Summary

The ongoing work of the Haiti Property Law Group has reached impressive milestones of accomplishments with the support of the USAID funded Land Administration and Management in Haiti Project (“LAMP”) and is beginning a new phase. The Haiti Property Law Working Group, Groupe Foncier, which began its work 2011, has evolved into a highly effective nearly all Haitian forum for developing tools and actively tackling property rights issues. The Group is comprised of nearly 300 professionals (notaries, lawyers, surveyors), representatives of Haitian and other governments, donor agencies, the business sector, civil society, and NGOs. The Group has used a consensus-based, transparent process to develop and document a common understanding of current land transaction processes and customary and formal land laws through the research and publication of two manuals and the creation of related training materials. Trainings and awareness events and dissemination of these tools has taken place across the country. The Group is launching an action phase to take these tools to solve individual and community-based land rights issues through (para)legal empowerment. This phase will build on the successful use of community based legal empowerment by other NGOs over the last decade. The session will share the highlights as the HPLWG enters a new phase in its work and will discuss the replicability of its work to date and next steps.
Introduction

“HAITI PROPERTY LAW WORKING GROUP” (“HPLWG”) was founded by the author in 2011 bringing together Haitian and international professionals concerned with land rights for housing and reconstruction following the 2010 earthquake that devastated Haiti. At the time, I was serving as Senior Vice President for Advocacy, Government Affairs and General Counsel for Habitat for Humanity International, a position from which I retired in December of 2014. Today, as a member of the Steering Committee, I have the privilege of continuing to play a leadership role in the HPLWG which is now virtually all Haitian. The Group which is staffed and supported by Habitat for Humanity Haiti has created tools, done capacity building, and delivered awareness events and trainings -- including colorfully illustrated materials – to shed light on Haiti’s opaque land rights system. The work of the Groups has added transparency, clarity, and certainty about land rights at the individual, community, and national levels with goal of making them accessible to all. the HPLWG operates as a broad-based coalition. Through consensus building, the Group has become an authoritative player in Haitian land rights and has successfully documented many key formal and informal aspects of existing property laws in the country. It serves as the forum for regular engagement by land rights stakeholders and experts and is poised in its next phase to catalyze positive change in security of tenure in Haiti.

Membership

Members of the HPLWG come from the governments of Haiti, the US, Canada, and France. The leading Haitian law school, Quisqueya, has provided definitive research and drafting. In addition, top
Haitian lawyers, leading surveyors and notaries and their national associations have become the mainstays of the HPLWG. Multi-lateral engagement has been in place from the beginning with the active participation of USAID, the World Bank, IOM, UN Habitat and IDB among others. NGOs and private sector parties have also consistently participated in the HPLWG. Thanks to the generosity of Denis O’Brien, the Digicel Foundation provided grants to enable the production of two manuals. And, USAID, which has been a member since inception, has provided critical grants for LAMP, is represented on the Steering Committee of the Project, and identifies participation in the HPLWG among is “Accomplishments” in Haiti. [https://www.usaid.gov/haiti/shelter-and-housing](https://www.usaid.gov/haiti/shelter-and-housing)

Notably, active volunteer engagement by the HPLWG members has enabled costs to date to be relatively modest. In the last two years alone, the pro-bono technical services provided by the HPLWG members (lawyers, academics, government representatives, professionals) as volunteers to the project exceeded 2,230 hours. The Steering Committee and trainers have provided initial training to many of the key Haitian government ministries with additional trainings requested. Capacity building of critical, relevant professionals and local and national government officials is underway. Importantly, awareness events and trainings have been given to the poor and vulnerable groups. The Group has trained interested parties in the capital and outside of Port-au-Prince including in Cap Haitian, Les Cayes, Jacmel and Saint-Marc. The profile of the targeted audience has been broad including many local notaries, land surveyors, teachers, investors, lawyers, local citizens, foreign investors, and all those who are otherwise directly linked to land tenure issues.

