

SIERRA LEONE URBAN RESEARCH CENTRE PRO-POOR LAND RIGHTS AND INFORMALITY

Report prepared by Development Action Group
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FOREWORD

Land in urban areas in Sierra Leone is generally scarce. However, nearly forty percent of the country's population currently live in such places. Over one-third of this urban population lives in Freetown. As the population of Freetown continue to grow within a limited land area, much of the development seems to be chaotic leading to the deterioration of living conditions in many places. Access and affordability of land are among the major problems currently faced with the poor and marginalised groups usually being the most hit. Urban sprawl, signified by the proliferation and expansion of informal settlements is a clear indication of the inadequacy of conventional land management approaches in ensuring the effective and sustainable use of land in the city. Already, a significant proportion of land in Freetown is not registered since they do not meet the requirements for conventional land registration processes. This has caused major problems for most city residents who lack tenure security and are therefore, continually faced with threats of eviction including, such other problems as getting connected to water and electricity supply.

Over the years in Freetown, land administration has been based largely on conventional approaches which rarely consider the tenure situation of informal settlements (especially slums) which concentrate most of the urban poor. This is in spite of the increased incidents of disasters reported in such places. However in 2015, the government introduced a new National Land Policy which was developed in line with a Spatial Development Plan proposed in the Freetown Structure Plan (of 2014). This policy provides a framework for safeguarding tenure and rights for land users including streamlining and modernizing its delivery and sustainable use. To show case its commitment, the government has developed a policy implementation plan for attaining the land reform objectives. A key feature of all these documents is the recognition that land management and urban planning are two inseparable activities that should be used to ensure the inclusive, equitable and sustainable development of cities in Sierra Leone. The documents reflect one of SLURC's thematic objectives, that, giving the complex links between the rapid urbanisation of Freetown and the recent rise in disaster incidents, there is need to rethink not only the way we plan space for housing and infrastructural development in the city but also the approaches we use to ensure tenure rights and security.

The pro-poor land administration system proposed in this report is to offer an innovative pathway to be applied alongside conventional approaches in the management of land through inclusive processes based on the wider ideals of good land governance. The approach is the outcome of a pro-poor land rights workshop facilitated by the Development Action Group (DAG) in South Africa with insights drawn from an earlier workshop on Neighbourhood Planning delivered by Architecture San Frontières in the UK. Both workshops organised and held by SLURC in Freetown, involved the training of a wide range of participants to carry out quick analysis of the problems and challenges in selected neighbourhoods in Freetown and to clearly identify the aspirations of residents that should be addressed. This involved the participants working with slum dwellers in the selected communities, to identify their needs and aspirations; understand the physical and spatial attributes of the settlements, determine the existing capabilities of residents including the carrying capacity of the space, and; to understand the development trajectories they prioritise for their communities based on the needs and aspirations earlier identified.

The pro-poor land rights approach is one that emphasises the need for city authorities to recognise a continuum of land rights based on new and innovative pro-poor forms of land recordation. This is owing to the prospect it offers for new forms of tenure thereby making land tenure systems work for poor and marginalised people. The pro-poor land right approach is proposed because of the deficits of conventional approaches in improving security of tenure of land especially for people living in informal settlements. The situation of the poor is critical because it is they who can rarely afford the means to acquire land with secure tenure and in safe places. Unfortunately, the needs of these people have usually not been addressed through existing conventional land administration practices thereby increasing their exposure to further disaster incidents.

Joseph M Macarthy (PhD),
Co-Director, SLURC



INTRODUCTION

CONTEXT

The Sierra Leone Urban Research Centre (SLURC) contracted Development Action Group (DAG) to facilitate a five day participatory action learning course on Pro Poor Land Rights and Informality 20-24 February 2018. The aim of the course was to strengthen the capacity of the Sierra Leone Urban Research Centre and partners including local/ national government and civil society stakeholders and community leaders to implement a programme of pro poor land rights in two informal settlements in Freetown, in turn significantly enhancing the security of tenure for households against eviction, unlocking community and household agency to incrementally formalize the settlement and improve service delivery. The training course formed part of a larger neighbourhood planning programme with two informal settlements in Freetown, namely Cackle Bay and Dwazark. This programme was initiated in 2017 and will be completed in April 2018 with the aim for local authorities to adopt the two plans for upgrading.

Background and Context

Secure access to land for housing and human settlements in Sierra Leone's capital Freetown is one of the most contentious issues, especially for the urban poor. Freetown has experienced rapid increase in the urban population due to population growth and migration. This has led to increased population density and with it congestion, and overcrowding. The failure of the Government to control land use has led to undesired and irrational developments with many informal settlements having encroached into environmentally high risk areas, placing vulnerable households in the way of natural hazards such as flooding, landslides and fires. There are also inadequate protective mechanisms to prevent "land-grabbing" and over the years there has been an increase in land and boundary disputes (McCarthy, J. 2018).

The dominant narrative in Sierra Leone has not been one of recognition of informality and as such households are seen to be occupying land illegally and are therefore at risk of eviction and relocation, often with significant impacts for local livelihoods. According to SLURC, evictions have been increasing significantly in the last five years in part related to the lack of willingness to either administratively or legitimately recognize informal settlements. This in part is a result of weak land administration and management owing to weak capacity within the Ministry (McCarthy, J. 2018).

In the absence of a functional cadaster in Freetown, there are challenges in the administration of land which has direct implications for the surveying and registration of informal settlements and households.

In many instances the boundaries between informal settlements is negotiated between local chiefs and community leaders. The National Ministry of Lands, Country Planning and the Environment is responsible for overseeing the transactions of urban land, but in the absence of a functional cadaster supported with a decentralized planning authority there are many cases where a parcel of land has been sold to multiple owners which subsequently had to be resolved in court. Four years ago an attempt was made to develop a land cadaster, but soon thereafter the local office was destroyed in a fire.

In 2015 a new Land Policy was introduced by the Ministry of Land. According to SLURC they are seeing a new level of opportunity to work with officials on the development of a local Land Administration system which is transparent, equitable and participatory (Government of Sierra Leone, 2015).



OBJECTIVES

The aim of the course was to strengthen the capacity of the Sierra Leone Urban Research Centre and partners including local/ national government and civil society stakeholders and community leaders to implement a programme of pro poor land rights in two informal settlements in Freetown, in turn significantly enhancing the security of tenure for households against eviction, unlocking community and household agency to incrementally formalize the settlement and improve service delivery. The course focused specifically on the processes and procedures in designing and implementing community land administration – based upon a continuum of land rights (GLTN). The principles include affordability, inclusive, participatory and pro poor.

