TRAINING PACKAGE: TRAINERS' GUIDE

TOOLS TO SUPPORT TRANSPARENCY IN LAND ADMINISTRATION

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United Nations Human Settlements Programme (UN-Habitat)
PO Box 30030, Nairobi 00100, Kenya
Tel: +254 2 623 120
Fax: +254 2 624 266
www.unhabitat.org
Photos by: UN-Habitat

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Principal authors:	Chris Paresi, Solomon Haile, Melissa Permezel, Seth Asiama, Wilbard Kombe, Jane Gold, Arbind Tuladhar
Co-authors:	Nfally Badiane, Roch Mongbo, Alain Bagré, Fidelis Kanyongolo, Augustine Mulolwa, Raynold Moyo, Lajana Manandhar, Reshma Shrestha, Buddhi N Shrestha, Muhammad Ayaz Raja Khan, Muzaffarabad, Salma A. Shafi, Shyamalie Perera, Trias Aditya and Floradema C. Eleazar
Coordinator:	Solomon Haile
Contributors:	Åsa Jonson, Remy Sietchiping, Danilo Antonio, Clarissa Augustinus, Jaap Zevenbergen
Editing:	Melissa Permezel, Petra Weber
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FOREWORD

'Tools to Support Transparency in Land Administration' is an important training manual with relevance and application for many in the land sector and beyond. Global trends reflect an increased desire by ordinary citizens for greater democracy and accountability in the governance structures, policies and resources that affect their everyday lives. Land is a globally recognized primary resource and has vital economic, cultural, environmental and social dimensions. Land administration represents an important public service and is a key public administrative institution in most countries. The land sector must therefore be part of global trends towards fairness and openness and strive, often against many odds, to develop sound and transparent administrative systems.

This training package 'Tools to Support Transparency in Land Administration' will strengthen the capacity of those working in the land sector to deliver robust and efficient land administration services. Importantly, the package provides practical information and practice-based Tools to Support and strengthen transparency in land administration in three ways: First, the training kit provides users with vital background information to enhance their knowledge on the impacts of corruption, the benefits of transparency and its relationship to the land sector. Second a range of flexible tools to facilitate and strengthen transparency and accountability are outlined. Third, a series of globally sourced, 'real life' case studies are included to help inform participants about corruption challenges in the land sector and encourage ideas for change. There are also a number of 'good practice' case studies that demonstrate how innovative approaches and tools can substantially improve transparency in land administration and promote good service delivery to citizens.

This Training Package, intended for government officials and state actors at large, thus provides many useful concepts, principles and tools for improving and strengthening local, regional and country level land administration systems. It is hoped that the practical nature of this training package will contribute to strong and equitable land administration systems in many countries and contexts and ultimately result in 'win-win' outcomes for all land sector stakeholders.

Dr. Joan Clos,
Under-Secretary-General of the United Nations,
Executive Director UN-Habitat.

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Tools to Support Transparency in Land Administration is one of the two outputs of the training program called 'Transparency in Land Administration.' A Trainers' Guide accompanies this publication in which training delivery methods and facilitation notes are set out along with a number of case studies.

The principal partners which came together to design and implement the training program and this publication are the Global Land Tool Network (GLTN) – an international land network hosted by UN-Habitat, Training and Capacity Building Branch (TCBB) of UN-Habitat and the Faculty of Geo-information Science and Earth Observation (ITC) of the University of Twente (UT).

The publication is the result of a concerted effort of a team of experts involved in implementing the Transparency in Land Administration training. It reflects their knowledge and experience acquired in the course of running two expert group meetings, six successive training sessions in Sub-Sahara Africa, South and South East Asia. The team involved in designing and implementing the training included: Jane Gold (formerly Polytechnic of Namibia [PoN]), Seth Asiama (Kwame Nkrumah University of Science and Technology [KNUST], Ghana), Wilbard Kombe (Ardhi University [ARU], Tanzania), Solomon Haile and (GLTN/ UN-Habitat), Arbind Tuladhar and Chris Paresi (ITC). These experts have written and rewritten various sections of the Toolkit and the Trainers' Guide.

Melissa Permezel, Solomon Haile and Chris Paresi coordinated the authors' contributions and also guided the editing of or edited the contributions.

A number of regional resources persons and practitioners have been involved in developing the case studies: Nfally Badiane (Environmental Development Action in the Third World [ENDA], Senegal), Roch Mongbo (Université Abomey-Calavi, Benin), Alain Bagré (Géomètre Expert Foncier, Burkina Faso), Fidelis Kanyongolo (University of Malawi), Augustine Mulolwa (National Remote Sensing Centre, Zambia), Raynold Moyo (Ministry of Lands, Zambia) Jane Gold (formerly PoN), Seth Asiama (KNUST) and Wilbard Kombe (ARU), Lajana

Manandhar, (Lumanti Support Group for Shelter), Reshma Shrestha (Kathmandu University), Buddhi N Shrestha (Former Director General, Survey Department of Nepal), Muhammad Ayaz Raja Khan (AJK Pakistan), Muzaffarabad (AJK Pakistan), Salma A. Shafi (Centre for Urban Studies, Dhaka, Bangladesh), Shyamalie Perera (Survey Department of Sri Lanka), Dr. Trias Aditya (Gadjah Mada University, Indonesia) and Floradema C. Eleazar (Planning, Monitoring and Evaluation Consultant, Philippines).

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TRANSPARENCY IN LAND ADMINISTRATION TRAINING PROGRAM

1. BACKGROUND

In all parts of the world, land is a highly complex and contentious issue, involving economic, social, political, cultural and often religious dimensions combined with a myriad of multi-layered administrative systems. Access to land is thus a highly political and politicised issue resulting in sharp differentiations between different groups and individuals. As spelled out in Article 75 of the United Nations Habitat Agenda, there is a strong link between land and poverty as the 'legal access to land is a strategic prerequisite for the provision of adequate shelter for all and the development of sustainable human settlements affecting both urban and rural areas. The failure to adopt, at all levels, appropriate rural and urban land policies and land management practices remains a primary case of inequity and poverty'. Land and land administration are thus critical elements in the wider risk of corruption and inequalities are very real in land allocation and management and it is the poor and other vulnerable groups who often bear the consequences of such inequalities. The consequences to the poor often take the form of limited access to land assets, limited knowledge of land policies and legal frameworks , ignorance about formal land transactions and prices, misallocation of land rights and vulnerability to land grabbing and abuse such as illegal evictions, intimidation and bribery.

When in place, transparency can encourage civic engagement and stakeholder accountability by rendering the public decision making arena more accessible and thus access to land more equitable. A transparent system also strengthens confidence in governments and public agencies, and has a positive economic impact such as growth in GDP and substantial reduction in the cost of doing business.

Developing tools in this area, however, without simultaneously developing capacity to implement them, is unlikely to create a sustainable impact. UN-Habitat and the Faculty of Geo-information Science and Earth Observation (ITC) from the University of Twente therefore agreed on a joint venture to enhance the capacity of those working in the land sector - to increase their knowledge and understanding of transparency through the design and conduct of a training programme on this topic.

This collaboration falls within the framework of Global Land Tool Network (GLTN), which identifies land management/administration as one of five key thematic focuses for attention and land tool development. It also builds on ongoing work by the Faculty of Geo-information Science and Earth Observation (ITC) from the University of Twente, (including the United Nations ITC School for Land

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