**Tools**

In 2012, the Haiti Property Law Working Group published “The Haiti Land Transaction Manual, Vol. 1: A How-To Guide for the Legal Sale of Property in Haiti”. This concise and informative 41-page document is color-coded and details step-by-step the processes for buying and selling land in Haiti. The manual is an indispensable reference guide for navigating the complex formal and informal legal systems in Haiti, and for clarifying and standardizing current legal and customary procedures to sell or buy land. Such purchases and sales of property are essential in moving forward towards formalized, permanent reconstruction and development. The manual outlines the legal steps that lead to well-documented and officially-recognized land transactions.

In 2014, the Haiti Property Law Working Group published its second manual “Securing Land Rights in Haiti: A Practical Guide”. The aim of the manual is to help homeowners, farmers, contractors, prospective owners, renters, NGOs, and other interested parties anticipate and prevent complications resulting from the holding and use of private and public land and property. This is especially important for families which have been settled on land for many generations yet still do not have the paperwork to prove their legal status. Thus, the rights to their land are uncertain and securing loans to make home improvements is almost impossible.

**Translations and Access**

To have the Manuals available for English speakers in consistent legal terms -- largely to support foreign investment and engagement by members of the Diaspora -- the members of the HPLWG worked through
a consultation process with specialist translators and legal professionals to provide an accurate translation from English to French and French to English of both manuals.

Throughout its work, the HPLWG has sought to provide all Haitians with access to relevant information concerning their land rights and security of tenure. It has been essential to do so by conducting trainings and producing training materials in Haitian Creole. And, as described below, with the publication of Manual 2 which explains many issues related to securing land rights in Haiti, during the two-year LAMP period the Group committed to Creole translations of Manual 2 as well as published abstracts and training materials in Creole. Legally, “the State has the obligation to publicize in the oral, written and televised press in the Creole and French languages all laws, orders, decrees, international agreements, treaties, and conventions on everything affecting the national life, except for information concerning national security.” (per Article 40 of the 1987 Haitian Constitution amended by the Constitutional Law of May 9, 2011 and published on June 20, 2012). However, per Michel DeGraff, associate professor of linguistics at the Massachusetts Institute of Technology, Haitians suffer from “linguistic apartheid”. The legal system and schooling of Haiti, such as they are, are conducted in French notwithstanding the fact that Haitian Creole is the only language spoken by all Haitians. Written and oral French have been mastered by only five percent of the country. “Language barrier: Creole is the language of Haiti, and the education system needs to reflect that,” Michel DeGraff, June 16, 2010, http://archive.boston.com/bostonglobe/editorial_opinion/oped/articles/2010/06/16/language_barrier_in_haiti/.

However, the translation of Manual 2 into Haitian Creole was daunting. Although over 90% of the Haitian Creole vocabulary is of French origin, the two languages are mutually unintelligible. This is because the two grammars are different. Contrary to common myth, Creole is a very developed and structured language and the translation team had issues identifying certain technical legal terms and concepts. The HPLWG engaged the support of the Akademi Kreyòl Ayisyen, known in English as the Haitian Creole Academy, which is the language regulator of Haitian Creole. The Dean of the Faculty of Applied Linguistics, Mr. Rogeda Dorcé DORCIL, and representatives of the Haitian Creole Academy became members of the HPLWG which turned out to be essential to the success of publishing Manual 2 in Haitian Creole.

Meanwhile, this work has strengthened the country’s legal literacy to enable protection of land, support foreign and domestic investment in land and underpin the production of decent housing. Furthermore, the trainings have strengthened the capacity of the national and municipal governments in Haiti to process real estate transactions and to ensure the reliability and enforceability of such transactions.

*website: landlawshaiti.org*

Over the past years, the Haiti Property Law Working Group had a very basic website to make the Group’s publications available electronically. During the two-year LAMP Project period, 20,326 visitors accessed the website. As awareness grew of the HPLWG activities under LAMP, so did the traffic to the website, an increase of 126% between 2015 and 2016. In the first month of January 2017, the site had already been visited 1,112 times.
While the website served the function of making the manual’s electronically available, this did not provide the level of functionality expressed by the HPLWG Steering Committee. As prioritized by the HPLWG membership and with thanks to USAID, the LAMP team has upgraded the website platform to a dedicated www.landlawshaiti.org hosting and content management system which could provide a more functional website for digital outreach and linkages with social media.