The course used a mix of participatory action learning methodologies, including one day of field work as well as formal lectures to ground the theory and praxis, drawing from DAG and international best practice examples. Participants were encouraged to learn through action, including testing tools and methodologies in one of the SLURC partner informal settlements. By the end of the community leaders, specifically would have the ability to build the capacity of the grassroots to initiate and participate effectively in land tool processes. The aim was to strengthen community capacity in both technical-related knowledge and individual and collective empowerment. A critical component of the success of the capacity building process was the overall empowerment of a community which is highly grounded in community mobilization as well as the quality of community leadership – and the external environment including legal, social and political environment.

The course also provided the wide variety of participants an opportunity to reflect on current practices in land management in a facilitated space, in turn providing a space to influence the strategic implementation on the new Land Policy and develop locally appropriate settlement action plans and city wide programmes on community land administration and pro poor land rights. Lectures were delivered by both SLURC and DAG.



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PARTICIPANTS

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Thirty eight participants from local government, communities, NGOS and students formed part of the participatory action learning course. Programme partners include the community leaders from eight informal settlements in Freetown, Ministry of Land, Ministry of Housing, local NGOS, academics and professional associates.



To understand participant expectations and frame these in relation to the programme and course's intended outcomes, participants listed their expectations as part of a facilitated group exercise.

The expectations of the course, most frequently raised were "I want to learn about community land administration", "I want to gain more knowledge so that I can implement it in my community" and "I want to learn about things I don't know now or haven't heard before".

Interestingly most participants also insisted on receiving a certificate at the end of the programme. There were also expectations expressed that were not intended to be covered in the course content e.g. Land and agricultural investment. Facilitators clarified that this would not be addressed specifically but that it may be something that SLURC may want to address at a later stage. These issues were listed on the "Parking Lot".

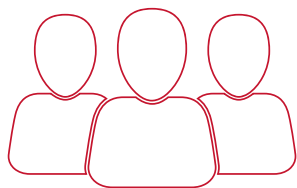
To create an environment conducive to facilitative engagements as opposed to formal, desk-bound academic tuition styled learning, participants set ground rules and agreed-upon workshop behaviour.

These were 'Contracted into' by every participant affirming their consent with a show of hands. If participants did not raise their hands in agreement, plenary discussions sought to resolve all misunderstandings, etc.

The overwhelming majority proposed the rule that "We should not laugh at others' contributions / respect others' views" and "Cellphones on silent". Other rules referred to respecting time and being specific and not grandstanding comments by having long preambles when making a point". Two participants felt the need to include "No thinking with eyes closed (sleeping)" as rule for the week!

EXPECTATIONS/ CONTRACTS

PROGRAMME OVERVIEW



DAY 1

Knowing yourself

Knowing your
neighbourhood

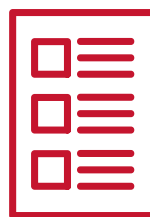
Tenure security
and land rights:
Concepts



DAY 2

National Land
Policy

Community Land
Administration:
International Best
Practice Toolkit



DAY 3

Community Land
Administration:
tools

Fieldwork



DAY 4

Institutional
Arrangements

Community Action
Plan



DAY 5

Group
Presentations

Way forward

NATIONAL POLICY CONTEXT

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Dr Joseph Macarthy delivered a lecture on the Sierra Leone National Land Policy (2015). The new Land Policy seeks to address the current chaotic situation in the land sector by putting in place a system that ensures the attainment of more effective and just land tenure system and making the land administration system more effective, transparent, just and fair towards all citizens.

The National Land Policy makes a lot of policy statements relating to:

- access to land and tenure rights,
- land use planning and regulation
- the management of special land issues,
- land administration structures, and
- land laws

One of the key aspects of the policy is that it outlines appropriate measure to be undertaken by the Government

- facilitate planning of land found to be suitable for human settlement;
- ensure that land subject to informal settlement is developed in an ordered and sustainable manner;
- formalize and facilitate the registration of squatter settlements found on public and community land for purposes of upgrading or development;
- develop, in consultation with affected communities, a slum upgrading and resettlement programme under specified flexible tenure systems;
- put in place an appropriate legal framework for eviction based on internationally acceptable guidelines

According to Joseph Macarthy, despite these policy commitments there are a lot of ambiguities regarding tenure security. This is for a number of reasons, including that the state has little control of urban land uses in Freetown; in spite of the frequent clean ups it undertakes. In the Western Area, the present demand for land could not be also fully satisfied because there is just not enough land to satisfy the existing and increasing demand. Lastly, in Freetown, insecurity of tenure and land grabbing are among the main factors which forces people into slums including the proliferation of informal settlements.

To deal with the difficulties associated with squatters and informal settlements, the Land Policy states that government shall:

- take an inventory of squatters and people who live in informal settlements;
- determine whether land occupied by squatters is suitable for human settlement;
- where informal tenure to land exists, the Government should acknowledge it in a manner that respects existing formal rights under national law...
- promote policies and laws to provide recognition to such informal tenure.

However, the implementing strategies does not explicitly recognise 'informal' landholding. That is, it does not clearly recognise statutory, customary and informal means of holding land.



TENURE SECURITY

CONTINUUM OF LAND RIGHTS

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"Land tenure is the relationship, whether legal or customary defined between people (individuals or group) and land. Land tenure defines how rights to land are allocated and managed. They define how access is granted to rights to use, control and transfer land" Global Land Tool Network (GLTN, 2003)

Why is tenure security important?

In a working group session participants were asked to explain why tenure security is important to them:

- Secure tenure means that people/ groups of people who use the land have clear long term rights to the land and they don't have to worry about being arbitrarily evicted.
- Builds the confidence and provides access to finance to investing, physically, socially and economically
- Reducing vulnerability and disaster risks
- Provides a 'sense' of ownership which fosters upgrading/ development
- Provides a family legacy
- Improves local livelihoods and could also be used to generate income through lease/rental or sale
- Prevents land grabs as there is clarity over who has rights to use the land and in turn reduces conflict

The Federation of International Surveyors (FIG, 2013) and the United Nations Centre for Human Settlements define tenure security as:

- (i) Protection against eviction
- (ii) The possibility of selling, and transferring rights through inheritance
- (iii) the possibility(of having a)... mortgage, and
- (iv) Access to credit

CONTINUUM OF LAND TENURE TYPES AND SECURITY OF TENURE

The UN – Habitat Continuum of Land Tenure Types and Security of Tenure was introduced to participants. It was explained that this is a step by step or incremental process of securing tenure rights for the urban poor and is a “first step enabling land reform and secure land and property rights for all” (Du Plessis, 2017). It is therefore useful to understand how various land rights types exist along a continuum from a pavement dweller to free hold ownership, keeping in mind that these rights do not lie along a single line and they may overlap. By doing so one can broaden the scope of legal rights, which means that cities can recognise other various tenure types and systems besides only free hold ownership and/or just simply things as they stand (status quo of no recognition) (GLTN, 2018).

