SECURING LAND RIGHTS FOR EQUITY, SUSTAINABILITY, AND RESILIENCE: LAND ADMINISTRATION AND MANAGEMENT IN HAITI PROJECT (LAMP)

LAMP Project Enters New Phase: From Creating Tools to Implementing Them
HAITI PROPERTY LAW WORKING GROUP

Haiti Property Law Working Group is only Haitian-led, inclusive forum dedicated to security of tenure issues in Haiti.

Able to convene a broad range of actors: (a) value-chain actors (ministries, municipalities, notaries, lawyers, surveyors, etc.); & (b) end consumers (investors, farmers, residents, etc.)

Legitimacy of Group based on breadth of actors and their approach of consensus building.

Resulting in wide outreach and real impact from its activities.
Founded with 24 members in 2011, Group now has more than 300 representing: eleven Haitian government institutions; Haitian professional associations; universities and students; chambers of commerce; law firms and notaries; surveyors; private companies; multilateral organizations; non-profit organizations; bilateral agencies and embassies.

Representation is all provided pro-bono leveraging more than 2,230 hours of technical assistance and support provided by the members equal to hundreds of thousands of dollars of value over 24 months.
CIAT – Inter-Ministerial Commission under Prime Minister led by Michele Oriol -- Member of the Group and undertaking critical complementary work:

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<tr>
<th>CIAT</th>
<th>HPLWG</th>
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<tr>
<td>Identification of plots/parcels</td>
<td>Allow occupants to recognize/understand their legal status on the land.</td>
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<td>Work with Notaries and Surveyors</td>
<td>Commitment to raise awareness among the actors on the importance of applying the law including notaries and surveyors and those needing to engage them.</td>
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<td>Suggest legal and administrative reform</td>
<td>Identification of practical issues (whether legal or customary), propose recommendations in order to sensitize the actors on the importance of making some changes.</td>
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<td>Realize the basic land plan (Plan foncier de base)</td>
<td>Inform the public about legal provisions. Play the role of facilitator between the population and the land tenure actors.</td>
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<td>Coordinate work of constituent entities</td>
<td>Provide a forum for collaboration among all relevant actors.</td>
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<td>Facilitate the understanding of the legal texts and customary law with our training tools.</td>
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<td>Engage the actors in the discussions related to land tenure and clarifications and improvements to the system.</td>
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**LAMP PROJECT**

Habitat for Humanity Haiti & USAID launched Land Administration and Management Project (LAMP) December 2014.

Three core objectives:
- Increase the Outreach and Awareness of Manual 1 and Train Key Stakeholders on its Content
- Complete and disseminate Manual 2 on "Securing Land Rights in Haiti"
- Provide Policy Making and Advocacy Recommendations to the GOH

Haiti Property Law Working Group meetings served as platform for members to engage in discussions around security of tenure; and most importantly, provide feedback and guidance on HPLWG products and direction. During 2016, the Working Group met 15 times.

Meeting were hosted by the Inter-American Development Bank (IDB) at its newly renovated Bourdon campus, in Petion-ville.
MANUALS 1 AND 2

- Core are the contributions Group has made is in the development of the Property Law Manuals. “The Haiti Land Transaction Manual, Vol. 1: A How-To Guide for the Legal Sale of Property in Haiti”.
  - Concise, informative 41-page document, color-coded, details step-by-step the processes for buying and selling land in Haiti -- indispensable reference guide for navigating the complex formal and informal legal systems in Haiti, and for clarifying and standardizing current legal and customary procedures.
  - Manual outlines the legal steps that lead to well-documented and officially recognized land transactions.

- Aims to help homeowners, farmers, contractors, prospective owners, renters, NGO’s and other interested parties anticipate and prevent complications resulting from the purchase and use of private and public land and property.

- Critical for families who have settled on land for many generations yet still don’t have valid or complete paperwork to prove their legal land title status. Thus, their rights are uncertain and securing loans to make home improvements is almost impossible.
**LAMP RESULTS**

Key outreach activities that have been achieved throughout the duration of the project including awareness campaigns; trainings; meetings; attendance at events; the development of accessible materials in English, French and Creole.

- **300+** Haiti Property Law Working Group Members
- **1,525** Participants in Property Law Training
- **10** Ministries
- **482** Government Employees Trained
- **6,042** Manuals Distributed
- **21** Property Law Trainers
- **3,302** Participants in Awareness Outreach Campaigns
- **54** Recommendations to the Government of Haiti
• Almost 5,000 people, across to 7 of the 9 Departments of Haiti, namely: Artibonite, Nippes, Center, North, South, West and Southeast have been exposed to the materials of the Haiti Property Law Working Group.

• These trainings and awareness campaigns have reach all segments of the population including residents, the professional sector (surveyors, notaries, lawyers), in addition to the Government of Haiti.