**Accessible Materials**

In addition to the full manuals, the Group has developed an abstract of key portions of Manuals 1 and 2. This booklet helps participants on topics such as: how to buy and sell land and how to protect one’s property against private individuals. It helps readers understand and provide guidance on legal actions necessary to establish property lines, and to protect themselves against a third party claiming the property through an action to restore ownership rights.

**Capture and Visualization Illustration of Key Case Study Topics**

Throughout the awareness campaigns and trainings completed by the Group, several key themes have emerged from participants. In the words of our trainers, “everyone has their own version of a security of tenure issue”, which when analyzed, the team could identify some common themes. Working with a graphic artist, illustrations were developed to bring these topics to the forefront of awareness campaign
and training themes for them to be highlighted and discussed, with the Manuals providing specific supporting processes and legislation.

The Group has 21 active trainers who have conducted awareness and training events in all departments across the country. Building on training materials in French and Creole that were developed beginning back in 2013, the training curriculum has evolved based on experience and the frequency of questions, topics and day-to-day issues which are faced by participants. As awareness of the opportunity for trainings increased, so has the demand for trainings, both geographically and by value chain actors. While trainings are adapted to the specific target audience and their role in the value chain, the general format of the trainings include:

- Introduction to the trainers and participants
- Introduction and background of the Haiti Property Law Working Group
- Overview of Manuals 1 & 2
- The basics of buying, selling and protecting land. Also, the roles of the notaries, surveyors, and public institutions throughout the process.

Among the thousands of government employees trained are those from Public Works (MTPTC), the Tax Offices, Finance, Housing, and Public Buildings (UCLBP), Social Housing (EPPLS), the National Cadaster Office (ONACA), several Civil Courts, the Ministry of Women’s Rights, and numerous municipalities. Trainings and awareness events have also included sessions for bankers, lawyers, notaries, businessmen, NGO’s, international aid organizations and “paysans”, residents in the provinces.

The “coup de grace” of these efforts during the two-year LAMP timeframe was the Property Law Week held in Cap Haitian in the north of the country in June of 2016 where more than 2000 Haitians participated in awareness events and training sessions over three days. The participants included employees of public institutions, leaders and members of local community organizations and local women’s local organizations, leaders of churches, teachers, college students, business men, legal professionals (judges, notaries, lawyers, and land surveyors) and local citizens. The response in Cap and all departments has been overwhelmingly positive with requests for further training coming from most participants. Demand for trainings continues to be very strong and upcoming trainings are scheduled throughout 2017.

**CIAT**

Importantly, the HPLWG has been complemented by the important work of CIAT, the Comité Interministériel d’Aménagement du Territoire CIAT. CIAT’s mission is to define government policy on land use planning, watershed protection and management, water management, sanitation, urban planning, and equipment.

While CIAT has officially been a member of the HPLWG, its work has stood alone.
Members of CIAT are:

<table>
<thead>
<tr>
<th>CIAT code</th>
<th>Description</th>
<th>Website</th>
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<tr>
<td>MTPTC</td>
<td>Minitère des Travaux Publics, Transports et Communications</td>
<td><a href="http://mtptc.gouv.ht/">http://mtptc.gouv.ht/</a></td>
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<tr>
<td>MPCE</td>
<td>La mission du Ministère consiste à élaborer des plans nationaux de développement économique et social et à améliorer les systèmes de planification</td>
<td><a href="http://www.mpce.gouv.ht/">http://www.mpce.gouv.ht/</a></td>
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<tr>
<td>MDE</td>
<td>Ministère de l'Environnement</td>
<td><a href="http://www.mde-h.gouv.ht/">http://www.mde-h.gouv.ht/</a></td>
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CIAT’s key work on land reform including the establishment of a national cadaster is handled by its Land Reform Unit which is responsible at the national level for analyzing and coordinating all land-related activities and proposing a legal framework to address land insecurity. CIAT’s work is critical considering the historic, structural deficiencies which exist in the current system of identifying and mapping of parcels and tracts of land property and the people and rights associated with such property. CIAT is committed to ensuring security of tenure and enabling institutions to be more efficient.