- Participants were explained that the rights along the continuum may be the following:
 - documented or undocumented,
 - formal as well as informal,
 - legal vs extra-legal,
 - secure vs insecure,
 - de facto vs de jure,
 - for individuals and groups, including pastoralists and residents of slums and other settlements
- It was further explained that land rights are shaped by both statutory and customary traditions rules, known as tenure rules, which define the rights to use, rights to sell, mortgage or donate.
- **Statutory systems** refer to formal legal systems that are determined and defined by national, regional or municipal or international conventions – often defined as formal (Kingwell, R. 2017). Example, title deed.
- **Customary systems** are defined by traditions, cultural norms, religious or cultural systems that determine how land is allocated, managed or inherited. These rights may not be consistent with the statutory laws and regulations systems - often defined as informal and not registered in the form statutory systems. (Kingwell, R. 2017)

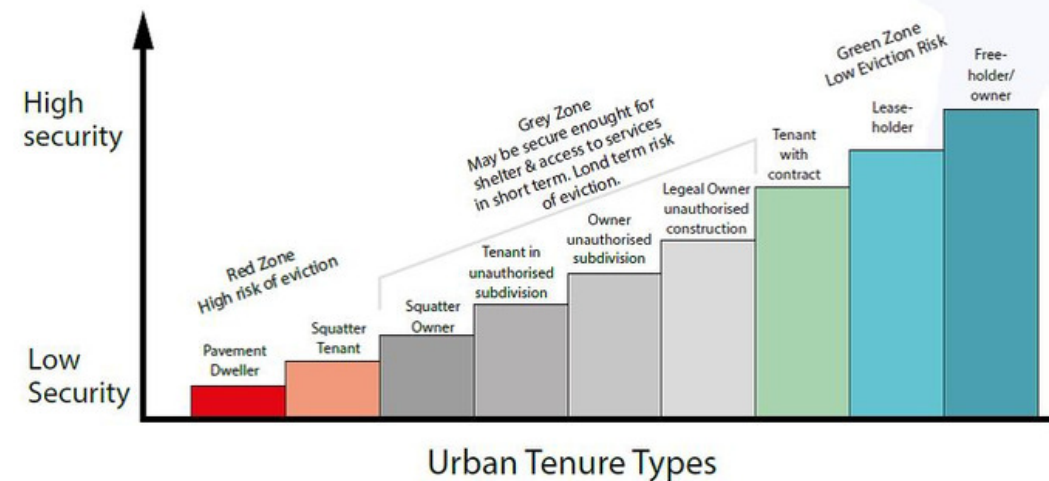
Legal / de jure tenure security - the legal status of tenure and its protection backed up by state authority

Perceived tenure security - an individual's or group's experience of their tenure situation or their estimate probability that their land rights will not be lost

De facto tenure security - the actual control of land and residential property, regardless of the legal status in which it is held (the length of time of occupation, its socially accepted legitimacy, the level and cohesion of community organization)

(Payne, 2012)

Figure 1: Continuum of Urban Tenure Types and Tenure Security Zones²



2 Adapted from Payne, G., A. Piaskowy and L. Kuritz (2014). USAID: Issue Brief: Land Tenure in Urban Environments.

TENURE TYPES

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PERCEIVED DE FACTO TENURE

The provision of basic services to the area by a local authority – leads to some form of de jure tenure.

No individualized rights, but could be protected under anti eviction law

ANTI-EVICTION LAWS

Many countries globally have developed anti eviction laws – supported through Habitat International Coalition (HIC)

In South Africa private property owners cannot arbitrarily evict households without the provision of access to alternative accommodation – TRA. This was following the Grootboom Judgement.

Protection Action Eviction Act (PIE) also states that informal structures cannot be demolished if occupied and within 48 hours

In the case of privately owned land options for the state to lease are possible, but only if the titles are not cloudy.

ADVERSE POSSESSION

“Adverse possession refers to the acquisition of property rights, through occupation of the land without any opposition, for a period prescribed by law.

Adverse possession applies to both private and public property (Imparato:1999; Dale:1976)”.
Adverse possession is also known as ‘squatters’ rights.’

It is a useful tool to signal that informal settlements are part of the city.

Problem is that this does not allow for transfer/ inheritance.

CUSTOMARY LANDS

This involves the acquisition of land from “customary owners” through subdivisions etc often of land once rural, but now urbanized

Often the title deed of the “customary owner” is held nationally.

Some countries consider customary leaders to be outside of the formal and legal governance structures.

GROUP TENURE

Community based/ area based land tenure provides a group of people with the right to occupy the land, but is not linked to individual subdivisions.

In this case the land is owned communally, and managed by an institution such as a cooperative. Including land administration rules.

The legal institution can grant occupancy rights, lease agreements or other rights to individuals or groups.

TITLES or DEEDS

Formal individual ownership provides individuals with title to an erf and requires a commissioner of oath to formalize the sale/transaction.

The owners have the right to sell, mortgage, bequeath, lease and to use the land how they see fit (within the limits of the law, including planning law)

The individual owner is also liable for paying rates and taxes on the land, which in poorer communities can be problematic.

Legal form of ownership registered in the cadaster.

Payne, G. 2000

GROUP EXERCISE

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Participants were asked to work in groups of seven to locate themselves on the tenure continuum, describing their current tenure security.

TYPE	STATE OR PRIVATE LAND	DEGREE OF TENURE SECURITY	DOCUMENTATION
Informal Settlement - owner/De facto	State Land	Low - red zone	None
Informal Settlement - owner/De facto	State Land	Low - red zone	None
Unauthorised subdivision tenant with contract	Private Land	Medium - grey zone	Invoice payment of monthly rates account
Tenant with contract	Private Land	High - green zone	Lease agreement
House - freehold with unauthorised extention	Private Land	High - green zone	Title deed
House - Freehold title	Private Land	High - green zone	Title deed

Land Ownership Types in Sierra Leone

National Land: the total portion of land which makes up the nation state of Sierra Leone.

