The International Expressions of Interest for the City Partnerships Challenge is supported by the Danish Philanthropic Organisation, Realdania.

▪ Benin	▪ Kenya	▪ Senegal	▪ Somalia	▪ South Africa	▪ Tanzania	▪ Uganda
▪ India	▪ Nepal	▪ Haiti	▪ Spain	▪ Afghanistan	▪ Fiji	▪ Kiribati
▪ Solomon Islands	▪ USA	▪ Vanuatu	▪ Argentina	▪ Brazil	▪ Colombia	

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4.

BECOME AN
INNOVATING CITY

Innovating cities are local and regional governments who are completing multisectoral collaborative projects but are seeking further support to deepen their engagement and to promote and share their work with others.

Innovating cities and regions are **by invitation** and are recognised by the UN Global Compact – Cities Programme as **champions of best practice**. These cities lead by example, influence others through their practice, innovate and shape sustainable cities through collaboration and action.

Leeuwarden Water Campus
Leeuwarden, The Netherlands
• Multi partner innovation centre
• Aligned national, state and city governments
• Achieved shared value through collaboration
• Governance structures and process to progress partnered proposals
• Created special economic, social and environmental zones

The Sustainability & Citizenship Network
Vila Chocolatão, Porto Alegre, Brazil
• Development process for a cross-sectoral, participatory, collaborative network working with vulnerable urban communities
• Projects that addressed mapping, livelihoods, legal electricity, portable water, citizenship and care for children.

HOW TO GET IN TOUCH

For more information on the City Scan, the City Partnerships Challenge, Innovating Cities or the Cities Programme more generally, please get in touch with us.

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ARE YOU ATTENDING THE HIGH LEVEL POLITICAL FORUM?

Please get in touch to organise a time to meet with us and discuss how the Cities Programme can assist your city to advance the Sustainable Development Goals.

9 – 18 July 2019, New York

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http://www.fukuoka.unhabitat.org/info/news/puf.html