



Reference guide on infrastructure set against land governance

About the reference guide

Apart from the references to books, the list includes mostly sources which are available online as full text. Moreover, the reference list does include some case studies but mostly focuses on general discussions of the theme. The overview is not complete, rather it intends to give an entry to the field, providing the user with good search terms and authors' names one can look up for further work.

- **Subthemes and keywords for searching information (e.g. google):**

The literature study conducted for this reference guide revealed that there are seven main themes related to infrastructure and land governance. The themes have been numbered for the sake of the excel sheet and additional related search terms are highlighted as well:

1. Eminent domain, expropriation for public interest, taking, compulsory purchase, compulsory acquisition
2. Development Based Eviction, Forced Eviction, Development Induced Eviction, Market-driven eviction, speculation, land grabbing
3. Security of tenure, land access, land rights
4. Compensation, relocation, resettlement, concept of fair and just compensation, benefit sharing, employment
5. Participation and consultation, bottom up, alternative approaches/scenarios, participatory planning, negotiation
6. Environmental and social impact studies, guidelines for business, investors, complaints procedures
7. Gender

All keywords and search terms are explained in the **glossary** (page 14).

- **The overview is sorted by year of publication**

- **Publications marked orange are essential readings to start with**

- **Rural and urban**

The literature study has shown that there is an important distinction between rural and urban literature, with the rural literature including large projects such as dams. Hence, the overview highlights the main focus area as well.

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Subtheme	year	Reading	Focus	Comments and Key words
4 5	1991	ILO 1991 Indigenous and tribal peoples convention 1989 (no 169)	rural	<p>The articles in this convention are binding for the 22 countries that ratified them, many of them in Latin America</p> <p>Introduces FPIC</p> <p>Separate section on land (PartII)</p> <p>Article 6, 7, 15 and 16 relate to consultation, participation, relocation and FPIC</p>
2 3 4	1993	Commission on the Human Rights 1993/77 Forced Evictions	urban	<p>A full guideline on forced evictions follows in 1997, and is further elaborated in 2004 and 2007</p> <p>Affirms that the practice of forced eviction constitutes a gross violation of human rights, in particular the right to adequate housing</p> <p>Urges governments to confer legal security of tenure to all persons currently threatened with forced eviction</p> <p>Discusses immediate restitution, compensation and/or appropriate and sufficient alternative accommodation or land to persons forcibly evicted</p>
2 3 7	1996	Habitat Agenda II 1996	urban	<p>This Agenda has now been replaced with the Habitat III Agenda</p> <p>paragraph 40(n) deals with forced evictions, paragraph 61 states governments should take appropriate action in order to promote, protect and ensure the full and progressive realisation of the right to adequate housing</p>
2	1996	Mc Dowell 1996 Understanding impoverishment: the consequences of development-induced displacement	rural + urban	<p>No full text available, can be ordered.</p> <p>This book raises many questions about 'development' and 'progress' in the late twentieth century</p> <p>Discusses the question of whether the benefits of infrastructure development justify or outweigh the pain of the radical disruption of peoples lives, exacerbated by the fact that, with some notable exceptions, there has been a lack of official recognition on the part of governments and international agencies that development-induced displacement is a problem at all.</p>
1 2 3 7	1997	Economic and Social Council 1997 Expert seminar on the practice of forced evictions	rural + urban	<p>This expert seminar forms the basis for the UN 1997 guidelines on development-based eviction</p> <p>Develops a human rights approach to development based evictions</p> <p>Obliges states to ensure maximum effective protection against forced eviction and not intervene in a negative way in any de jure or de facto tenure security</p> <p>States that people have a right to adequate housing and security of tenure</p> <p>Article 17 discusses the obligation to expropriate only as last resort</p> <p>Article 24 discusses compensation</p>
2	1997	UN 1997 the practice of forced evictions: comprehensive human rights guidelines on development-based displacement adopted by the expert seminar on the practice of forced evictions geneva 11-13 june 1997		<p>This document still holds relevance. A further development of it came with the resolution in 2004 and in the form of the 'Basic principles and guidelines on development-based evictions and displacement', UN 2007</p> <p>Article 11 states that states should ensure that adequate and effective legal or other appropriate remedies are available to any persons claiming that his/her right of protection against forced evictions has been violated or is under threat of violation</p> <p>Article 16 states that states should fully explore all possible alternatives to any act involving forced eviction. All affected persons shall have the right to all relevant information and the right to full participation and consultation throughout the entire process and the right to propose any alternatives.</p> <p>Article 27 all persons groups and communities have the right to suitable resettlement which includes the right to alternative land or housing which is safe, secure, accessible, affordable and habitable.</p> <p>Furthermore especially interesting are article 17, 21 obligation to expropriate as last resort and the rights of people threatened with forced eviction respectively</p>
4	1999	Cernea 1999 The economics of involuntary resettlement: questions and challenges	rural + urban	<p>Cernea is author of the term development-induced displacement and resettlement</p> <p>This book presents a broad policy and intellectual debate about reorienting the development paradigm toward social inclusion and social development by focusing on one aspect: the need to bridge the gap between economic and social knowledge in addressing population resettlement</p> <p>Chapter 1 examines the current state of the art in both social and economic research on resettlement.</p> <p>Chapter 2 addresses key methodological issues in the economic and financial analysis required for involuntary resettlement.</p> <p>Chapter 3 takes the methodological analysis further by discussing the practicalities of resettlement planning.</p> <p>Chapter 4 is dedicated to the economic aspects of urban resettlement, based on experiences in several Latin American countries.</p> <p>Chapter 5 focuses on poverty reduction in resettlement in India, testing the adequacy of the risks and reconstruction model of resettlement and applying the risk-focused framework to a vast body of empirical findings.</p> <p>The final chapter explores the crucial issue of benefit sharing in projects entailing forced resettlement.</p>