State Land: land owned by the state and which, the president or the minister of Lands administer on behalf of the state

Public Land: land reserved strictly for and is managed by the government. It can be made accessible to the public at large

Private Land: land owned by private individuals and other corporate entities.

Community Land: land owned by a community in any of the provinces and administered mostly by customary law.

Family Land: land owned by a family and administered by family head under customary law.



COMMUNITY LAND ADMINISTRATION

COMMUNITY LAND ADMINISTRATION

“Even when titles or deeds have been issued and formally registered, land transactions or transfers may not be systematically recorded, or are recorded in registers that are not properly kept or updated” (GLTN, 2003).

Overview

Most informal settlements have not been formally recognized and as such households are seen to be occupying land illegally and are therefore at risk of eviction and relocation. Globally 75% of the world's population do not have access to formal systems to register and safe guard their land rights (Du Plessis, J. 2017). This means that individual ownership is far removed from the realities of the urban poor.

If we are to integrate the poor into cities, we need to consider a wider range of tenure options that are more accessible, affordable and can provide households more secure tenure incrementally. The aim is to incrementally upgrade your tenure security over time whilst also accommodating ALL TENURE OPTIONS - including formal, informal and customary rights. In Sierra Leone there is a real opportunity to introduce land reforms – made possible through the new Land Policy (2015) and now with increasing pressure from the international community. It means that government with the help from communities, can build the technical and administrative procedures over time and within their own resources vs large scale sweeping reforms (GLTN, 2016).

The advantages of an incremental approach are described by Urban Landmark (2010) as the following:

- Government has time to develop the technical capacity to insitutionalise new approaches
- Allows time to sort out many social dynamics and claims to land ahead of settlement upgrading
- Sensitive to the needs to poor people
- Social processes and transactions are more transparent
- Makes the urban land market work better for the most vulnerable

Registered Land Rights

“Registered” land rights refer to the rights to land that are recorded and registered in the deeds registries and offices of the Surveyor Generals, according to the national cadastre and the existing national property legislation (Kingwell, R. 2017).

Cadstre will include a spatial descriptions of land-parcel boundaries (location, shape and size of land parcels). They also contain a unique parcel identifier to establish the link to the land-ownership information. When maintained in a real-time manner, cadastral maps can serve as the base for a reliable property rights system. (Kingwell, R. 2017)

Recorded Land Rights

Recorded” land rights refer to rights that are recorded in a locally administered land administration system, which is not yet covered in national legislation. This systematic recording of these rights would be referred to as a “land records system” to distinguish it from the land registration system. Such locally recorded and administered rights have been used historically, with the most pervasive example being PTO certificates. These can also be verbal (Kingwell, R. 2017).

“Community land administration is not simply a mapping and registration process - it must involve the strengthening of local institutions and leadership, foster participation and accountability through local by-laws, supported ideally by enabling national legislation”
- (DAG)

SOCIAL TENURE DOMAIN MODEL

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Social Tenure Domain Model (STDM) was developed by the Global Land Tool Network (GLTN) with support from a network of over 75 organisations, including surveyors, lawyers etc. The STDM has already been implemented in over 5 countries. It is an affordable pro poor land tool which goes beyond only registered land rights (often limited only to freehold title) to include the recording the other tenure options (found along the continuum). It is based on an open and free software package and can complement existing government systems. The best example of the Namibian Flexible Land Act. This use of the STDM has been effective in the management of tenure rights for informal settlements and high rise buildings (GLTN, 2003).



In Namibia three types of tenure – Flexible Land Tenure Act (2012) (GLTN, 2003)

- 'Starter title' evidenced by a certificate.
- The conditions of title/deed include perpetual right of occupation of a site within a block and the right to transfer the site subject to customary or group restrictions.
- This right has no spatial extent except relative to the block.
- This type of title/deed can satisfy low order tenure security needs, protect people from eviction and give occupants secure inheritance rights.
- This certificate could be upgraded to a 'landhold title' also evidenced by a certificate, but for rights in perpetuity for a specific site and with most of the rights of freehold.
- This could be upgraded to freehold (1998:21).

**TOWARDS
DEVELOPING A
COMMUNITY LAND
ADMINISTRATION
SYSTEM >>>>>**

GUIDING PRINCIPLES/ PRACTICE

COMMUNITY LAND

ADMINISTRATION

<p>Principle 1</p> <p>Inclusive “Leave no one behind” means that everyone has to be included.</p>	<p>Principle 2</p> <p>Capacity Development Developed in a participatory process.</p>	<p>Principle 3</p> <p>Accessible Affordable and accessible to the urban poor</p>	<p>Principle 4</p> <p>Partnership</p>
<p>Principle 5</p> <p>Realistic Time bound process with a clear plan and continuously monitored.</p>	<p>Principle 6</p> <p>Learning Process Internal learning and external sharing to support contextually appropriate replication.</p>	<p>Principle 7</p> <p>Teamwork Team involved has to be committed, willing to work hard and especially work as a team.</p>	<p>Principle 8</p> <p>Technical Support</p>
<p>Principle 9</p> <p>Sustainability Especially in terms of local ownership.</p>	<p>Principle 10</p> <p>Transparent</p>	<p>Principle 11</p> <p>Effective Communication Effective communication which builds trust between actors.</p>	

GROUP EXERCISE

TOWARDS DEVELOPING A COMMUNITY LAND ADMINISTRATION SYSTEM

Participants were asked to describe the broad processes steps towards developing a community land administration system. To inform this workshop activity, participants were shown a video on the use of the Social Tenure Domain Model (STDM) in Uganda.



1 DATA COLLECTION

In a participatory way with local residents undertake a household survey/ enumeration with the aim of understanding the family, household head and tenants social relationship to the land.



2 ADVOCACY TOWARDS PARTNERSHIPS

Identify and lobby stakeholders and roleplayers towards local agreements/ social compacts to develop a local CLA system. Some of these stakeholders may include: local chief, Ministry of Land, etc



3 LAND RECORD WITH RIGHTS

This could include issuing Occupancy Certificate. Included within this step is the launch of the land record.



4 ADMINISTRATIVE PROCEDURES AND RULES

Developing in line with local community by laws the procedures and rules to support the local management of land, including transfers, encroachment/boundaries.



PARTICIPATORY ENUMERATION AND MAPPING


Overview

Participatory enumeration is a data gathering process which is, to a significant extent, jointly designed and conducted by the people who are being surveyed. It's the process of collecting information from each structure in the settlement. This is done by going from door to door and asking specific questions from each family. The questions range from information regarding the family and their education to information concerning their living environment.