CIAT’s Land Reform Unit works across sectors and in collaboration with its constituent agencies and ministries. CIAT supports dialogue with and among the relevant national institutions, international institutions and NGOs working in the field.

In an urban context, CIAT addresses tenure issues that follow some of the same pattern as those in the countryside. However, due to the restricted urban land market, most urban buildings are rental and a large part of the property is subject to claims of ownership from those residing abroad. Informal settlements have proliferated over time, disconnecting ownership from occupation. Precarious
settlements have developed in conflict areas, interstitial spaces, in environmentally hazardous zones, on state lands, in reserved areas and in watershed management zones. Lack of zoning, urban planning and cadastral registration mean that these new settlements are often rife with insecurity of tenure. 

http://www.ciat.gouv.ht/projets/s%C3%A9curisation-fonci%C3%A8re-et-cadastre

**Next Phase**

This is an important time in Haiti’s history. Property rights are essential in Haiti for economic growth, agriculture development and reforestation, microfinance, foreign investment, and even environmental protection from exploitation of communally owned resources. In addition, clarity about property rights is essential for community development and the efforts of the Haitian people at all levels to rebuild their own country. From December of 2014 to December 2016, the USAID-funded LAMP project supported steps by the Haiti Property Law Working Group to advance access to land rights while leveraging substantial in-kind and financial resources. The HPLWG has launched a Facebook page and Twitter and Instagram accounts to reach wider audiences.

The HPLWG is now developing a media and outreach strategy to reach target audiences and identify new allies and partners. Among the new partners are community radios, the Bar association, regional associations of notaries and others. The HPLWG also envisions hosting a radio and/or television show to debate questions on land tenure.

This next phase for which the HPLWG are actively seeking funding will also include a third manual on customary legal practices, property and housing finance, inheritance, and rental. While the Group is not presuming with this phase that there will be major land reform, the Group will continue to research systems that could be adapted to Haiti and will continue to contribute to land reform efforts by developing and sharing proposals based upon consensus among the members of the Group regarding well informed policy recommendations.

But the time is now for the HPLWG to be entering an exciting new hands-on phase. The research and development of tools by the Group will continue and the Group will continue to be the forum to convene professionals committed to advancing property rights. However, the HPLWG is actively beginning hands-on work in rural and urban settings to provide practical property rights solutions which in turn support economic growth, access to credit, agricultural development and reforestation and environmental protection. This work is also underpinning foreign investment and development.

Quite simply, the heavy lift of creating and launching tools to make information about land rights accessible has been done. The Haiti Property Law Working Group has attracted significant Haitian leadership and membership over the past five years, with thousands of pro-bono technical expertise hours contributed towards the topic of secure tenure. All of the materials developed by the Group are open-source and available to the public. The next phase is taking this important information out into the field to provide practical solutions for Haitian citizens, businesses, and institutions. The pilots will:

- Identify at least four diverse projects in which progressive steps towards security of tenure that would unlock additional value towards the wider sustainable development of Haiti
• Facilitate public / private value chain actors to come together and collaborate on the application of utilizing the law and the HPLWG tools
• Provide and document the technical steps of furthering security of tenure and develop detailed case studies to demonstrate the impact of additional security of tenure
• Develop framework for scaled / replicated application

The pilot application projects aim to demonstrate public/private sector opportunities for replication and unlocking the value of security of tenure in Haiti. Additionally, the Group continues to build the capacity of the value chain actors both public and private to implement existing legislation and procedures; in addition, the group is committed to advocating for systematic access to tenure legal provisions.

Scalable pilots are being designed and developed – using several different typologies, piloted across different regions and economic platforms -- to address land rights challenges across the country including those of the poor and vulnerable groups to support security of tenure in the context of agricultural development, re-forestation, upgrading of informal settlements, urban and rural land planning, and the creation of financing tools for un-banked individuals and communities. Based upon successful models showcased at prior World Bank Land and Poverty Conferences including the fine work of Landesa, especially in India, the HPLWG is developing programs to offer tangible para-professional support at the community level specifically designed to address individual and community-based land rights questions.