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1 5 6 7	2000	World commission on dams 2000 dams and development - a new framework for decision-making		<p>Brokered by the World Bank and the World Conservation Union (IUCN), the World Commission on Dams (WCD) was established in May 1998 in response to the escalating local and international controversies over large dams. With the publication of the report the commission was disbanded in 2001.</p> <p>While dams have delivered many benefits and made a significant contribution to human development, in too many cases the price paid to secure those benefits, especially in social and environmental terms, has been too high and, more importantly, could have been avoided</p> <p>The Commission provides a new framework for decision-making based on recognizing the rights of, and assessing the risks to, all stakeholders. It encompasses the concept that those adversely affected should participate in the planning process and have a share in project benefits.</p> <p>Based on these rights and risks approach, the Commission developed seven strategic priorities and associated policy principles to guide decision-making</p> <p>The report's recommendations counterbalance the more usual approach where like most major development projects, decision-making processes around large dams have been centralised and technocratic.</p>
3 7	2002 ?	Habitat International Coalition 2002 ? Housing and Land Rights Network Toolkit	rural + urban	<p>The toolkit may be a bit outdated, replaced by more contemporary guidelines</p> <p>This toolkit covers the following topics: legal security of tenure; freedom from dispossession; public goods & services; environmental goods & services (natural resources, land & water); affordability, finance; habitability; accessibility (physical); location; cultural appropriateness; information, education, capacity and capacity building; participation and self-expression; movement resettlement, nonrefoulement, return & restitution; security (physical) and privacy</p> <p>Gives a good overview of concepts and meaning, with an easy to search menu online, a bit old albeit</p>
2 5 7	2004	United Nations Commission on Human Rights-Resolution 2004/28: Prohibition of Forced Evictions	rural + urban	<p>Follows the 1993/77 resolution and the 1997 guidelines</p> <p>Reaffirms that the practice of forced eviction that is contrary to laws that are in conformity with international human rights standards constitutes a gross violation of a broad range of human rights, in particular the right to adequate housing</p> <p>Emphasizes that the ultimate legal and political responsibility for preventing forced evictions rests with governments</p> <p>Recommends that governments provide compensation and/or appropriate and sufficient alternative accommodation or land to persons and communities that have been forcibly evicted following mutually satisfactory negotiations with the affected persons or groups and consistent with their wishes rights and needs.</p>
2 4 5	2007	Chris de Wet (ed.) 2007 Development-induced displacement; problems, policies and people	rural	<p>A project funded by the DFID</p> <p>Book on development based evictions, includes i.e. development induced displaced people (DIDP)</p>
2 3 7	2007	UN Habitat 2007 (?) The right to adequate housing	rural + urban	<p>An important document which forms the basis for other guidelines such as on evictions (UN 2007)</p> <p>Defines the right to adequate housing (p. 2-5) as including i.e. protection against forced evictions and the arbitrary destruction and demolition of one's home</p> <p>Adequate housing includes: legal security of tenure, availability of services, materials, facilities and infrastructure, affordability, habitability, accessibility, location, cultural adequacy.</p>
2 4 5 7	2007	United Nations 2007 Basic principles and guidelines on development-based eviction and displacement A/HRC/4/18	rural + urban	<p>These are THE international guidelines for policy and legislation. Several accessible publications were based on it such as UN 2011 How to deal with a project involving forced evictions</p> <p>Especially interesting in relation to forced evictions are articles 8, 11, 12, 16, 21, 30, 37, 41, 55, 60</p> <p>Extensive attention for the obligations of the state</p> <p>Articles are discussed in the light of the right to adequate housing</p> <p>Gives guidelines on development based evictions serving the "public good" (article 8) such as infrastructure</p> <p>Article 16 states that all persons (..) have the right to resettlement which includes the right to alternative land of better or equal quality and housing that must satisfy the following criteria for adequacy: accessibility, affordability, habitability, security of tenure, cultural adequacy, suitability of location and access to essential services such as health and education.</p> <p>Gives guidelines for eviction in the case it is unavoidable (i.e. article 16, 32, 38)</p> <p>Article 30 deals with speculation in land</p> <p>Discusses dialogue and consultation (i.e. article 39)</p> <p>Discusses protection against market based eviction i.e. speculation, rising values (article 30)</p> <p>Gives guidelines for resettlement (paragraph V)</p>