- Strengthened acceptability and legitimacy of the process by local communities through tapping local knowledge
- Trust and confidence by all parties
- Effective utilization of existing competencies and resources
- Quality of information gathered
- Fewer disputes among local residents and between communities and authorities
- Effective responses to local conditions and priorities
- Opportunities for further engagement between the community and authorities.



SUMMARY OF PARTICIPATORY ENUMERATION AND MAPPING

A decorative graphic consisting of ten black chevron symbols (>) arranged horizontally at the bottom left of the page.

STEP ONE: PLANNING AND CONSULTATIONS

1 Community planning meeting

A meeting and discussion is arranged to share the purpose and objectives of enumeration with the whole community and initiate dialogue and participation between all parties. This should be a public meeting, welcoming to everyone, and should be well advertised in advance.

The representatives from the community to be enumerated as part of the training programme (Cockle Bay), affirmed that the community members were aware of a pending enumeration process. They had notified all stakeholders including the Chief of the process that would be undertaken the following day – specifying that this was a sample exercise aimed at building capacity before the ‘real’ enumeration is undertaken.

2 Establishing teams

The enumeration process requires an Organizer; Enumerators from the community and Enumerators from other communities (to agree on which information is compiled); an Independent reviewer (e.g. a partner or municipal official. The independent reviewer who was not part of the process will make sure that the process makes sense) and a data capturer.

3 Training enumerators

This is an important part of the process as it will ensure that the data collected is accurate and can be verified. Ensure that all enumerators understand exactly what is meant by each question so that they are able to explain it in simple terms to the community residents.

4 Compiling the questionnaire

The team will agree on which information is required from residents. It's important that the questionnaire is not just ‘copied and pasted’ from a different community's process as you may need to find information that is specific to your community. Remember it's best to have all the questions now than to re-do the entire enumeration process at a later stage.

During the training course, participants devoted considerable time to agreeing on what the questions should be. The Cockle Bay leaders led the process as they were acutely familiar with the context.

STEP TWO: STRUCTURE AND NUMBERING

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1 Community rough mapping

To enumerate well, you need a rough idea of what your area is like. Rough mapping is a process which records a community's geographic, social and economic features. It can also be a useful tool to identify specific issues that affect a community

During the training course, aerial photographs were utilized to outline the settlement and block boundaries as well as to identify the sequencing of data collection.

4 Numbering of structures

A lead team goes through the settlement numbering all the buildings. The team members note each one and its use on a form

In training, each of the 3 teams identified persons who would lead ahead with the numbering of structures, those who would conduct the interviews and those who would measure the structure and located it on the aerial map. A site-based "Head Quarters (HQ)" or Site Office was established where teams could debrief, request assistance / materials or plan next steps.

2 Enumeration team allocation

The next step is to allocate enumeration teams for each area. Think about the size of the area to be covered and what size team will realistically be needed to cover it. The team should be representative of the community or area that is to be enumerated. Ideally people from each area (section, street, block, etc.) will volunteer

During the training course, participants were divided into 3 teams each led by a leader residing in the Cockle Bay community.

5 Mapping

The numbers on the forms matches the numbering of the structures. This numbering will assist in linking the information to the GIS mapping later on. Aerial photographs are used to divide the settlement into blocks, and each block is then mapped with reference to the household survey. The mapping exercise also involves measuring all the structures and producing a combined community map.

3 Launch

Once everything is ready, the enumeration can be launched at a public meeting where the results of the rough mapping can be shared and a detailed plan and a schedule for the enumeration can be arranged.

STEP 3: DATA COLLECTION

The enumeration team(s) go house to house with the questionnaires and measuring plots and house sizes. They will need pens, questionnaires, aerial photographs and tape measures to do this. They will also need to introduce themselves to senior members of the household and explain what the enumeration and the survey is about.



STEP 4: DATA CAPTURE

The information is compiled into a Community Record and/or a settlement Profile. This is a formal document that summarizes all the important information about the residents, their social relationship to the land and the state of the built environment and the quality of the services provided to the settlement.

STEP 5: DATA VALIDATION AND UPDATING

Verification

Once collected, data should be checked for standardization and any errors or omissions. In any data-collection process, errors occur. Respondents may be absent, not have the correct information at hand, decline to answer certain questions, or deliberately mislead the interviewers. Enumerators may fill in forms wrongly or mislay papers. The completed survey forms can be checked at an enumeration and area team meeting and community members can assess and compile the data. Incomplete or disputed information may need to be recollected.

Updating the information

Like food, information is perishable – it has only a limited shelf-life before it is outdated. This is especially true in informal settlements, where people move frequently, and tenure situations may change rapidly.

Each household checks its own information, and other members of the community can verify that the information given by their neighbours is correct. Any mistakes are corrected.



STEP 6: ANALYSIS OF LESSONS

Report preparation

A detailed documentation of the enumeration findings (graphs, charts and narratives) may be prepared and shared with the community. The consolidated data can be used by the settlement in future negotiations and demands for resources and recognition of rights. Once the enumeration process is complete it will be helpful for the team involved, and the wider community, to consider what has been learned from the process.

This evaluation can be recorded and used if the process is repeated or shared with other communities.

The implementation of the action plan should also be monitored and evaluated.

TOWARDS LOCAL GUIDELINES ON PARTICIPATORY ENUMERATION AND MAPPING



WHAT WORKED?

- Teambuilding / Teamwork
- On arrival, we assessed the community (some participants were not familiar with community)
- Met with the chief – he gave permission to carry out the activities
- We had all the required tools (maps, questionnaires)
- We set up a control centre
- Identified the first structure
- Enumeration, mapping, number structuring, measuring all worked



WHAT DIDN'T WORK?

- Not everyone worked as a team (some team members left the area of work)
- Did not stick to timeframes
- First structure was an unfinished structure – could not complete questionnaire
- Respondents did not want to give personal and sensitive info
- Respondents were not available
- Respondents did not want to give community historical info



WHAT WOULD YOU DO DIFFERENTLY?

- Proper teamwork (each member does allocated tasks)
- Before enumeration we must ensure that all members of the enumeration team must be familiar with the community – through enumeration.
- Focus group with chief first
- Focus groups with local households, including owners, landlords and tenants before undertaking the enumeration
- Community should be informed well in advance of the enumeration (at least a week before)
- Need to more sensitization with the community before the enumeration
- Strong mobilization of both enumeration teams and communities required before process starts
- Need to have a bigger enumerator team
- Proper training on map reading. Mapping skills needs to be improved (reading and interpreting the map)



WHO ELSE NEEDS TO BE INVOLVED?

