

# **Critical Issues with Social Tenure Domain Model in Tenure-Responsive Land Use Planning in Okahandja, Namibia**

**Jennilee KOHIMA, Namibia, John GITAU, Kenya, Cathrine MARENGA, Malcon MAZAMBANI and Uchendu CHIGBU, Namibia**

**Key words:** Social Tenure Domain Model, Tenure-Responsive, Land Use Planning, Informal Settlements, Okahandja, Namibia

## **SUMMARY**

Informal settlements, often characterized by inadequate housing, limited access to basic services and precarious living conditions, continue to be a significant urban challenge in many parts of the world. These settlements are typically marked by land tenure insecurity, which hinders residents' rights to their homes and exacerbates their vulnerability. This paper explores the Social Tenure Domain Model (STDM) as a potential land information system tool in Namibia to improve tenure security in informal settlements through the case of Okahandja Municipality. Through the use of both primary and secondary data involving a comprehensive review of literature, policy frameworks and community engagements, this paper sheds light on the multi-faceted nature of informal settlements and the significance of tenure security within the broader context of urban development and equitable housing. The findings underscore the need to prioritize tenure security as an essential component of sustainable and inclusive urban management. It is evident that insecure tenure leaves residents of informal settlements vulnerable to displacement or forced evictions. The STDM serves as a vital tool for land information management for low-income to ultra-low communities in smaller local authorities. It is also a tool that aids local authorities to keep record of all land information on informal settlements in a central repository. The application of STDM in Okahandja gives incorporates a spatial reference to the existing right to land occupation certificates issued by the municipality. Land information that is spatially linked, with parcel clearly identified and linked to occupants, creates an opportunity to ease of land management and facilitates effective informal settlement upgrading. Tenure security ultimately helps in improving the living conditions and rights of residents in informal settlements while giving them a sense of belonging and contributing towards social cohesion.

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## 1. Introduction

Land delivery is a pressing issue in developing countries which has become a national development priority. Namibia is part of the countries that has been working on land reform programmes and legislation to address the unequal and skewed distribution of land from the colonial regime. Thirty years after independence, Namibia continues to face land administration challenges. Moreover, Namibia is a rapidly urbanizing country, in 2018, 50% of the Namibian population lived in urban areas (de Sagte, 2021) and is predicted to be 70% urbanised in 2030 (Muller, 2018). This urbanization is largely linked to rural-urban migration and an increase in the urban growth rate.

Okahandja, one of the fast-growing urban areas. The town has a sensitive history when it comes to land ownership which has an influence on the allocation of resources. Okahandja is located in the Otjozondjupa region in Central Namibia about 70km from the capital city of Windhoek (see **Figure 1**). The last census reported that the urban population of Okahandja increased from 18 071 people in 2001 to 24 451 in 2011 (NSA, 2011, p. 10). The locality of the town attracts more people due to its easy accessibility to the capital city for access to better services. This growth increases the demand for resources and services available in Okahandja such as land, housing, infrastructure, and public services. The working population is largely depended on wages and salary through government institutions, business activities, farming and social grants. The residents are attracted to Okahandja by its affordable lifestyle, job opportunities and many other urban pull factors. The town currently has a high low cost/affordable residential land demand as the informal area continues to grow thus, requiring more residential land. There are cases of land grabbing and illegal land invasion reported in the town at the urban periphery.

This paper is based on a pilot project aimed at addressing tenure security in informal settlement upgrading interventions by implementing *Tenure-Responsive Land Use Planning (TR-LUP)* integrating the *Social Tenure Domain Model* and *Participatory Enumeration*. This was possible through a partnership between Okahandja Municipality, the Namibia University of Science and Technology (NUST) and the Namibia Housing Action Group/Shack Dwellers Federation of Namibia (NHAG/SDFN), with the support of the Global Land Tool Network (GLTN) – United Nations Human Settlement Programme (UN-Habitat). The project further sought to support TR-LUP through land data that is spatially connected to occupants with clearly identified