Subtheme	year	Reading	Focus	Comments and Key words
		... continued		Discusses fair and just compensation (article 60) i.e. cash compensation should under no circumstances replace real compensation in the form of land and common property. Furthermore where land is taken, compensation must be in land of similar quality, size, value- or better.
1 4	2007	Azuela 2007 Taking land around the world: International trends in the expropriation for urban and infrastructure projects	rural + urban	<p>Paper commissioned by the World Bank and the Lincoln Institute of Land Policy (LILP)</p> <p>Discusses that the trend is a growing resistance against eminent domain in response to forced evictions in large infrastructure projects such as dams</p> <p>Even so, argues eminent domain remains necessary</p> <p>When it comes to compensation for expropriation a useful difference should be made between those who hold land as an asset vs. those who use land to live on as compensation incurs high costs - sometimes exorbitant - on society at large</p>
5 7	2007	UN 2007 Declaration on the rights of indigenous peoples (UNDRIP)	rural	<p>UNDRIP is an important standard for the treatment of indigenous people. It is not legally binding but does reflect the commitment of UN member states to move in a certain direction.</p> <p>Specifically discusses the rights of indigenous people, for which there is a working definition for who they are i.e. they form a minority group</p> <p>Articles 10, 11(2), 19, 28, 29 (2) and 32 are relevant in the light of FPIC</p>
2 4	2008	Cernea 2008 Compensation and benefit sharing: why resettlement policies and practices must be reformed	rural	<p>Cernea is one of the introducers of the concept of benefit sharing</p> <p>Many public and private sector projects, such as hydropower dams or mines, trigger forced population displacement but fail to resettle people sustainably and instead cause their impoverishment. They fail to restore livelihoods and leave people worse off</p> <p>Social science research has found that one root cause of such failures and of impoverishment is asset dispossession and the insufficient financing of resettlement.</p> <p>Offers a theoretical analysis of the limits and flaws of compensation payments for expropriated assets, and argues that resources are available for supplementing compensation with financial investments for resettlers' development</p> <p>The sources for supplementary financing are the economic rent (windfall profits) generated by natural resource projects such as hydropower or mining and the regular stream of benefits generated by all projects that require resettlement</p> <p>Argues that financial investments in resettlers' welfare are indispensable and that benefit sharing is feasible. Therefore, both should become basic principles of resettlement legislation and practice. Thereby the idea is to transfer financial resources to the resettlers as resources additional to compensation payments: investments for development. A related principle is treating displaced landowners as shareholders</p> <p>Providing priority entitlement to jobs in the construction of the new project is discussed</p> <p>Money alone will not solve all of the resettlement's problems, but absence of financially adequate compensation foreordains failure by definition. The people placed at grave risk and forcibly displaced to make way for development projects ought to be seen as among the first entitled to access the substantial benefits that their ordeal makes possible.</p> <p>Gives case studies in which countries already make investments additional to compensation for post-displacement reconstruction. Relates to dams and the extractive industry primarily.</p>
2	2009	Anthony Oliver Smith (eds.) 2009 Development & dispossession	rural	<p>Includes articles by a range of authors</p> <p>Book on development based evictions</p> <p>An estimated 15 million people a year are displaced and resettled for development projects</p> <p>Analyses failures of existing resettlement policies and proposes durable solutions</p>
5	2009	World Resources Institute 2009 Engaging communities in extractive and infrastructure projects	rural	<p>World Resources Institute (WRI) is a global research organization that spans more than 50 countries</p> <p>A guideline on the use of FPIC specifically in infrastructure projects</p> <p>A response to the global rise in extractive and infrastructure projects</p> <p>Discusses effective on the ground engagement principles</p> <p>Discusses the advantages of involving the community (section I)</p> <p>Gives 7 principles on the basis of 7 challenges</p>
6	2010	ISO 26000 2010	rural + urban	<p>ISO 26000 shows how the OECD guidelines can be realised</p> <p>An international guideline for implementing corporate social responsibility, non-binding</p> <p>Tool must be purchased</p>

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4 5 7	2011	Bridges Across Borders Cambodia 2011 A community guide to the ADB involuntary resettlement safeguards.	rural	<p>Bridges across boarders is an international, non-governmental organization.</p> <p>This accessible guide is designed to make the Asian Development Bank's (ADB) Involuntary Resettlement Safeguard Policy accessible to Cambodians who are affected by ADB-funded projects, and explains the ADB Accountability Mechanism and other forms of advocacy that local communities can use to defend their rights and hold the ADB and the Government accountable.</p> <p>Displacement is one of the most common and worst impacts of ADB projects, hence this guide to explain to a community which things they can do to demand that their rights under the policy of involuntary resettlement safeguard are respected.</p> <p>Explains that owners with a title of the land are entitled to get replacement land or cash compensation. However those without possession rights are not entitled to this. But the government must provide for resettlement land before they are displaced. However, everyone is entitled to be compensated for housing and other structures that they will lose and for other improvements to the land such as crops.</p> <p>A very clear step by step outline (p. 14 to 24) of all compensations people are entitled to under the policy of involuntary resettlement safeguard.</p> <p>A clear discussion of people's right to information and meaningful consultation p. 25 onwards</p> <p>A step by step explanation how to hold the government and the bank accountable (p. 34 onwards)</p>
6	2011	UN 2011 UN Guiding principles on business and human rights https://www.youtube.com/watch?v=BCoL6JVZHrA	rural + urban	<p>This is the so called Ruggie framework after the man who developed it. These are voluntary guidelines, meaning they need someone to take ownership of them</p> <p>Who is responsible for human rights, business or government?</p> <p>The guiding lines tackle this dilemma making clear who is responsible</p> <p>Implements the UN 'protect, respect and remedy' framework</p> <p>States must protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises. States should set out clearly the expectation that all business enterprises domiciled in their territory and/or jurisdiction respect human rights throughout their operations.</p> <p>Business enterprises should respect human rights. The responsibility of business enterprises to respect human rights refers to international recognized human rights-at a minimum those expressed in the international bill of human rights and the ILO declaration on fundamental principles and rights at work.</p> <p>States must take appropriate steps to ensure that when such abuses occur within their territory and/or jurisdiction those affected have access to effective remedy.</p>
2 3 7	2011	UN Habitat 2011 Forced evictions global crisis global solutions	rural + urban	<p>Can be used as a reference and to inform public policy.</p> <p>Reviews the status of forced evictions globally</p> <p>Includes a separate section on large scale development projects often planned or conducted under the pretext of serving the public good (p. 46 onwards). Examples are given of displacement for mega development projects and dams.</p> <p>Large scale development projects which lead to forced eviction and displacement are one of the most common causes of indigenous rural-urban migration.</p> <p>Gives an overview of international law (p. 121 onwards)</p>
5 6	2011	OECD 2011 OECD Guidelines for Multinational Enterprise	rural + urban	<p>First drafted in 1979, renewed in 2000, these are the 2011 OESO guidelines. The guidelines are supported by 44 countries (2014). They are non-binding. Nevertheless they are of great importance to hold enterprises accountable.</p> <p>They are the only guidelines for international enterprise which have a system for dispute resolution formed by the National Contact Points (NCP).</p> <p>The concept of due diligence (II article 14) is discussed and understood as the process through which enterprises can identify, prevent, mitigate and account for how they address their actual and potential adverse impacts as an integral part of business decision-making and risk management systems.</p> <p>Especially relevant sections are:</p> <ul style="list-style-type: none"> III on information, which includes that people must be involved timely. IV on human rights V on employment such as when people are employed for infrastructure works IV on environment, such as when groundwater or livelihoods in fishery are affected VII fighting corruption relating to fair competition, fair negotiations XI taxes relating to payment of taxes as required