- Chief
- Councilor
- Ward Committee
- CBOs
- Youth leaders
- Religious leaders



COMMUNITY ACTION PLANNING

COMMUNITY ACTION PLANNING

Community Action Planning is a term used for the participatory process of identifying key issues and agreeing on priority projects in a community. The aim is to empower communities to design, implement and manage their own upgrading projects. It is community-based, problem-driven and designed to create policies from the grassroots level. Participants were introduced to the following important concepts/terms to support the development of their community action plans:

OUTCOMES

Indicate what your desired outcomes are regarding the “target” selected. What do you want to accomplish in regards to your “target”? What do you want your “target” to do concerning your issue?

STRATEGIES

A strategy is the design of the campaign combined with an analysis of power relationships. Strategy is about shifting the relationship between you and your target with the outcome of gaining support for your issue. Often the idea of a strategy is confused with the word tactic. Tactics are the individual steps in carrying out your strategy. What strategies will you take to meet your desired outcomes created above?

RESOURCES

What resources in and out of the community can you call upon to help you reach your “target”?

GOAL

Now review the above; what is the ultimate goal you want to achieve?

Framework for developing a Community Action Plan

- Goal (why and what do you want to see in the end?)
- Who (target) be specific
- What activities
- When (timeframes)
- How (methodology)
- Resources



CITY WIDE PROGRAMME

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Goal – By 2020 the slum dwellers in partnership with the Freetown Municipality will launch a city wide programme on Right to Stay in informal settlements

Target – Ministry of Land, country planning and environment. Office of National Security (ONS) and Sierra Leone Urban Research Centre (SLURC)

ACTIVITIES	TIMEFRAMES	WHERE	HOW	RESOURCES
To mobilise and sensitive slum dwellers in all the informal settlements	Feb 2018 – Dec 2018	All slum communities in the city	Meetings Focus group discussions (FGD) Media – print and electronic	Mega phones and community people
Capacity building	Sep 2018 to Feb 2019	All slum communities	Training workshops	Stationary Finance Expertise (SLURC, CODOHSAPA and FEUP)
Partnerships and signing MOUs	Feb 2019 – April 2019	Central government, NGOs, INGOs and local government	Dialogue Forums Seminars	Finance Stationary
Taking records/ registration eg structure, land size	April 2019 – Jan 2020	All slum communities	Enumeration mapping and services	GPS Questionnaires Community People Phone

COMMUNITY ACTION PLAN - COCKLE BAY

Goal – To improve tenure security for residents of the cockle bay communities by 2021

Target – The cockle bay community; Stakeholders: the local chiefs, councilors, religious leaders, CBOs, disaster management committees, police partnership board, ONS, FCC, EPA, NPAA, Ministry of Lands

ACTIVITIES	TIMEFRAMES	WHERE	TOOLS	RESOURCES
Meeting with land users to determine current tenure status	3 meetings April to June 2018	Community barray	Template for tracking tenure status	Megaphones, community hall
Radio discussions to lobby for tenure rights	June to December 2018	3 radios stations (AYV, Star and SLBC) once every week		Money for airtime
Training of data collectors and mappers	Jan 2019	Collegiate School hall		Money for hall rental, facilitators lunch and transport allowances
Mapping survey to determine land use (quantum of land allocated to social services)	Feb to April 2019	Cockle Bay	Questionnaire, GPS, tape, rules etc	Data collectors, GPS and questionnaire
Consultations with state authorities to discuss the benefits of tenure rights to community	Mar to June 2018 Separate meeting with various parastatals over a three month period	Meeting rooms and halls		Money for hall rentals
Registration of all properties into a database	July 2019 to January 2020	Cockle Bay	Registration tool/ matric	Data collectors, GPS, questionnaires
Re-demarcate land for social services	Jan 2020 to June 2020	Cockle Bay	GPS	GPS, land surveyors

NATIONAL POLICY REFORM

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Goal – By 2023, government has recognized the continuum of incremental tenure security approach in the local land administration and management

WHY	TARGET	ACTIVITIES	TIMEFRAMES	METHODOLOGY	RESOURCES
<ul style="list-style-type: none"> Minimise eviction Minimize neighbourhood conflict Improve livelihoods Proper community planning and upgrading Guarantee occupancy right Control land grabbing Improve community participation Community stability and security 	Slum dwellers Local authorities Councilors/ ward committees FCC MP Director of Land, Survey, Housing and Ministry of Land Director of survey Director of Housing and Country Planning Relevant NGOs and INGOs CSOs Media Political parties ONS EPA NPPA	<ul style="list-style-type: none"> Review existing land policy Develop position paper Advise government on land policies Involvement of councilors/ ward committees Capacity building of councilors and ward committees on policy implementation 	By June 2018 review existing land policy	<ul style="list-style-type: none"> Consultation with policy lobbyists, policy makers and relevant state officers Desk review of Land Policy Consultations with state Community engagement and sensitization Seminars and campaigns Talk shows 	<ul style="list-style-type: none"> Technocrats, policy experts, policy lobbyists and policy makers Finance Time
Commentary <ul style="list-style-type: none"> Land Policy (2015) is progressive and so the issue is not policy reform, but in how the policy is strategically implemented by government There is an opportunity now to influence the approach to policy implementation 					

EVALUATING THE PROCESS

EVALUATION

The importance of continual evaluation as a key component of the training course was demonstrated through the inclusion of dedicated evaluation and reflection sessions each morning. Various tools were used to elicit participants understanding of concepts covered in the training as well as the implementation of the theory into practice.

On day two, participants were requested to list (in writing) their responses to the questions 'I know', 'I don't know' and 'I'm unsure'. On subsequent days, participants responded to reflection questions including 'I liked', 'I didn't like' and 'I need more information on...'

Facilitators prioritized the technique of peer learning during the 'Reflecting on my Learning' sessions. Participants who felt confident in their understanding of concepts and processes were encouraged to describe these (in the local dialect) to participants who were still unsure or did not understand at all.

The final evaluation on day five occurred in the plenary setting through a process of facilitated discussion. All participants indicated that their knowledge about the topic of Community Land Administration has shifted and that they had gained tremendous amounts of information that they were not previously aware of. Participants expressed appreciation for the strong emphasis on consistently ensuring that 'no one is left behind' with regard to understanding the course content which was achieved through the daily reflection sessions.

