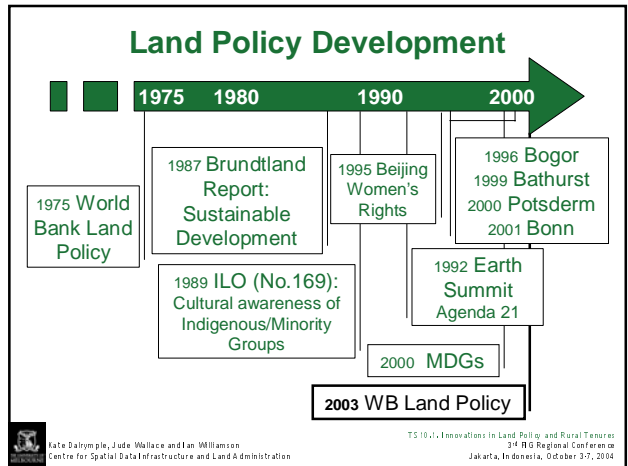# Innovations in Rural Land Policy and Tenure in Southeast Asia

Presented by Sigit Widodo on behalf of

Kate Dalrymple
The University of Melbourne

3rd Regional FIG Conference
Jakarta, Indonesia, October 4-7th 2004

Centre for Spatial Data Infrastructure and Land Administration
kate@sunrise.sli.unimelb.edu.au

Photos from Philippines, Cambodia and Lao PDR

Photos from Cambodia

Land Policy Development

1975   1980   1990   2000

1975 World Bank Land Policy

1987 Brundtland Report: Sustainable Development

1989 ILO (No.169): Cultural awareness of Indigenous/Minority Groups

1995 Beijing Women's Rights

1996 Bogor
1999 Bathurst
2000 Potsderm
2001 Bonn

1992 Earth Summit
Agenda 21

2000 MDGs

2003 WB Land Policy

Kate Dalrymple, Jude Wallace and Ian Williamson
Centre for Spatial Data Infrastructure and Land Administration
TS10.1, Innovations in Land Policy and Rural Tenures
3rd FIG Regional Conference
Jakarta, Indonesia, October 3-7, 2004

Poverty Reduction Strategies

Millennium Development Goals:

… internationally agreed upon targets for reducing poverty, hunger, disease, illiteracy, environmental degradation and discrimination against women by 2015.

www.unmillenniumproject.org

UN Habitat Secure Tenure Campaign

…to promote secure forms of tenure for the poorest populations, especially those living in informal settlements and slums in cities.

www.unhabitat.org/campaigns/tenure

Kate Dalrymple, Jude Wallace and Ian Williamson
Centre for Spatial Data Infrastructure and Land Administration
TS10.1, Innovations in Land Policy and Rural Tenures
3rd FIG Regional Conference
Jakarta, Indonesia, October 3-7, 2004

Informal Settlements

Urbanisation – people attracted to life in the city

- Rapid increase in settlements with inadequate infrastructure and services
- Settlements not recognised by legal instruments
  - Environment and health conditions decrease
  - … **poverty**.

Kate Dalrymple, Jude Wallace and Ian Williamson
Centre for Spatial Data Infrastructure and Land Administration
TS10.1, Innovations in Land Policy and Rural Tenures
3rd FIG Regional Conference
Jakarta, Indonesia, October 3-7, 2004

Complexity of Tenures - URBAN

- Continuum of tenure scenarios (Payne)
- Integration of secure tenure through:
  - anti-eviction laws;
  - water, sewerage and other utilities based access;
  - contractual agreements written and/or oral;
  - recognition of local records, registers, bills;
  - local authority cadastral information;
  - eventually, title or deeds registration

(Augustinus, 2003)

Kate Dalrymple, Jude Wallace and Ian Williamson
Centre for Spatial Data Infrastructure and Land Administration
TS10.1 Innovations in Land Policy and Rural Tenures
3rd FIG Regional Conference
Jakarta, Indonesia, October 3-7, 2004

Intractable Rural Tenure Difficulties

- Remoteness
- Vulnerability
- Entwined with survival

- Communal access to resources
- Land distribution is social and unique
- Land in conflict
- Integrating product, labour and food markets
- Authorisation by extra-legal power

Kate Dalrymple, Jude Wallace and Ian Williamson
Centre for Spatial Data Infrastructure and Land Administration
TS10.1 Innovations in Land Policy and Rural Tenures
3rd FIG Regional Conference
Jakarta, Indonesia, October 3-7, 2004
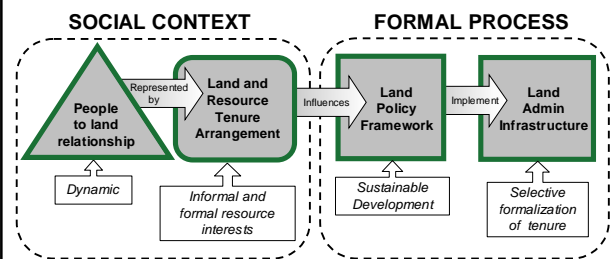

Complexity of Tenures - RURAL

- complex and overlapping
- diverge from typical private tenure
- require integrated rural strategies

Alternative to private tenure:

Africa: Customary ownership (legal), occupancy certificates, communal property associations, village titles
(van der Molen, 2003)

Asia: Stage entitlement of rights, use certificate → ownership title, Community titling

(Thailand Land Titling Project)

Kate Dalrymple, Jude Wallace and Ian Williamson
Centre for Spatial Data Infrastructure and Land Administration
TS10.1 Innovations in Land Policy and Rural Tenures
3rd FIG Regional Conference
Jakarta, Indonesia, October 3-7, 2004

Formalisation Process

Kate Dalrymple, Jude Wallace and Ian Williamson
Centre for Spatial Data Infrastructure and Land Administration
TS10.1 Innovations in Land Policy and Rural Tenures
3rd FIG Regional Conference
Jakarta, Indonesia, October 3-7, 2004

Conclusion

Solutions for the rural poor require:

- flexibility
- utilisation of local systems
- local participation
- integrated approach
- identification of rural constraints
- alternatives to formal markets

Kate Dalrymple, Jude Wallace and Ian Williamson
Centre for Spatial Data Infrastructure and Land Administration
TS10.1 Innovations in Land Policy and Rural Tenures
3rd FIG Regional Conference
Jakarta, Indonesia, October 3-7, 2004

Acknowledgements

Kate Dalrymple, Jude Wallace and Ian Williamson
Centre for Spatial Data Infrastructure and Land Administration
TS10.1 Innovations in Land Policy and Rural Tenures
3rd FIG Regional Conference
Jakarta, Indonesia, October 3-7, 2004

Acknowledgements

Special thanks to Mr Sigit Widodo for presenting on my behalf.

Please forward comments/questions
kate@sunrise.sli.unimelb.edu.au

Kate Dalrymple, Jude Wallace and Ian Williamson
Centre for Spatial Data Infrastructure and Land Administration

TS 10.1, Innovations in Land Policy and Rural Tenures
3rd FIG Regional Conference
Jakarta, Indonesia, October 3-7, 2004