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2 4 5 7	2011	UN 2011 How to deal with projects that involve forced eviction and displacement?	urban	<p>Accessible folder based on the 2007 guidelines and following up on it with the right to adequate housing</p> <p>Specifically discusses large projects such as infrastructure</p> <p>Evictions considered “legitimate” shall always be related to works and projects that promote the public interest. In such cases, the ‘public interest’ shall always be established by a participatory process that gives proper attention to, and takes into consideration, the views and interests of those living in the areas that would be impacted. A public interest project should not render communities worse off than before.</p> <p>Discusses possibilities for mapping the community</p> <p>Discusses the possibility to file a complaint at the special rapporteur on adequate housing or the office of the high commissioner for human rights (ohchr)</p>
2 4 5	2011	UN 2011 They want to evict us what now?	urban	<p>Poster based on the 2007 guidelines</p> <p>A 2 pager explaining the main steps to take in case of a treat of eviction.</p>
5 7	2011	Wehrmann (ed) 2011. Land Use Planning: Concept, Tools and Applications. Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), Eschborn	rural	<p>A guide that relates to agriculture, fisheries and food as well as land policy and planning.</p> <p>PLUP refers to a type of land-use planning that is people-centred and bottom-up, incorporates input from all relevant stakeholders and recognizes locally specific socio-cultural, economic and environmental conditions</p> <p>Gives an overview of the basic functions of land (FAO/UNEP 1999 complemented) related to land uses and land ownership, highlighting that there may be competing uses and claims</p> <p>Land use planning in the context of development cooperation is an iterative process based on the dialogue amongst all stakeholders aiming to define sustainable land uses in rural areas. It also implies the initiation and monitoring of measures to realize the agreed land uses</p> <p>Recognition of the weaknesses of the conventional top-down approach has led to the development of participatory land use planning as an alternative approach</p> <p>Contrasts conventional or [expert-driven] approach for land use planning, which is rigid top down and expert led with participatory land use planning.</p> <p>PLUP is seen as part of land use planning procedures</p>
2 7	2011	Housing and Land Rights Network 2011 Handbook on UN Basic principles and guidelines on development-based evictions and displacement	rural + urban	<p>Useful document which summarises the 2007 UN guidelines (p. 22-29) in the form of a handbook</p> <p>Explicitly mentions forced evictions as a result to large infrastructure and so-called development projects in both rural and urban areas such as those relates to dams, mines and ports etc.</p> <p>Forced evictions are acts and/or omissions involving the coerced or involuntary displacement of individuals, groups and communities from homes and/or lands and common property resources that were occupied or depended upon, thus eliminating or limiting the ability of an individual, group or community to reside or work in a particular dwelling, residence or location, without the provision of, and access to, appropriate forms of legal or other protection. Forced evictions constitute a distinct phenomenon under international law, and are often linked to the absence of legally secure tenure, which constitutes an essential element of the right to adequate housing. (p. 22).</p>
3 7	2012	GLTN 2012 Handling Land	rural + urban	<p>A publication by the Global Land Tool Network. It is interesting that the concept of a continuum of land rights is defuted by Payne and Lasserve (2012) who argue speaking of categories better reflects reality.</p> <p>Discusses the pressing need for infrastructure in the form of ie. services and the need for revenue to afford it</p> <p>Discusses the continuum of land rights (p. 12) and possibility of enumeration (p.35 onwards) to ensure security of tenure</p> <p>The continuum of land rights moves from formal to informal. At one end are formal land rights, where the owner is an individual, who holds a set of registered rights to a parcel of land that are enshrined in law. At the other end are informal land rights. The boundaries of the land may not be clearly marked on the ground or on a map, and there may be no official paperwork certifying who owns or has what rights to the land. Tenure can take a variety of forms, and “registered freehold” (at the formal end of the continuum) should not be seen as the preferred or ultimate form of land rights, but as one of a number of appropriate and legitimate forms. Registered freehold, for example, requires a sophisticated (and costly) administration system, a reliable survey of the land parcels and good land governance.</p> <p>Enumeration is a process whereby the people gather data on their community, i.e. survey their land and indicate its owners.</p>

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6 7	2012	IFC 2012 IFC performance standards on Environmental and social sustainability	rural + urban	<p>A performance standard developed by the international finance corporation to articulate IFC's strategic commitment to sustainable development. IFC being the private sector of the World Bank.</p> <p>Together the eight performance standards establish standards that the client is to meet throughout the life of an investment by IFC. The client being the party responsible for implementing and operating the project or the recipient of the financing depending on the project structure and type of financing.</p> <p>The eight performance standards are Performance Standard 1: Assessment and Management of Environmental and Social Risks and Impacts Performance Standard 2: Labor and Working Conditions Performance Standard 3: Resource Efficiency and Pollution Prevention Performance Standard 4: Community Health, Safety, and Security Performance Standard 5: Land Acquisition and Involuntary Resettlement Performance Standard 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources Performance Standard 7: Indigenous Peoples Performance Standard 8: Cultural Heritage</p> <p>Each of the performance standards has elements related to human right dimensions that a project may face. Discusses FPIC in relation to indigenous people (article 32 standard 1) The client must establish a grievance mechanism for affected communities (article 25)</p> <p>Performance standard 3 tackles amongst others increased levels of pollution to land and water and air that are generated through the activity and measures to minimize these.</p> <p>Performance standard 4 states that in infrastructure projects such as dams in high risk locations external experts must be engaged to conduct a review of community safety.</p> <p>Performance standard 5 discusses involuntary displacement as being both physical displacement and economic displacement (loss of assets or access to assets that leads to loss of income sources or other means of livelihood) as a result of project-related land acquisition. It should be avoided or when unavoidable minimized with carefully planned mitigation of adverse impacts on displaced persons and host communities. Compensation for loss of assets must be given at full replacement cost which is defined as the market value of the assets plus transaction costs, with market value being defined as the value required to allow affected communities and persons to replace lost assets with assets of similar value (p. 32). Also, physically displaced persons must be provided with adequate housing with security of tenure at resettlement sites (p.32) Where livelihoods of displaced persons are land-based, or where land is collectively owned, the client will where feasible offer the displaced land-based compensation (p. 33). Thereby if people living in the project area are required to move the client will offer displaced persons choices among feasible resettlement options. And new resettlement sites built must offer improved living conditions (p 36). Economically displaced persons who face loss of assets or access to assets will be compensated for such loss at full replacement costs, with more detail given on it (p. 37).</p> <p>More details on compensation for displacement - physical or economic - and engagement of the community are given in p 32-39. A differentiation is made between those with legal claims to the land and those without (p. 35 and p.37). It is argued moreover that cash compensation alone is insufficient to restore livelihoods, and a statement on how livelihoods must be provided for (p. 38)</p> <p>Performance standard 6 discusses the responsibilities to take care of the ecosystem (p. 40-46).</p> <p>Discusses circumstances in relation to indigenous people that require FPIC such as impact on lands and natural resources (p.50-51).</p>