Specifically, these pilots are being launched to help establish the rights of tenant farms and poor land owners which can then allow them access to credit and the potential use of their land to alleviate food insecurity and support reforestation. Doing so will support growth of a property tax base to help address the needs for basic services. Where these steps have been taken in other countries, they have helped prevent land grabs and forestall disputes in both rural and urban settings. This should happen in Haiti as well. Notably, lack of clear rights has resulted in the suboptimal use of communally held land resulting in environmental degradation. Thus, the HPLWG also plans to pilot secure tenure interventions to seek to address environmental risks on communally occupied property. Each will be piloted with a follow-on design to provide scalable local and national solutions to insecurity of tenure and unclear land rights.

Notably, the HPLWG is focusing on improving transparency and effectiveness about financing and increased access to credit for land transactions. With hands-on work at the community level, vulnerable groups can establish rights through improved documentation or other action plans. In addition, working with local government and national taxing authorities, property registrations can be encouraged increasing the tax base.

As noted above, this new work is modeled after important community-based (para)legal empowerment work done as early as 2001 by the Centre pour l’Environnement et le Développement (CED) http://www.forestpeoples.org/partners/centre-pour-l-environnement-et-le-developpement-ced, and by Landesa and Namati and some of their international and local partners using paralegal, junior lawyers and community members trained to educate and assist members of local communities to document and protect secure tenure. For information on Landesa’s agricultural land rights work see
Community Legal Empowerment


Consonant with the recently adopted Sustainable Development Goals, the VGGT aim to foster sustainable social and economic development, the eradication of poverty and responsible investment. Voluntary and non-legally binding, the Guidelines build on international law – in particular, human rights law. The VGGT put forth principles and standards for governments and private sector actors, such as lawyers, surveyors, and investors as well as implementing agencies, judicial authorities, local governments, organizations of tenant farmers, others engaged in agricultural production and vulnerable communities.

The FAO has recently released Governance of Tenure Technical Guide 5 entitled “Responsible Governance of Tenure and the Law: A Guide for Lawyers and other Legal Service Providers,” Rome 2016. The authors (Lorenzo Cotula - International Institute for Environment and Development (IIED); Thierry Berger - IIED consultant; Rachael Knight – Namati; Thomas F. Mcinerney - Treaty Effectiveness Initiative; Margret Vidar - Food and Agriculture Organization of the United Nations (FAO); Peter Deupmann - Food and Agriculture Organization of the United Nations (FAO)) include practical guidance relating to legal empowerment that bear directly on the support of secure tenure proposed for the next phase of work of the HPLWG.

Using the language of this Guide, the HPLWG proposes to act as and/or engage public-service legal organizations to support Haitian citizen and community needs for protection of their tenure rights. I commend to your attention Section 4.2 of this technical guide entitled “Role of public-interest legal service organizations” which provides in relevant part:

“Implementing laws for responsible governance of tenure cannot hinge on state action alone. Citizens must be empowered to claim and defend their tenure rights and demand that state agencies improve administrative procedures and formal requirements. Citizens may have to demand change, apply consistent pressure, struggle to alter the political landscape and proactively pursue recognition of their tenure claims, implementation of laws that protect their rights and adherence to the Guidelines.

