

Dear Bruce Moore:

I am responding to the email sent to me by GRET on the EU draft policy guidelines.

I think that what has been produced is an extremely comprehensive and thoughtful set of guidelines which I think may well be understood by generalists as well. Congratulations to the authors.

However, having said that, unfortunately what has been produced is 90 percent about rural areas and cannot be termed national land policy or a national land reform approach, and that this should be reflected in its title. While there are occasionally attempts to introduce urban issues, including the one paragraph in the front -this is not adequate as it leads the reader to believe that all the issues are covered, which in fact they are not. If there is no conscious balance between rural and urban in the creation of national land policy we can end up with situations where the rural lobby in land policy is strong enough to get a national policy through, and then there are problems implementing this 'national policy' in urban areas. This might well be true for example in Mozambique.

Here are some specific examples of what I mean by rural bias in the guidelines

1. The debate in urban tenure is about a continuum of rights with titling at one end of the continuum and a whole range of steps in between including political declarations by leaders, occupancy rights, adverse possession rights, anti-eviction rights -this is not touched in the guidelines.
2. The vast majority of examples given in text refer to rural examples and or to farmers or rural people.
3. There is a section on environment and land, but not on shelter and land, including slum upgrading -the key issue in urban areas next to servicing
4. There is reference to FAO, but not to UN-HABITAT, which has the UN system mandate for urban land (see sections 6.3.2 and 3.1).
5. Slum upgrading is not mentioned at all yet 2 billion people are expected to be living in slums by 2030, the majority of them being poor.
6. When mentioning key tenure issues in the tables, it is not noted that in Africa the majority of urban residents already live in slums.
7. 3.1.1 -it is noted that farmers are pushed off their land, but equally it happens in slums
8. 3.6 no mention is made when discussing local government, about the issue of cost recovery, which is a key issue in urban areas
9. 5.3 when discussing problems with titling -the key issue in urban areas is downraiding once areas have been titled

These are a few of the reasons why the present document should not go out as a land policy document per se but as a rural land policy document. An attempt should then follow to make it a guideline which covers both rural and urban areas, in the same mould of being comprehensive, authoritative and reliable.

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