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4 5 7	2012	FAO 2012 Voluntary Guidelines on the Responsible Governance of Tenure (VGRGT); of land, fisheries and forests in the context of national food security	rural	<p>Voluntary guidelines on governance of tenure (Food and Agriculture Organisation)</p> <p>Developed after intensive consultations with many stakeholders, is currently seen as the leading guidelines on land governance</p> <p>Has a paragraph on informal tenure (10), legitimate tenure rights and on expropriation and compensation (16).</p> <p>States must explicitly define what the concept of public good is in the law (16.1).</p> <p>The planning process for expropriation must be transparent and participatory (16.2).</p> <p>Everyone involved must be identified, informed and consulted in all stages and meaningful participation should be ensured.</p> <p>Eviction well argued for must respect all human rights.</p> <p>Before eviction the state must research all alternatives in consultation with those affected, with eviction being only the last resort.</p> <p>For those who cannot take care of themselves the state, where resources suffice must take the necessary steps to offer adequate alternative housing, resettlement or access to productive land, fisheries and forests.</p>
3 7	2012	Payne Durrand Lasserve 2012 Holding On: Security of Tenure - Types, Policies, Practices and Challenges	urban	<p>Paper prepared for the special rapporteur on adequate housing to inform her study on security of tenure.</p> <p>Gives a summary of issues involved with tenure security and insecurity.</p> <p>Explains what land tenure is, a social relation involving a complex set of rules that governs land use and land ownership. The primary tenure systems being statutory (private or public), customary/traditional and religious as well as informal.</p> <p>Gives a highly useful overview of the different land tenure systems (p.11-17).</p> <p>Gives an overview of tenure categories in urban settings in terms of their legal status, and their characteristics from freehold to non-formal. Explains why seeing it as a continuum does not fit reality (p. 18-19) Gives a guide on how to complete a typology of tenure categories for a selected city (appendix B).</p> <p>In attempting to reflect the varying degrees of security, legality, and formality that different tenure categories represent, uN-Habitat (2008:8) expressed the range as a continuum. However, this linear presentation has severe limitations. It confuses tenure status and rights and also implies that customary systems are relatively informal. More seriously, it implies that the most secure, formal and legal form of tenure is that of registered freehold, suggesting it is an ideal type or ultimate goal, despite the fact that many other categories in other tenure systems offer equally high levels of security and legality. However, as tenure categories reflect social and economic contexts, there can be no such ideal category and the concept of a continuum is therefore not used in this report.</p> <p>Special attention to informality and the urban poor. De facto (= perceived) security of tenure (p. 23), market-driven evictions (p. 25).</p> <p>Gives good argumentation on why titling (giving a freehold title) is not necessarily the best option for more security of tenure. (p. 30).</p> <p>Discusses tenure regularisation programmes (p. 36 onwards) calling for an incremental approach towards a more formal tenure system (p. 48 onwards).</p> <p>Gives a detailed discussion of tenure categories in Appendix A, especially highlighting the problems with individualized rights.</p> <p>Gives a detailed discussion of tenure options, their advantages and disadvantages in Appendix C.</p>
1 2 4	2012	Eerd 2012 Development-induced displacement and resettlement and the misuse of public interest: comparing international guidelines with national legislation and policies in India	urban	<p>Based on a study conducted for UN-Habitat on evictions, acquisition, expropriation and compensation.</p> <p>Discusses the issues relating to development-induced displacement and resettlement worldwide and describes trends and the impact on project affected people.</p> <p>Presents an overview of international laws and guidelines developed by the UN system and safeguards of International Financing Agencies that should prevent people from being displaced and impoverished as a consequence of development.</p> <p>Assessed and compares the definition of public interest: how is the concept of public interest used in decision-making and which rights are confronted with this use?</p> <p>Zooms in to Indian policy and legislation.</p> <p>Gives a short overview of the academic debate on development-induced displacement.</p> <p>Highlights the complicated discussion on what is a justified reason in terms of public good for evictions to be in compliance with international human rights standards. How should legitimate "public interest" be defined?</p> <p>Discusses how in India through a bottom-up participatory process people's movements have come to a definition of what is public interest.</p> <p>Concludes that at the international level there is presently no clear definition of public interest.</p>