• Upon their request the HPWLHG certified trainers, of which there are 21, have trained 10 GOH ministries. Overall, 482 government employees have been trained, including 148 women.
• Making tools accessible to the population has been a priority for the LAMP implementation.
  o Full translation into Creole of Manual 2, in partnership with the Haitian Creole Academy and the Faculty of Applied Linguistics.
  o Development of a visual Creole abstract, illustrating key points from Manual 1 and 2.
• Additionally, during awareness campaigns and trainings, the trainers and Habitat Haiti staff developed an understanding of common challenges that residents and professionals face.
• Four case studies were documented and illustrated in Creole and are now utilized to promote the training and discussion with project participants.
• Over 6,000 manuals and nearly 1,000 Creole abstracts have been distributed and utilized during the project.
• Under old website 20,326 visitors accessed site to download manuals
• Website just upgraded: www.landlawshaiti.org
Case 1 - Expropriation on the basis of Public Utility

Case 2 - Adverse possession: rights and obligations of the landowner

Case 3 - The Sale of State’s Private and Public Domain

Case 4 - Rights and Obligations of State’s farmers
# CALENDAR OF HPLWG’S PROPERTY LAW WEEKS

<table>
<thead>
<tr>
<th>Departments</th>
<th>Dates (2016)</th>
<th>Areas</th>
<th># of people reached</th>
<th># of Trainings</th>
<th># of Awareness Campaigns</th>
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<tbody>
<tr>
<td>North</td>
<td>14&lt;sup&gt;th&lt;/sup&gt; June to 17&lt;sup&gt;th&lt;/sup&gt; June</td>
<td>Cap-Haitian / Milot</td>
<td>1062</td>
<td>4</td>
<td>3</td>
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<td></td>
<td>28&lt;sup&gt;th&lt;/sup&gt; November to 2&lt;sup&gt;nd&lt;/sup&gt; December</td>
<td>Grande Riviere du Nord / Caracol</td>
<td>362</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>South (Pre-Awareness)</td>
<td>30&lt;sup&gt;th&lt;/sup&gt; to 2&lt;sup&gt;nd&lt;/sup&gt; September</td>
<td>Cayes / Roche a Bateau / Coteaux</td>
<td>53</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Center Department</td>
<td>19&lt;sup&gt;th&lt;/sup&gt; October to 24&lt;sup&gt;th&lt;/sup&gt; October</td>
<td>Mirebalais / Hinche / lascahobas</td>
<td>514</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Artibonite</td>
<td>7&lt;sup&gt;th&lt;/sup&gt; November to 9&lt;sup&gt;th&lt;/sup&gt; November</td>
<td>Lakou souvenance / Bigot / UPAG / UNDH-Alliance Francaise</td>
<td>678</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>South-Est</td>
<td>14&lt;sup&gt;th&lt;/sup&gt; November to 18&lt;sup&gt;th&lt;/sup&gt; November</td>
<td>Marigot / Jacmel / Cayes</td>
<td>557</td>
<td>3</td>
<td>4</td>
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**Totals:** 3226 13 16
RECOMMENDATIONS

HPLWG developed and endorsed 54 recommendations to the Government of Haiti. Launched at public event in December 2016 in partnership with the American Chamber of Commerce and presented to key representatives of the Haiti Government on February 23, 2017. (See Annex I)

Short Term Recommendations-capacity building, training, coordination among actors and use of co-ownership laws;

Mid-term Recommendations-regulatory and legislative changes to strengthen land systems, simplify procedures and facilitate disputes.
**Lessons Learned**

- Every Haitian has a security of tenure story and / or concern

- With diversity, consensus building takes time, however fosters incredible ownership and support for developing tools and Group projects:

  - Rigorous research provides a solid evidence base, which then needs to be translated for accessibility
  - Translating technical legal information into Creole is a complicated process
  - Progress can be made despite political instability
Future Programming

Habitat for Humanity Haiti, HPLWG Members and Steering Committee are committed to building upon work since 2011 and advancing work under USAID-funded LAMP project.

In consultation with HPLWG members and private sector partners, the following objectives and themes have been identified as priorities.

Habitat Haiti will continue to identify willing supporters and build critical strategic relationships with our partners, donors and the wider range of stakeholders involved in the continuation of the only Haitian-led inclusive land forum in Haiti.
**HAITI PROPERTY LAW WORKING GROUP NEXT STEPS:**

<table>
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<th>Outreach</th>
<th>Knowledge</th>
<th>Application</th>
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<td>Scale the dissemination of key security of tenure messages and increase the number of professionals / citizens utilizing the tools of HPLWG for practical application.</td>
<td>Manual 3 -- Research and document critical issues and create additional tools focused on unlocking value related to security of tenure.</td>
<td>Provide scalable community legal assistance and advocacy utilizing HPLWG tools to increase security of tenure in at least four locations / contexts.</td>
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- Development and implementation of a robust multi-year communications strategy to disseminate key security of tenure messages (radio and TV)
- Development of multi-year training schedule to target professional actors in the ‘security of tenure’ value chain and residents
- Launch a ‘Challenge Award’ by identifying key institutes / professional associations whose capacity can be strengthened through additional institutional technical assistance (ITA)

- Building upon the last five years’ experience of co-creating / consensus building of technical manuals, the HPLWG will focus on additional critical topics which leverage value, including the:
  - rental market;
  - inheritance property rights;
  - agricultural tenant rights;
  - steps towards the formalization of transactions created through customary law;
  - housing finance and the provision of guidance on what is ‘secure enough’ to unlock loan capital.

- Identify at least four diverse projects in which progressive steps towards security of tenure 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 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
CONCLUSION

Habitat for Humanity and the Haiti Property Law Working Group Members were pleased to present a final LAMP report to USAID and thank the American People for their continued support and now commit ourselves to the next phase of unlocking the value of security of tenure in Haiti.

We forth humbly to the next phase.

Thank you. Merci. Mèsi.
ANNEX I -- LAMP Activities and Achievements