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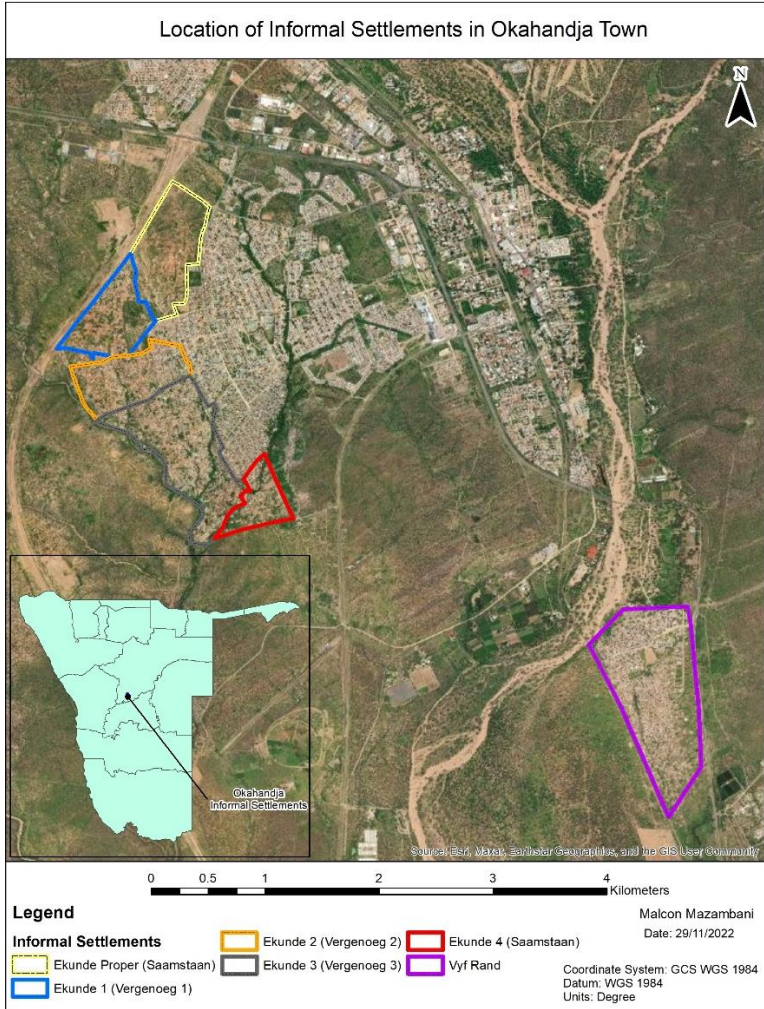
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parcels as an effective approach for tenure security through the issuing of land rights certificates.



**Figure 1: Location of Informal Settlements in Okahandja**

**2. Okahandja Informal Settlements**

Okahandja’s informal settlements are a concerning phenomenon because communities have limited access to services. They travel long distances to access health care, educational institutions, and shopping centers. The inadequate sanitation makes communities especially children vulnerable to viruses such as Hepatitis E. Poverty flourishes in informal settlements and this creates an environment for crimes and violence as people are in desperate need for survival. According to the profiling data, there is an estimated 22 357 number of people in Okahandja’s six informal settlement, namely Ekunde Proper (Saamstaan), Ekunde 1

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(Vergenoeg 1), Ekunde 2 (Vergenoeg 2), Ekunde 3 (Vergenoeg 3), Ekunde 4 (Saamstaan) and Vyf Rand, with continuous erection of new shacks due to lack of preventative mechanisms in place. Table 1 gives an overview of the demographic information of each informal settlement in terms of the number of households, average household size and total population.

*Table 1: Demographic Profiling Results*

Informal Settlement	Demographic Information		
	Household	Average Household	Population
Ekunde Proper	503	7	3521
Ekunde 1	700	6	2778
Ekunde 2	463	6	4200
Ekunde 3	536	4	2144
Ekunde 4	357	5	1428
Vyf Rand	1307	6	8286
<b>Total</b>	<b>3866</b>	<b>5</b>	<b>22357</b>

*Source: Okahandja local CLIP team*

Communities want their rights recognised and protected. This is the major development need in all six settlements as illustrated in Table 2. Moreover, the need for electricity, access to water, housing, sanitation and institutions top the priority list of the communities.