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2 4	2013	Eerd, Banerjee 2013 Working paper I Evictions, acquisition, expropriation and compensation: practices and selected case studies	urban	<p>A joint publication of UN-Habitat and the Global Land Tool Network. A working paper for practitioners, includes 10 case studies.</p> <p>Presents ten cases on development-induced displacement, most related to infrastructure development followed by city beautification. These are South Africa, Nigeria, Indonesia, India, Cambodia, Philippines, China, Sri Lanka, Mexico, Venezuela.</p> <p>Includes a useful overview of key terms and a very extensive reference list.</p> <p>Tackles the issue of sustainable urbanisation for which it is important to better understand the concepts and practices related to evictions, acquisition, expropriation and compensation. Urban development in the name of the "public interest" often affects the most vulnerable disproportionately.</p> <p>The cases demonstrate amongst others that evictions may be avoided through meaningful stakeholder participation.</p> <p>The case studies also illustrate how domestic laws have been applied to enforce an eviction, but also how international laws, policies and guidelines have not been applied or have been in part only.</p> <p>Other case studies show how various international accepted resettlement safeguards and principles have been incorporated into eviction policies.</p> <p>The cases also highlight differences in each country's approach to the human rights of people who are evicted, as well as a range in the level of violence used to carry out an eviction.</p> <p>Community organisation, partnerships, compensation and protecting the vulnerable are among the many issues that crop up repeatedly in each case study. The manner in which these are dealt with can better inform city planners and others in their efforts to fairly and responsibly manage urbanization and urban development.</p> <p>The report concludes with a number of highly useful critical questions that need further thinking. Amongst them:</p> <p>How should legitimate public interest be defined and by whom? How can more concrete practical guidelines to determine legitimate public interest be developed?</p> <p>What kind of targeted donor interventions are most effective in paving the way for greater respect for the rights of particularly affected poor and vulnerable groups?</p> <p>How can poor and vulnerable groups be empowered, or how can the process be improved to protect these groups from losing out?</p>
3 4 7	2013	UN 2013 Report of the Special rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, Raquel Rolnik A/HRC/25/54	urban	<p>In this report (A/HRC/25/54) the special rapporteur recommends a set of guiding principles to assist States and other relevant actors in addressing the current tenure insecurity crisis faced by the urban poor in an increasingly urbanized world</p> <p>Offers some guiding principles to address urban tenure insecurity.</p> <p>Exists of two sections, with the guiding principles in the first and commentary which explains each principle in the second.</p> <p>The intent is to assist States and other relevant actors in addressing the current tenure insecurity crisis faced by the urban poor in an increasingly urbanized world.</p> <p>The author stresses that in situ solutions must be prioritised, unless there are exceptional circumstances that justify eviction consistent with international human rights law.</p> <p>States that states should promote access to secure and well-located housing for the urban poor.</p> <p>States that women's security of tenure must be promoted</p> <p>States that security of tenure must be respected in business activities.</p> <p>States that the urban poor must be empowered to be able to hold the state accountable.</p> <p>The commentary stresses inter alia that contrary to dominant discourse on tenure, freehold titles are not the sole instrument of tenure security.</p> <p>Adverse possession, use rights and rental are promoted, collective tenure is explained.</p> <p>The social function of property should be promoted (as opposed to for example the commodification thereof).</p> <p>Land acquisition for public purposes is tackled (no. 56). States that states should ensure that the poor are not disproportionately affected, as this situation may amount to discrimination in the enjoyment of the right to adequate housing on the basis of tenure and economic status.</p> <p>A discussion of women's security of tenure is given under G.</p> <p>A discussion of respecting security of tenure in business activities is given under H. Actors include property developers, construction companies, speculators, real estate agencies, landlords, mega-event organizers and banks.</p>
2 3 7	2013	United Nations 2013 Guiding principles on security of tenure for the urban poor (A/HRC/25/54)	urban	<p>Very accessible folder. Based on the work of the Special rapporteur, brings two documents together: a thematic Report in 2013 (A/HRC/25/54) and a Resolution</p> <p>Defines security of tenure, an essential part of the right to adequate housing which the state should guarantee to protect against forced eviction.</p> <p>Forced eviction is related to insecurity of tenure.</p> <p>Prioritises in situ (in the same place) solutions for security of tenure.</p>

Subtheme	year	Reading	Focus	Comments and Key words
2 5 7	2014	Equitable Cambodia and Inclusive Development International 2014 Avoiding forced evictions: a community guide to negotiation and advocacy	rural	<p>Inclusive Development International (IDI) was established in 2011 as a project of Social and Environmental Entrepreneurs (SEE) a non-profit public charity</p> <p>Aims to help communities prepare for negotiations with private companies or government authorities seeking to take their land and/or evict them from their homes. The guide seeks to address the radically asymmetrical power relations in these sorts of negotiations by situating negotiation within a broader advocacy strategy.</p> <p>The guide is designed for use by communities and includes a facilitator's edition with interactive, participatory lesson plans to be able to organise a training.</p>
2 4 5	2014	UNHabitat 2014. Forced Evictions.	urban	<p>A Factsheet that follows the work already done on Forced Evictions in 1993, 1997, 2004, 2007</p> <p>Human rights framing of forced evictions.</p> <p>The right to not be forcibly evicted is discussed in the light of the right to adequate housing</p> <p>Discusses obligations of the proponent (state or otherwise) in the case eviction has no alternative (p. 26 onwards).</p> <p>Discusses the right to information, meaningful consultation (p. 32 onwards).</p> <p>Discusses fair and just compensation (p. 33); compensation for housing, and that land and property should be provided before the eviction. Fair and just compensation for all losses should include any losses of personal, real or other property or goods, including rights or interests in property and any of the economic and social losses incurred by those evicted. Compensation should be provided for any economically assessable damage as appropriate and proportional to the gravity of the violation and the circumstances of each case, such as lost opportunities including employment. Cash compensation should in principle not replace real compensation in the form of land and common property resources. Where land has been taken the evicted should be compensated with land commensurate in quality, size and value or better (see A/HRC/4/18 annex I para. 60)</p>
5 7	2014	UN Food and Agriculture Organisation (FAO) 2014 Respecting Free Prior and Informed Consent; practical guidance for governments, companies, NGOs, indigenous people and local communities in relation to land acquisition.	rural	<p>The FAO Governance of Tenure Technical Guides are part of FAO's initiative to help develop capacities to improve tenure governance and thereby assist countries in applying the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security.</p> <p>FPIC has emerged as an international human rights standard that derives from the collective rights of indigenous peoples to self-determination and to their lands, territories and other properties.</p> <p>FPIC is a collective right of indigenous people to make decisions through their own freely chosen representatives and customary or other institutions and to give or withhold their consent prior to the approval by government, industry or other outside party of any project that may affect the lands, territories and resources that they customarily own, occupy or otherwise use (p. 4).</p> <p>Gives a useful overview of the meaning of FPIC (p. 5).</p> <p>Ascertaining the legal status of the land is discussed (p. 19-20).</p> <p>Mapping claims on the land is discussed (p.22-25), as are holding consultations, finding consensus.</p> <p>The annex has a useful diagram with the proposed steps in respecting FPIC (p. 40-41).</p>
2	2014	Witness.org 2014 Evict them in 5 easy steps	urban	<p>Film animation</p> <p>Discusses in an ironic way how easy it is to violate human rights through eviction.</p>

