

Closing panel

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Living in a democracy means we are able to speak freely. Sustainable development discussions can therefore raise issues for immediate concern and in a critical and exhortative mode.

For many of us, sustainable development is so broad and so difficult a concept as to be unmanageable. Its scope and future focus make it hard to operationalise in our daily lives. This need not be the case. The most important aspect of sustainability can be addressed immediately by a simple strategy of government action.

Because we are technicians of land information, we need to keep in mind the following -

1. A land register is a privilege and presupposes highly developed ethical, legal and social systems.
2. A register is not even remotely useful if the land rights recorded are not stable.
3. A register does not empower those people who cannot join in – these are the majority of humankind.

The fundamental issue in sustainability in land tenures is not registers, but land rights. Land rights are called **rights** because they presuppose basic human entitlements. Once sustainability is addressed as a question of rights, issues of immediate concern and strategic action paths become clearly apparent.

Given respective human needs, for the approximately 25 countries who have the enormous advantage of an accelerating wealth through their property based market in interests in land, the gap between the housed and the unhoused persistently demonstrates the inequality of distribution of land rights. The gap is most obvious in their casual acceptance of mass public homelessness. For these countries which enjoy enormous wealth, homelessness must be addressed by a much more deliberate and compassionate method of creating access to land and housing.

Countries at the other end of the economic scale confront endemic large scale poverty. For these countries, slum housing is the only option of millions. The growth of cities spawned by changes in agricultural practice and rural degradation ensures that significant populations will remain without formal tenures or land rights. There, arguments for land rights are both more compelling because of the need for social stability and reasonable civil governance, and harder to satisfy because the problem of mass housing is much more difficult to solve. These populations require pragmatic attention because of their capacity to create civil disruption, health risks and labour unrest. But more, they require attention because they are entitled to basic rights of humankind, the most fundamental of which is a right to be housed.

In these environments, it is vital that arguments about land rights and security of tenure are not dismissable by governments as unhelpful abstractions. The need for a sustainable environment for the poor throughout the world requires a minimum starting point and one which even hard pressed governments can deliver. The acquisition of land rights for their public, including the poor, depends on starting at a very basic level in the land rights momentum – freedom from eviction.

That ordinary human kind should be free of arbitrary eviction is a goal of the Habitat Agenda in its Global Campaign for Secure Tenure. This goal seeks most simple protection available to humankind in relation to land– removal from housing and from land should be by “known and agreed legal procedure, which must be objective, equally applicable, contestable and independent”: Draft *Global Campaign for Secure Tenure*, 23 September 1999, page 6. The recognition of the right to shelter and housing is vital to the achievement of basic human rights of millions of people, especially those who are urban or peri urban dwellers in the undeveloped nations.

After this, the recognition of possession as the base tenure from which all other tenures grow is an essential legal instrument for a government to apply in the process of assuring its citizens minimum land rights, with appropriate sensitivity where civil war and land theft have occurred.

A minimum social and political stability born out of the expectation that humankind can remain in their homes is essential for sustainability of our environment.