*Table 2: Development Priorities of the Community*

Informal settlement	Community Priorities				
	Priority 1	Priority 2	Priority 3	Priority 4	Priority 5
Ekunde Proper	Tenure security	Water/ drainage	Sanitation	Mobile clinic	Pre- School
Ekunde 1	Tenure security	Electricity	Water/ drainage	Housing	Sanitation/ sewage
Ekunde 2	Tenure security	Water/ drainage	Electricity	School	Mobile clinic
Ekunde 3	Tenure security	Water/ drainage	Housing	Electricity	Sanitation/ sewage
Ekunde 4	Tenure security	Electricity	Water/drainage	Sanitation/ sewage	Housing
Vyf Rand	Tenure security	Housing	Electricity	Water/ drainage	Sanitation/ sewage

The Okahandja Municipality does not have an informal land inventory system. The lack of this data makes it challenging for planning, decision-making and policy implementation and overall land management and administration. This affects service delivery to these settlements, but most importantly, access to affordable land and tenure security in informal settlements. The main issues identified in the settlements is that owners of the shacks (housing structures) do not reside there but in other towns. Moreover, Okahandja Municipality stated that whoever is found

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at the shack will be considered as the owner regardless of agreements made by the person who claims to own the land. This creates further challenges which might lead to conflict.

Okahandja Municipality embarked on an initiative which include the registration of households and issuance of certificates of acknowledgement of recognition of land occupantion by residents in informal settlements, previously known or referred to as Permission-To-Occupy. However, it was discovered that there is no system in place to store the certificates, monitor the issuance of these certificates as well as to perform regular updates for purposes of recordation. This is the gap the Social Tenure Domain Model is envisioned to close. The motivation and the long-term plan of Okahandja Municipality regarding the issuance of these certificates is unclear.

### **3. A Framework for STDM and TR-LUP Initiatives**

The Social Tenure Domain Model (STDM) is a conceptual framework designed to address issues related to land tenure and property rights (GLTN-UN-Habitat, 2015). It aims to provide a standardized way of representing information about land tenure in a socially inclusive manner through addressing complex issues. In situations where informal or customary land tenure systems prevail and traditional documentation is lacking, the STDM is particularly beneficial. It acknowledges and accommodates the diversity of land ownership and usage practices. Furthermore, it serves as a valuable tool for governments, NGOs, and communities to manage and understand land tenure in sustainable way. STDM aids in addressing conflict in relation to land tenure and land use while supporting effective land governance through its transparency measures.

During the pilot exercise in Okahandja, it was evident to witness community participation in the documentation of land tenure information jointly with the local municipality. This involvement of the community allows the model to enhance the accuracy and relevance of the data and brings about a sense of ownership and empowerment. In this case both the community and the local authority were capacitated on STDM. In addition to contributing to improved land tenure security, governance, and inclusivity, the STDM is a comprehensive and adaptable framework that addresses land rights challenges in diverse contexts while supporting sustainable development goals.

Tenure-Responsive Land Use Planning (TR-LUP) refers to a planning approach that takes into account the diverse and often complex tenure arrangements within a specific geographical area when developing land use plans (UN-Habitat, 2021: 2). Land tenure refers to the relationships between individuals or communities and the land, including the rights and responsibilities associated with land ownership, use, and access (GIZ, 2011: 18). In most developing countries, land governance systems be it urban or rural include informal or customary tenure systems

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alongside the formal legal frameworks (NUST-NELGA, 2019). The development of effective and inclusive land use plans requires the integration of formal and informal tenure systems into the planning process.