Subtheme	year	Reading	Focus	Comments and Key words
5 7	2014	UNHabitat 2014 Streets as tools for urban transformations in slums	urban	<p>Relates to the participatory planning approach and focuses on urban contexts</p> <p>This paper is all about streets and promotes an approach to slum upgrading that does not consider slums as islands of poverty and informality but as deprived neighbourhoods that are an integral part of the overall city system which are spatially segregated and disconnected due to an absence of streets and open spaces, drainage, sewerage and other amenities, as well as arterial roads.</p> <p>The street-led slum upgrading approach requires the preparation of an area-based plan, with the participation of local residents, defining a spatial structure for the settlement and the basic street pattern.</p> <p>Discusses basic infrastructure networks such as water supply, electricity, drainage, sewerage and other amenities as well as arterial roads.</p> <p>In a participatory planning approach infrastructure is proposed and implemented (p 17 onwards, p 22, p 44 gives a good overview) opening streets as the driving force for citywide slum upgrading.</p> <p>Participatory enumeration is stressed: recording individual housing units, their number and record, and a cadastre of the residents and their status, size, tenure condition, income, etc. are needed to help correctly determine and agree on the size and conditions of the population living in each single settlement.</p> <p>In the initial stages of participatory planning, streets are identified, prioritised laid down as part of a slum upgrading plan that is discussed, amended and endorsed by residents and their grassroots organisations before the project is launched for execution. The implications to the resident community of different possible alternatives starting with the least invasive to the most radical are discussed in terms of disaster management, convenience, level of services, future development prospects and demolitions and relocation.</p> <p>States that relocation of some people is inevitable (p.22 onwards).</p> <p>Gives case studies of such participatory infrastructure planning with technical assistance and demand based service delivery.</p>
2 7	2014	Housing and land right network 2014 How to respond to forced evictions handbook for india	urban	<p>Basically gives insight into important national (for India) and international laws and how to apply them in the Indian context</p> <p>Includes a useful overview in section VI : what are the international guidelines that should be followed? Gives a summary of the 2007 guidelines before eviction, during, after, monitoring evaluation and follow up as well as role and responsibility of non-state actors, with special section on childrens' and women's rights.</p>
5 7	2014	International Fund for Agricultural Development (IFAD) 2014 How to do participatory land use planning (PLUP)	rural	<p>Merely one example from the work done on PLUP</p> <p>PLUP is meant to ensure that local land users are given the opportunity to play a central role in decision-making processes concerned with the land and resources they use and depend upon.</p> <p>An intensive process that can take weeks if not months to complete.</p> <p>Includes participatory mapping such as the mapping of resources.</p> <p>Steps are highlighted, from constituting a PLUP committee to collecting data etc.</p>
5 7	2015	Rspo human rights working group 2015 Free , prior and informed consent guide for rspo members	rural	<p>This RSPO guide is an important reference on FPIC.</p> <p>Discusses FPIC in the light of (mainly) land grabs such as for palm oil.</p> <p>Extensively discusses FPIC through guides on how to implement it.</p>
5	2015	Ministry of foreign affairs of the Netherlands 2015 Expert meeting on free prior and informed consent in relation to land governance	rural	<p>Expert meeting, relates to the C169 amongst others</p> <p>Gives a discussion on FPIC in relation to indigenous people.</p> <p>There is no official definition of indigenous people only working definitions.</p> <p>The discussion evolves amongst others around rights to effective participation, including the right to withhold consent.</p> <p>Consent is obligatory in the case of development projects with large impact.</p> <p>Gives a discussion on how to implement FPIC.</p>
2 4	2015	Pham Huu 2015 Dilemmas of hydropower development in Vietnam: between dam-induced displacement and sustainable development	rural	<p>PhD work on displacement and infrastructure in Vietnam (LANDac Utrecht University).</p> <p>The goal of the book is to explain the controversies related to hydropower development in Vietnam in order to make policy recommendations for equitable and sustainable development.</p> <p>The book focuses on the analysis of emerging issues, such as land acquisition, compensation for losses, displacement and resettlement, support for livelihood development, and benefit sharing from hydropower development.</p>