Public-interest legal service organizations play an important role in ensuring the responsible governance of lands, fisheries and forests. Lawyers, paralegals, law students, community organizers, policy advocates and other technical experts help support citizens to hold their government accountable to responsible governance, justice, and the rule of .... Because of their understanding of how administrative systems function and their legitimacy as legal advocates, legal service providers can help disadvantaged and vulnerable individuals and communities access and navigate formal legal systems to successfully claim tenure rights.
Public-interest legal service organizations can also ensure that state agencies and actors follow pro-poor legal mandates by reminding them of pro-poor regulations, monitoring administration processes and acting as “watchdogs” to ensure that government officials comply with relevant laws. Their help is particularly necessary to support the tenure rights of vulnerable individuals and communities in situations characterized by power asymmetries and unequal bargaining power.” Public-interest legal service organizations provide a wide range of legal services, including: providing legal empowerment and legal literacy education, including through paralegals, junior lawyers, legal clinics, legal caravans or other approaches; making calls for reform to laws, and formulating appropriate changes, when problems arise or when the law fails to cover an area adequately; supporting mapping, documentation and registration of legitimate tenure rights, including the customary and indigenous tenure rights of individuals and communities; helping communities to draft, adopt and implement rules and natural resource management plans to ensure responsible governance of their lands, fisheries and forests; providing support to communities and families facing dispossession of their tenure rights, including discrimination based on gender, age, minority status and social class; mediating and resolving intercommunity tenure conflicts; providing legal and technical expertise during negotiations with governments and potential investors for the use of community lands, fisheries and forests; helping to establish legal personality for community groups; supporting communities and individuals during processes of expropriation for a public purpose or unlawful dispossession; and assisting communities in the enforcement of contracts made with investors for the provision of community benefits in conjunction with commercial operations. Legal strategies should always be community-driven and carefully crafted to be appropriate to the local context or issue at stake.”


Notably, the Guidelines address rights under formal and customary law. VGGT provisions establish protection of customary tenure and recognize a range of legitimate tenure rights including the importance of safeguarding these rights against threats. The Guidelines further promote the enjoyment of legitimate tenure rights including steps to provide access to legal recourse to deal with infringements of legitimate tenure rights. See VGGT par. 3A.

The Guidelines expressly state that customary tenure rights can constitute legitimate rights and seek to compel governments to recognize and respect “legitimate customary tenure rights that are not currently protected by law” See VGGT par. 5.3. (Cf. provisions relating to rights not currently protected by law but considered to be socially legitimate in local societies. Par. 4.4. and, 5.3 and 7.1 and Table 2.1).

Notably, Haiti is not alone. As recently noted during the Land Portal Mekong Dialogue:

“More than two billion people worldwide access resources through customary tenure regimes. In many contexts, communities administer, manage, and transact their tenure rights primarily within the bounds of local, customary paradigms. In the past, different countries considered that with time and modernization they could simply suppress customary tenure systems, sometimes deemed as backwards and inadequate, replacing it with statutory systems based on titled private property. Experience has shown that this is not realistic, useful and neither desirable since customary tenure systems have attributes and strengths that respond to real needs in many countries. For instance, in areas where state administration and infrastructures are absent or inaccessible, customary tenure systems are often the primary means of enforcing rights and
It is just these rights considered in Haiti to be “legitimate” that the HPLWG will be seeking to document and support in the next phase of its work.

Although beyond the scope of the next phase of work by the HPLWG, it should be noted that the Guidelines also opine on how to recognize customary tenure rights (see par. 9.5 to 9.8 and 9.11).

Aligned with the priorities of the HPLWG and consistent with the work of FAO, UN Habitat and the Global Land Tool Network (GLTN) support the secure tenure policy recommendations of the New Urban Agenda. Per Oumar Sylla, Director of the GLTN, “the New Urban Agenda is about people. People need a place to live in dignity. Place means land; land for housing, working, education, commercial activities, leisure, transport among other needs. Today’s high population growth rates puts increasing pressure on land, which becomes increasingly scarce and a source of violent conflicts and social unrest.” Per Director Sylla, there are “four key commitments to achieve the goals of the New Urban Agenda: “

1. **Ensure tenure security for all**: The New Urban Agenda should stress that no one should be left behind when it comes to land rights. The New Urban Agenda needs to confirm the duty of states to recognize, respect and safeguard all legitimate land tenure rights along the continuum of rights, including informal and customary tenure, and it needs promote and facilitate the enjoyment of them. The New Urban Agenda should confirm that businesses are responsible for respecting human rights and legitimate land tenure rights. The New Urban Agenda should also promote lasting solutions for displaced people.

   Tenure security matters because it is the basis for adequate housing, responsible private investment, and the overall prosperity of an inclusive and safe city.

