

Pro-poor land tools: are they effective?

Three peri-urban case-studies from sub-Saharan Africa

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Introduction

History has proved that conventional land administration have not served the poor in sub-Saharan Africa. Therefore, pro-poor land tools have been designed and implemented. The research question is whether these tools do serve the poor as intended. This research focusses on peri-urban areas, highly dynamic areas under a variety of tenure regimes: statutory, customary and informal.

A land tool is a practical way to solve a problem in land administration and management. It is a way to put principles, policies and legislation into effect (UN Habitat, 2012). For this research, land tools are subdivided into legal and institutional framework tools, tenure tools and operational tools.

Methodology

An evaluation framework has been designed and is applied in three peri-urban areas. Each evaluation is based on a literature review and expert interviews regarding the legal framework, institutional framework and operational tools, together with semi-structured interviews with poor land holders regarding the tenure tools. A land tool is pro-poor when it is equitable, effective and efficient.



Main land tools:

- Housing (Statutory and Improvement Areas) Act
- Declaration of Improvement Area
- Occupancy license
- Conversion to leasehold

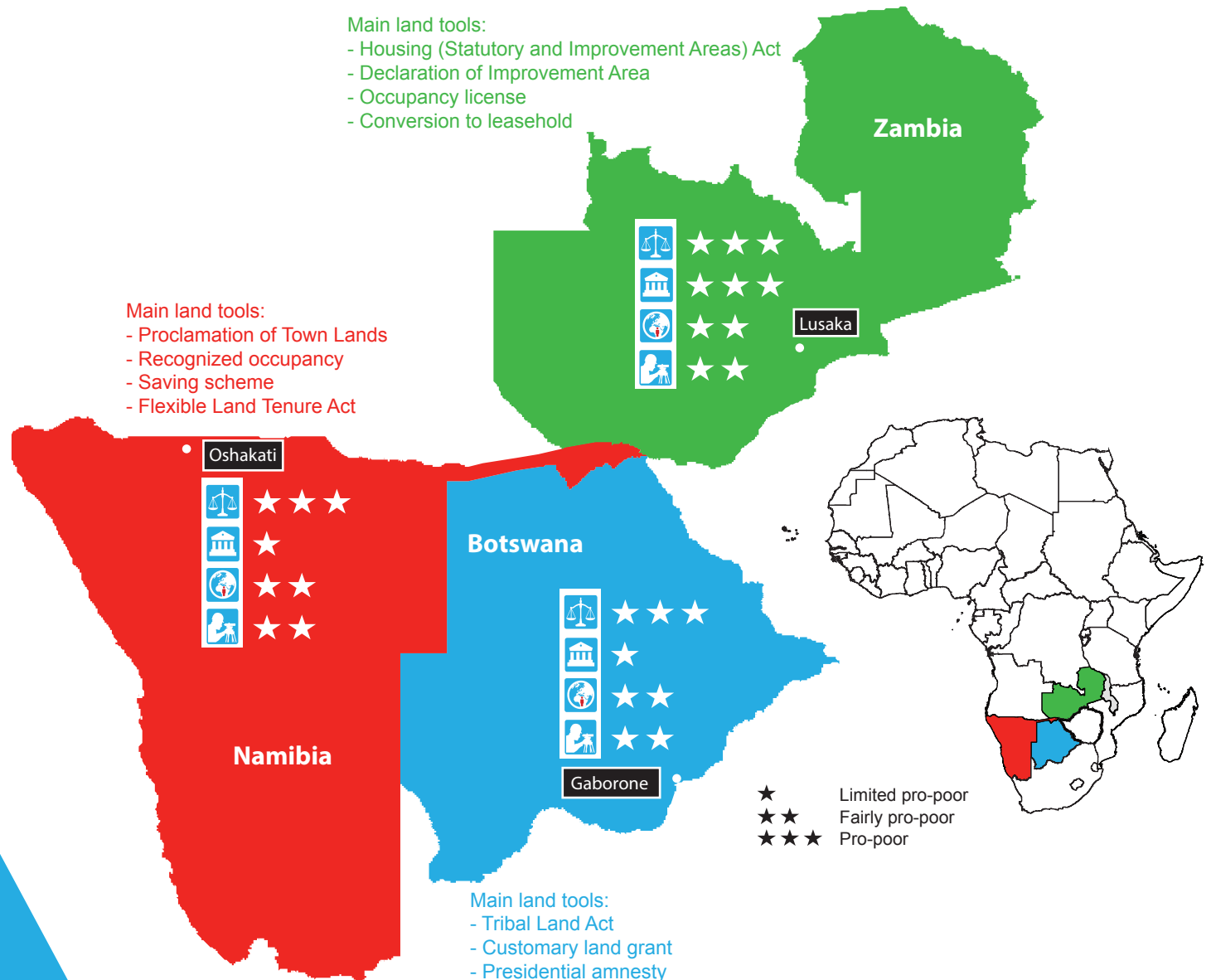
Main land tools:

- Proclamation of Town Lands
- Recognized occupancy
- Saving scheme
- Flexible Land Tenure Act

Main land tools:

- Tribal Land Act
- Customary land grant
- Presidential amnesty

- ★ Limited pro-poor
- ★★ Fairly pro-poor
- ★★★ Pro-poor



Conclusions and recommendations

Overall, land tools are fairly pro-poor. They are pro-poor with respect to legal recognition, upgradability, accessibility, to the occupational component of affordability and to simplicity. They offer, in comparison to conventional land tools, a limited degree of improvement of support for the poor, legal security and perceived security. Improvement of the tools is needed with regard to co-management, awareness (especially of the available land tools) and the capital component of affordability. Continuous implementation of pro-poor land tools in peri-urban areas is recommended, because they will contribute to the improvement of livelihoods of the poor.