Participants liked the inclusion of 'Knowing myself' as part of the training. A unanimous sentiment was that this part of the training was not anticipated but that they appreciated the opportunity to reflect on their personal growth as leaders. Another common reflection was the appreciation for the concerted efforts at demystifying technical concepts and information in easy-to-understand language. Participants immensely enjoyed the opportunity to 'test' and implement the content discussed in the training course, in practice. Hence, the opportunity to undertake enumeration exercises in a community was highly valued and the key reason for their escalated understanding of the content of the course.

Participants also recommended that future training programmes are scheduled for a longer period of time. Five days were too short a period for participants to grapple with all the new information and demonstrate their understanding and skills in the implementation of the learning. More time (additional days) spent on-site was also strongly advised.

Despite acknowledging the attempt by the organisers to ensure that content was understood by all (by allocating SLURC staff to co-facilitate the training), some participants mentioned that it is preferable to have the course presented in participants' local dialect.

RECOMMENDATIONS

A key recommendation was that SLURC should have a follow-up training programme to deepen participant's competencies after they've had the opportunity to implement the various components of Community Land Administration (including the roll-out of an enumeration process and the compilation of a communal land register).



PARTICIPATORY TOOLKIT

TOOLS

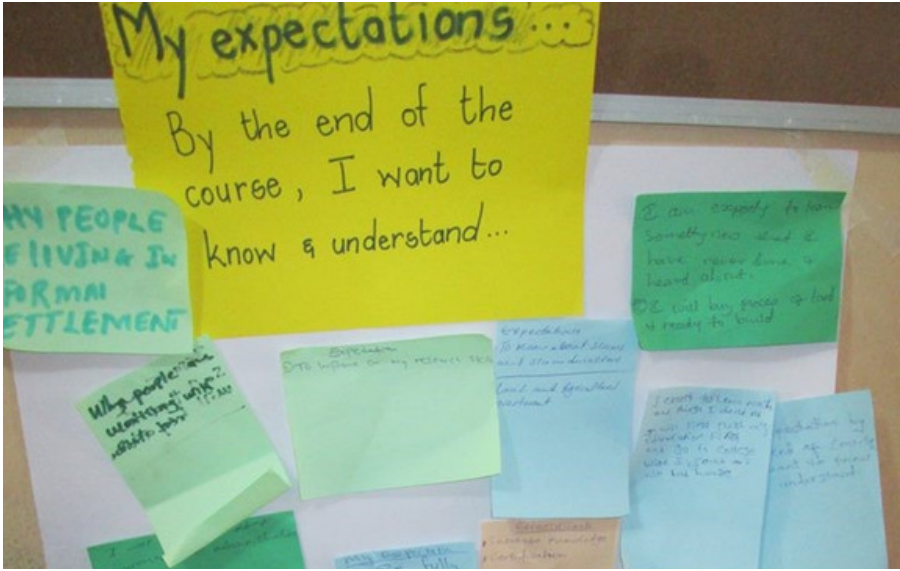
EXPECTATIONS AND OVERVIEW

SUMMARY LEARNING OUTCOMES

- Know and understand what the training course will cover and which topics will not be addressed
- Understand and demonstrate participatory engagement as a part of the learning process

MATERIALS

- Projector for a pre-prepared presentation (see attached)
- Pre-prepared flash cards: 4 Bus Stops (any categories can be used e.g. age, most frequently used mode of transportation, fluency in how number of languages, marital status, etc.)
- Name tags, flipcharts, markers, post-it's / sticky notes, prestick
- Attendance Register
- Pre-prepared flipcharts for:
 - Parking Lot- Expectations (By the end of the course I want to know and understand...)- Contract (To make our learning experience meaningful, we agree to...)



HOW TO

Guide participants in understanding the “4 Bus Stops”. As they are guided to a Bus Stop, ask them the following questions:

1. Turn the person next to you and tell them about where you are from and what your leadership role is in your context.
 2. What are your expectations of the training course this week? What do you want to know and be able to do by the end of the training course? Write your expectations on the sticky notes (one expectation per note).
 3. If you won a million dollars tonight, what would you buy first?
 4. In order for you to achieve the best possible outcomes of this programme, how would you like to work alongside your colleagues in the programme? What are the ground rules that we are setting for ourselves?
- Ask participants to record their responses to questions 2 and 4 on sticky notes. Paste these on the pre-prepared flipcharts for Expectations and Contracting.
 - In plenary, discuss the expectations and confirm whether these will be addressed and during which section of the programme.
 - Specify which expectations are not an intended component of the programme, but could be addressed if there is time – paste these on the Parking Lot flipchart

FACILITATOR NOTES

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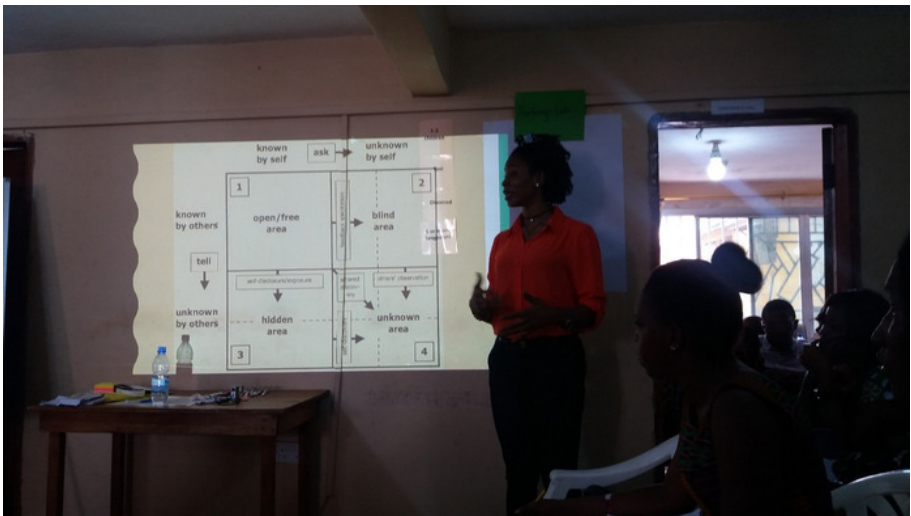
Getting to Know Yourself

SUMMARY LEARNING OUTCOMES

- Understand myself as a leader
- How the Johari's Window can be utilized to better understand and trust colleagues / partners.
- Understand the concepts of Feedback and Self Disclosure and its importance in effective communication.
- Know and understand the 4F (Feedback) Model.