TR-LUP embraces inclusivity by ensuring that the perspectives and desires of all stakeholders especially the community who might be affected by land use decisions are considered. This ultimately evades potential land disputes. In its application, TR-LUP also factors the principles of sustainable development with the allocation and designation of land for different uses. Taking into account the complex relationship between people and the land, TR-LUP is a holistic and participatory approach that emphasizes the importance of land tenure in shaping sustainable and equitable land use. This involves engaging all stakeholders, integration of informal and formal systems, and alignment with existing policies to create socially just, environmentally sound and economically viable land use plans.

The STDM plays a vital role in TR-LUP as it provides a structured framework for capturing, managing and analyzing of information related to land tenure (Chigbu, 2021). While STDM facilitates the collection of detailed information on land tenure foster comprehensive understanding of the existing land tenure situation. This forms part of the situational analysis of the area. STDM incorporates GIS that allows for spatial analysis of land tenure information which is critical in land use planning to make informed decisions about land allocation. Similar to TR-LUP, STDM identifies and documents informal arrangements pertaining to land providing an all-inclusive understanding of land tenure. The fact that these two approaches consider both formal and informal systems crucial for Okahandja as a pilot case study. Moreover, it is possible to integrate STDM in the existing land administration systems.

It is essential to establish a well-defined framework for incorporating land tenure considerations into TR-LUP to successfully integrate the STDM. The framework utilised for the case of Okahandja presented in Figure 2 fosters inclusive, sustainable and equitable land use practices.

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*Figure 2: Framework for STDM in TR-LUP Initiatives*

#### **4. Policy Mapping and Guidance for Informal Settlement Upgrading in Namibia**

Upgrading informal settlements in Namibia, like in many other countries, is a complex and multifaceted process that requires a comprehensive and collaborative approach. Informal settlement upgrading is a process that aims to improve the living conditions and socio-economic status of residents in informal settlements. These settlements often lack essential infrastructure, basic services, and secure land tenure, leading to poor living conditions and limited access to opportunities. The upgrading process involves a range of interventions designed to address these challenges and enhance the overall quality of life for residents. It requires a holistic and participatory approach to upgrade informal settlements because it is a complex and long-term process. Each informal settlement is unique, and a flexible, context-specific approach is needed for upgrading to be successful. It also requires collaboration between government bodies, non-governmental organisations, the private sector, and the community. Policy mapping within the framework of informal settlement upgrading is essential to ensure that plans align with existing legal and policy provisions related to land tenure and zoning.

The project identified the potentially affected communities as well as the ones with interest in the project to ensure inclusivity. During the engagements with the community, women (some carrying babies on their back) and youth are actively involved. The elderly also participated actively in discussions. The informal settlements have existing community committees to represent the entire community at local authority meetings. These engagements were an opportunity for community to shared their land grievances. Through community-led participation, it was easy to access information in the neighbourhood as the residents know each other. A key highlight of this project has been the active participation and administration of the

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project by the municipal staff. They supported the data collection on the ground and availed resources, this has improved their relationship with the community.



*Figure 3: Community representatives, Okahandja Municipality, NUST, NHAG/SDFN officials*

Information informs planning. Planning informs development. The profiling exercise provided the Okahandja municipality with land information they did not have. This information highlighted the challenges experienced in the informal settlements and identified the development needs of the community. It highlighted the need for land, water, sanitation, electricity, and health care. This information informed the municipality of the average income of these settlements, affordability levels of communities, and the growth of these settlements. As a result of community mapping, there is an aerial image available to provide an overview on the spatial location of these settlements. This provides some recognition to these communities because they can identify their structures on a map. These maps were used during enumerations for settlement block division. The STDN was designed to be applicable with Namibia's Flexible Land Tenure System (FLTS). Therefore, this process prepares the communities and their settlements for the FLTS which provides affordable and alternative forms of land title to informal settlements.