2. **Ensure sustainable land use**: The New Urban Agenda should a) stress the importance of responsible public regulation of land use, determined by the long-term interests of the public, in particular the affected communities, including the poor and the marginalized; b) prioritize minimizing land consumption while planning at scale for the expected population growth in order to reduce the ecological footprint of settlements, to protect nature and to conserve cultural landscapes; c) promote respect for the social function of land and promote the provision of safe public space responding to the needs of all, including women, children, youth and LGTB; d) promote land management tools such as spatial planning, land readjustment and land sharing that provide important opportunities for sustainable urban development; and e) highlight the importance of balanced territorial development.

   Sustainable land use matters because it allows for a balance between the different needs and interests of all urban inhabitants, which makes cities and human settlements inclusive, safe, resilient, and sustainable.
3. **Generate land-based revenues for the benefit of all**: The New Urban Agenda should stress the high potential of a) establishing transparent, fair and effective land value sharing mechanisms, e.g. land value capture, betterment levies and sale of development rights; b) selecting one or several types of land taxation adjusted to local conditions, e.g. land acquisition, land holding, land sales and land value increment tax; and c) developing and implementing a strategy on land banking and generating income from public land.

Land-based revenues are fair and socially sustainable because those who benefit more from urbanization contribute more to its costs; they matter because they expand the revenue base of local governments and enable them to finance inclusive and sustainable urban development.

4. **Enable responsible land governance** through a) the elimination of administrative and political corruption, fraud and clientelism in land administration and management, b) the accountability, transparency and participation of all when managing land; c) the establishment and implementation of national land policies, laws and standards in accordance with international law; d) the creation of short, simple, affordable procedures and standards adjusted to local requirements; e) customer-friendly delivery systems that are effective and efficient, accessible and affordable, accountable and transparent, and that exploit digital and communication technologies as well as the wide range of data and information, including geospatial information; f) transparent and responsible public land management; and e) monitoring the application of global and national frameworks.” [https://landportal.info/blog-post/2016/09/four-key-messages-new-urban-agenda](https://landportal.info/blog-post/2016/09/four-key-messages-new-urban-agenda) Land Portal Foundation, August 16, 2016.

**Replicability based on three principles:**

The work of the HPLWG has created and sustained innovative and highly practical solutions to the biggest barrier to housing and recovery in Haiti – certainty about land rights. The model, the tools, and the teachings of the HPLWG can be transferred, adapted, and replicated to address housing and community development issues faced by other countries around the world. The next phase based upon the fine work of others and underpinned by the VGGT is likewise replicable. However, in the long-term, as in other parts of the world, the framework of land reform in Haiti will be influenced by internal and exogenous factors. **Key to reform are political will (at the local and federal level), the means for improving living conditions and engagement to some degree of financial players from both private sector and governmental.** A correlative example is Lagos where property rights work was highlighted in the International Housing Coalition Newsletter of October 14, 2016:

“First and foremost, it’s about fostering the political will to develop means for granting and honouring property rights in places where informality is both a coping mechanism and an Achilles heel for the poor. It’s hard to invest in the upkeep of a place if your claim to the land you live on is tenuous at best. Without the security of property ownership, other areas of life become that much more difficult, and the city suffers.

Second, it’s about innovating in safe, affordable housing made from low-cost but durable building materials. I’m in love with the idea of recycling the massive amounts of plastic waste
we produce in Lagos to create lasting building materials and new techniques. It sounds fantastical, but people are already doing it on a small scale.

Finally, it’s about pushing existing financial institutions to develop innovative ways of helping urban dwellers towards property ownership.” (Emphasis added.)


Conclusion

We at the HPLWG have been blessed by the many years the Group has labored and stayed committed to improving land rights in Haiti. Subject to the success of pending grant requests, the Group will undertake four more years of the work outlined above to:

1. Expand upon the tools and their broad and effective dissemination so that formal legal and customary land rights are increasingly understandable by and accessible to the full range of stakeholders;

2. Scale models for improvement in secure tenure, sustainable use of land and land management reforms based on the current pilots; and,

3. Support the building of capacity of Haitian government agencies at the federal, department and municipal levels to enable and improve economic development, stable tax revenues and the ability of financial players to use property as collateral for loans at all economic levels.

References:


DeGRAFF, M. “Language barrier: Creole is the language of Haiti, and the education system needs to reflect that,”


