



**GLTN**  
GLOBAL LAND TOOL NETWORK

*SECURING LAND AND PROPERTY RIGHTS FOR ALL*

## The Continuum of Land Rights Approach

Jean du Plessis, GLTN/UN-Habitat  
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## THE CONTINUUM OF LAND RIGHTS APPROACH

*“Recognising, Recording, Administering a variety of  
appropriate and legitimate land tenure forms”*

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## NEED FOR A PARADIGM SHIFT ON LAND

- GLTN was launched in 2006, continuum a central concept
- Concept emerged from a background of challenges on land
- A decade ago individual freehold title was being portrayed as the best or only option for land tenure security
- A framework was urgently needed to include the majority of world's citizens, particularly the poor, rural and urban
- Social tenures of the majority of people was not recognised or legally and institutionally supported
- This needed to change: a need for recognition that a number of tenure forms are appropriate, robust, effective, legitimate
- The concept of a "range of rights" necessary but not sufficient
- The continuum allows for migration between tenure types
- Need for legal regulatory environment, administration and land records systems to support

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## A CONTEXT OF TENURE INSECURITY

### **With globalisation, the world has seen**

- Increasing insecurity of tenure globally, reaching critical proportions
- 70 % of developing country populations outside formal register
- 1.5 billion out of 6 billion rights registered
- Sub-Saharan Africa: more than 60% of urban dwellers live in informality, and poverty
- Conventional land administration too expensive
- Problems of sustainability
- Cannot go to scale
- No recognitions of secondary rights, affordable group rights, etc.
- Need to develop affordable scalable approach – 'continuum'

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## A CRITICAL SITUATION IN MANY COUNTRIES

- Where they exist, formal, statutory records systems are in many cases cumbersome, inaccessible and out of date, even redundant



- Formal systems are also in most cases unable to record multiple, overlaying land rights inherent in many customary or traditional systems

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## THE BENEFITS OF ADDRESSING THIS

### Increased tenure security can:

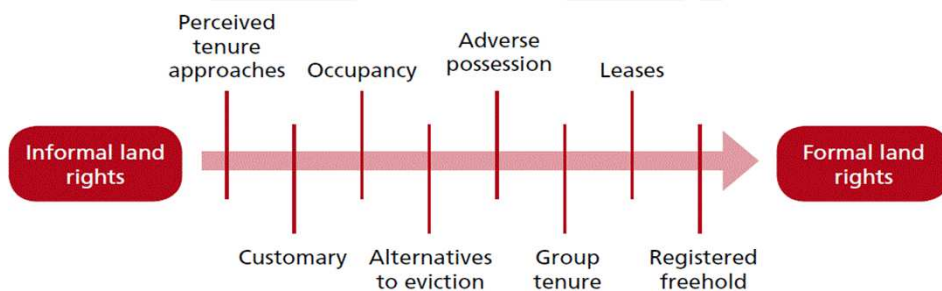
- Help overcome land, housing and livelihood inequalities
- Promote food security, entrepreneurship and development
- Facilitate provision of essential facilities, services and quality of life
- Reduce physical insecurity and conflict
- Reduce forced eviction, corruption, 'land grabbing'
- Overcome wide-spread discrimination against women
- Create options for youth

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## THE CONTINUUM OF LAND RIGHTS

- An alternative to just focusing on individual land titling
- Land rights seen as lying on a continuum between informal and formal rights
- In between these extremes lie a wide and complex range of rights



## REALITY ON THE GROUND

### The continuum concept recognises that:

- Tenure can take a variety of forms
- The various rights do not in fact lie on a single line, and they may overlap with one another
- Rights at the most formal end of the continuum should not be seen as the preferred or ultimate form of land rights
- They are one of a number of appropriate and legitimate forms; the most appropriate form depends on the particular time and context

See: *Handling land*, GLTN 2012

## GAINING GROUND: AFFIRMATION & APPLICATION

**Articulations of the continuum concept and approach increasingly evident in various forms (resolutions, statements, tools, programmes)**

### **Examples:**

- UN-Habitat Governing Council Resolution, April 2011 (GC 23/17)
- Land Governance Assessment Framework (LGAF)
- Namibian Flexible Land Tenure Act, 2012
- Voluntary Guidelines
- Social Tenure Domain Model concept
- Fit-for-Purpose Land Administration approach
- Etc.

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## MOVING FORWARD: GLTN TOOL DEVELOPMENT

**GLTN land tools** relate to the HOW of implementing pro-poor and gender-responsive land policies for tenure security

They are developed to accommodate and support the continuum concept and its in-country application

### **Land tool examples directly relevant to the continuum:**

- The Social Tenure Domain Model – to accommodate and record a range of different land tenure rights
- Participatory Enumeration Methodologies – generating land tenure information through a participatory process
- The Gender Evaluation Criteria – addressing gender issues in land management
- Etc.

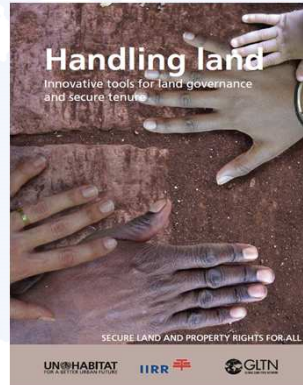
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## WANT TO KNOW MORE?

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