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*Figure 4: An aerial image of the informal settlements and community members locating their houses on the map in Ekunde 1*

### **Learning Centre on Participatory Enumerations**

This is a community-led process; hence, communities have been at the frontline leading the enumeration process. Communities formed the Community Land Information Programme (CLIP) team that participated in collecting their own socio-economic data, data verification and data analysis. CLIP teams from other towns such as Otjiwarongo, Mariental and Windhoek supported Okahandja's CLIP team to share experiences, challenges and outcomes and to aid with the project activities. There was also settlement to settlement learning exchanges. Ekunde 1 CLIP team supported the Vyf Rand CLIP team to encourage and strengthen the team and assist in activities.



*Figure 5: Community-to-community learning exchange within Okahandja*

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## Capacity Development

Through participatory planning, we can all be researchers, town planners, land surveyors and land administrators. With the diverse expertise present from different backgrounds, the project has served as a learning platform. Through the training workshops communities now have the capacity to collect data, interpret the data and understand the dynamics of informal settlements and the land allocation process. Communities have a better understanding of tenure security, tenure rights and land ownership amidst the initial confusion on landowner, structure owner, tenant and occupant. Community skill development and awareness building through digital data collection and setting up of the STDM to improve land administration.

### 5. Limitations and Future Work

Informal settlements are generally seen as a challenge because of its nature. Planning for these settlements is a challenge because the structures are not according to the planning regulations with no environmental assessment conducted. Structures are in riverbeds and during the raining season/floods, the shacks are affected. The housing material is not durable against the harsh climate conditions and the permanent structures are difficult to integrate into plans. Owners who live in middle to high income residential areas of the town or other towns, rent out shacks to the low-to ultra-low community in need of shelter. There is also a high number of absentee landlords with these owners living in other towns. Because Okahandja is close to the capital city, individuals living in the capital city set up shacks for relatives to occupy the area. Multiple structure owners were also evident in the settlement. This has brought forth the realisation that people do not only want to access land for livelihood, but also as income generating means. The overnight growth of these settlements only increases the current land problem.

There was a delay in commencing with digital data collection, as it required digitisation of the questionnaire, training of trainers and procurement of the tablets. This decreased the morale and readiness of the CLIP team in the informal settlements. Moreover, the land topic is a sensitive issue. Communities have been living in these informal settlements for up to 15 years in hopes of getting recognition. This plea for tenure security has strained the relationship between municipality and community. The local communities felt municipality uses these opportunities to lobby political gains, therefore community members especially in some of the informal settlements were resistant to participating in the process at first. In addition, there has been active participation and interest from the community to collect their own data, however, not all the people that showed interest always partake. This is because some residents have full time jobs or attend school and can therefore not commit fully to the process. Some realized that the project requires dedication and commitment which they could not provide.

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*Overnight erection of new shacks and permanent structures*

The existing layout plan for the settlements were drafted for greenfield areas before people occupied the settlement. However, the areas are now occupied by the informal communities, raising the need for updated layout plans that incorporates and recognised the existing structures. Planning done based on the existing layout plans will require communities to be relocated or evicted, which is a practice the project and community discourages.

## **6. Conclusion**

STDM is designed to be adaptable to various cultural, legal, and geographical contexts. Its flexibility allows it to be implemented in different regions and countries, addressing local needs and realities. The two sides of formalisation: Formalisation brings tenure security. With recognised legal right that are protected, community can make investments on their land, and this empowers community economically. Communities living conditions are improved with access to better services and resources. However, formality comes with regulations that could affect the way of living of these communities such as paying rates and taxes and restriction of informal street trading were many local communities derive their income from. Communities become reluctant to development due to the changes it comes with, therefore local government should introduce pro-poor policies and regulations that do not disadvantage the communities which can lead to the establishment of new informal settlements.

## **7. Acknowledgement**

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**Uchendu Eugene Chigbu** is an Associate Professor in Land Administration at the Namibia University of Science and Technology, Windhoek, Namibia. He is Global Land Tool Network Steering Committee member; (Co-) author of numerous publications on tenure responsive land

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use planning also linked to climate, including for UNCCD the UN agency dealing with land degradation/land restoration. He is the Associate Editor of the journal, [Land Use Policy](#).

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