MATERIALS

- Projector for a pre-prepared presentation (see attached)
- Pre-prepared flash cards depicting the 4F Model
- Flipchart and markers



HOW TO

Guide participants through the 4 quadrants of the Johari Window, explaining how each quadrant impacts on the effectiveness of our communication with others. It is also a tool to help group members (e.g. in Community Based Organization's) to better understand and trust one another:

The Johari Windows is made of four regions or quadrants:

- **Open Self** – What others know about you and you know too.
- **Blind Self** – What others know about you, but you don't.
- **Hidden Self** – What others don't know about you, but you do. It's your secrets.
- **Unknown Self** – What others don't know about you and you don't either.

Guide participants through the process of giving feedback by explaining the 4F (feedback) Model

1. Facts – What actually happened
2. Feelings – How did you feel about it?
3. Further investigation – What is the story / judgment you have?
4. Future actions – How do you intend to move forward?

FACILITATOR NOTES

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TOOLS

TENURE SECURITY

SUMMARY LEARNING OUTCOMES

- Participants understand and are able to apply tenure concepts in their own context
- Participants are capable to using the continuum of land rights
- Course facilitators are able to develop a taxonomy of tenure types in their municipality



MATERIALS

- Flipcharts for each group
- Copy of the continuum of land tenure security

HOW TO

Ask participants to work in groups of 6 people per group to answer the following questions:

- Locate yourself on the tenure continuum
- Describe the settlement/neighbourhood that you live in – explaining whether it is located on private, customary, state, national or public land
- Do you have any documentation giving you legitimacy to live on the land?
- Has your tenure security changed over time?
- Why are informal settlements in Freetown experiencing tenure insecurity?

FACILITATOR NOTES

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TOOLS

SUMMARY LEARNING OUTCOMES

- Participants understand the steps involved in developing a Community Land Administration System
- Participants jointly develop the principles of a Community Land Administration System
- Participants are introduced to the Global Land Tool Network and the Social Tenure Domain Model

MATERIALS

- Flipcharts for facilitator
- Video Social Tenure Domain Model Zambia
- Speakers



HOW TO

Step 1: In a plenary discussion ask participants the following questions:

Q1: What do we use the household enumerations and mapping for?

Q2: So if you want to secure the tenure rights of the Cockle Bay residents what should you do next?

Step 2: Screen the video on the STDM implementation in Zambia and ask participants to work in groups to answer the following questions:

Q1: Ask participants to describe what they saw in the video around community land administration (start by reminding them that the process started with enumeration and mapping).

Write down all feedback from participants asking them for local examples to Cockle Bay to elaborate on the steps

Q2: Ask participants to rank in order which activity comes first, second etc

Step 3: Ask participants to list the key principles

FACILITATOR NOTES

[illegible]

REFERENCE LIST

REFERENCE LIST

1. Architecture Sans Frontiers - UK, 2018. Change by Design: Participatory Design and Planning. How can Neighbourhood Planning bring about Inclusive City Making in Freetown, Workshop Report January 2018.
2. Bradlow, B & Shack Dwellers International, No date. Towards a Pro-Poor “Agenda For Change” Opportunities and Experiences of Slum Policy and Practice in Sierra Leone
3. Centre for Dialogue on Human Settlement and Poverty Alleviation (CODOHSAPA) & Federation of Urban and Rural Poor (FEDURP), 2011. Community Led Enumeration and Profiling: The State of 11 Coastal Slums in Freetown, Sierra Leone. In Collaboration with Freetown City Council.
4. Development Action Group, 2015. Participatory Planning for Informal Settlement Upgrading
5. Du Plessis, J, 2017. Global Land Tool Network - Social Tenure Domain Model: A Pro Poor Land Recordation System. Presentation: Learning Exchange on Land in the Arab States, Beirut Lebanon.
6. Du Plessis, J, 2017. Global Land Tool Network – The Continuum of Land Rights Approach and the Promotion of Secure Land and Property Rights for All. Presentation: Global Land Tool Network, Nairobi Kenya.
7. International Federation of Surveyors (FIG), 2013. The Social Tenure Domain Model: A Pro-Poor Land Tool. United Nations Human Settlements Programme (UN-Habitat). FIG Publication No 52.
8. Global Land Tool Network, 2008. Secure Land Rights for All. Nairobi, Kenya.
9. Global Land Tool Network, 2003. Handbook on Best Practices, Tenure Security and Access to Land
10. Global Land Tool Network, 2010. A training package Improving gender equality and grassroots participation through good land governance. Nairobi, Kenya
11. Global Land Tool Network, 2016. Framework for Evaluating Continuum of Land Rights Scenarios: Securing Land and Property Rights for All. Nairobi, Kenya
12. Global Land Tool Network, 2018. Tools. Access to Land and Tenure Security. GTLN website
13. Kingwell, R, 2017. Land Governance Transformation Network: Key Concepts. Internal Working Paper.
14. National Upgrading Support Programme, 2017. NUSP Resource Kit, Part 4 Surveys. Registration and Security of Tenure. NUSP website
15. UN Habitat, 2004. Pro Poor Land Management: Integrating Slums into City Planning Approaches. Nairobi Kenya.
16. UN Habitat A Concise Introduction to the Handbook. Nairobi, Kenya.
17. UN Habitat, 2013. Tools to Support Transparency in Land Administration. Training Package: Trainers Guide. Nairobi, Kenya.
18. Urban Landmark, 2010. Incrementally Securing Tenure: An Approach to Informal Settlement Upgrading in South Africa.
19. Payne & Associates, 2000. Urban land tenure policy options: titles or rights?. Habitat International 25 (2001) 415-429
20. Payne. 2012. Land tenure and property rights: Globalisation and managing urban land and housing markets. Powerpoint.
21. The Government of Sierra Leone: Ministry of Lands, Country Planning and the Environment, 2015. Final National Land Policy of Sierra Leone. Version 6.
22. Violence Prevention Through Urban Upgrading (VPUU). Part D: Case Studies: Enumeration Process Monwabisi Park. Cape Town.

IMAGE REFERENCE LIST

Tenure Security

1. Development Action Group, Hangberg informal settlement
2. Groundup, Blikkiesdorp
3. Natasha Medeiros, Zones of Special Interest (ZEIS). Brazilian favela
4. Land Portal, Sierra Leone
5. Development Action Group, Illinge Labahali Housing Cooperative Cape Town
6. Development Action Group, PHP Project Cape Town
7. <http://www.monitor.co.ug/Magazines/HomesandProperty/land-tenure-home/689858-2619680-iv4ifmz/index.html>

Community Land Administration

1. Violence Prevention Through Urban Upgrading, Monwabisi Park