Subtheme	year	Reading	Focus	Comments and Key words
3	2015	Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication	rural	<p>Brought forward by the Food and Agriculture Organisation (FAO) relates to smallscale fisheries both in marine and inland waters (including coastal areas). The SSF Guidelines complement the 1995 Code of Conduct for Responsible Fisheries, which, alongside the fishing provisions of the UN Convention on the Law of the Sea, is the most widely recognized and implemented international fisheries instrument.</p> <p>It is estimated that about 90 percent of all people directly dependent on capture fisheries work in the small-scale fisheries sector. As such, small-scale fisheries serve as an economic and social engine</p> <p>5.9 states that States should ensure that small-scale fishing communities are not arbitrarily evicted and that their legitimate tenure rights are not otherwise extinguished or infringed.</p> <p>5.10 states that States and other parties should, prior to the implementation of large-scale development projects that might impact small-scale fishing communities, consider the social, economic and environmental impacts through impact studies, and hold effective and meaningful consultations with these communities, in accordance with national legislation.</p> <p>5.11 states that States should provide small-scale fishing communities and individuals, including vulnerable and marginalized people, access through impartial and competent judicial and administrative bodies to timely, affordable and effective means of resolving disputes over tenure rights in accordance with national legislation, including alternative means of resolving such disputes</p> <p>5.13 states States and all those engaged in fisheries management should adopt measures for the long-term conservation and sustainable use of fisheries resources and to secure the ecological foundation for food production</p> <p>In many places, conflicts with large-scale fishing operations are an issue, and there is increasingly high interdependence or competition between small-scale fisheries and other sectors. These other sectors can often have stronger political or economic influence, and they include: tourism, aquaculture, agriculture, energy, mining, industry and infrastructure developments.</p> <p>In many places, conflicts with large-scale fishing operations are an issue, and there is increasingly high interdependence or competition between small-scale fisheries and other sectors. These other sectors can often have stronger political or economic influence, and they include: tourism, aquaculture, agriculture, energy, mining, industry and infrastructure developments.</p> <p>In many places, conflicts with large-scale fishing operations are an issue, and there is increasingly high interdependence or competition between small-scale fisheries and other sectors. These other sectors can often have stronger political or economic influence, and they include: tourism, aquaculture, agriculture, energy, mining, industry and infrastructure developments.</p> <p>The document overall especially stresses how to protect the resources and livelihoods and lifestyles of the small scale fishers.</p>
5	2016	Ministry of foreign affairs 2016 Minutes session FPIC workshop 15 september	rural	<p>Workshop on the implementation of FPIC</p> <p>Discusses FPIC in relation to indigenous people.</p> <p>Stresses the importance of the right of indigenous people to effective participation instead of excluding them from consultation and decision making processes such as with large infrastructure projects</p> <p>Highlights that the UNDRIP 2008 and ILO convention 169 are especially important.</p> <p>Free Prior Informed and Consent is defined.</p> <p>Discusses what the responsibilities of companies are.</p>
1 2 7	2016	UN-Habitat 2016 Habitat III New Urban Agenda	urban	<p>The new urban agenda established in Quito in 2016</p> <p>The following articles relate to access to and the importance of infrastructure 13 (a), 14 (a), 34, 44, 45, 50, 52, 62, 77, 91, 95, 96, 101, 113, 114, 118, 119, 120, 121, 143</p> <p>Article 31 addresses forced evictions, just as 107 and 111.</p>
6	2016	UN Global Compact 2016 Making global goals local business; a new era for responsible business	rural + urban	<p>Focuses on responsible business</p> <p>Urges businesses to embark on the SDGs for 2030.</p> <p>The approach is to take shared responsibility for a better world.</p> <p>Integrity and values having a huge role to play.</p> <p>Focus is on human rights, labour, environment and anti-corruption.</p> <p>Offers a toolbox to shape corporate sustainability approaches.</p>
6	2016	GRI 2016 Global Reporting Initiative - sustainable reporting guidelines	rural + urban	<p>The GRI Standards are the first global standards for sustainability reporting</p> <p>A standard for businesses on how to report on their sustainability.</p> <p>Economic Environmental Social standards.</p>

Subtheme	year	Reading	Focus	Comments and Key words
4 5	2016	Kei Otsuki, Murtah Read, and Annelies Zoomers 2016 Large Scale Investments in Infrastructure: Competing Policy regimes to Control Connections	rural + urban	<p>Paper for ISS The Hague, includes Zoomers who is the director of LANDac, the Land Academy of Utrecht University. An academic and theoretical article, with a historical discussion and pointers to the near future</p> <p>Aims to generate discussions on how to envisage what the authors call a new table in the infrastructure process, meaning a new table for negotiations at which people recognise their own marginalisation and exclusion experiences and take initiatives in every decision-making throughout the infrastructure process.</p> <p>Argues that there is a neglect of infrastructure in literature and that this is caused by a lack of adequate concepts used in the justice framework. Attention should be paid to ways that the infrastructure process operates on the one hand, and how people affected by the connections attempt to embed (or reject) the infrastructure in their everyday places, deal with the consequences and seek for a just benefit-sharing on the other.</p> <p>Discusses how infrastructure also underpins social and power relationships that affect workings of institutions that manage and govern the infrastructure.</p> <p>Argues that we are witnessing the resurgence of large-scale infrastructure projects in pursuit of economic development, associated with the global land deals that stem from global food and energy security concerns in the mid 2000s, led by emerging economies such as China or the Chinese-led Asian Infrastructure Investment Bank (AIIB). And that this resurgence has been simultaneously inducing resurgence of displacement and dispossession of people.</p> <p>Considers the implementation of physical infrastructure as part of the global land rush, discusses the question: Why does such an emphasis on the needs of large-scale infrastructure emerge now?</p> <p>Gives an analysis of the implications of large-scale investments in physical infrastructure for social and environmental justice.</p> <p>Drawing on three infrastructure projects coinvested by the Dutch international cooperation in Mozambique and Vietnam, the authors point out that the infrastructure as a 'public work' seldom benefits marginalised communities.</p> <p>Gives a highly useful discussion of the history of infrastructure implementation.</p>
6	2016	Netherlands Commission for Environmental Assessment 2016 Meta study of ESAs for port development		<p>Study on the land governance aspects in infrastructure projects</p> <p>A study initiated by the Land Governance Multi-Stakeholder Dialogue to determine how to effectively contribute to the improvement of land governance in emerging and developing countries.</p> <p>The report discusses the respective environmental and social impacts assessments (esia) of ports, which is a pilot study to see how the reporting is being done.</p>
5	2016	Otsuki 2016 Infrastructure in informal settlements: co-production of public services for inclusive governance	urban	<p>Academic article on infrastructure and informal land tenure</p> <p>How could governance become inclusive through community-based participation in urban development?</p> <p>A case study of informal sanitation infrastructure, which has been introduced by a participatory upgrading programme in Nairobi.</p> <p>The article argues that rather than participation, communities' capacity to enrol the state actors in the space of consultation is crucial to make governance genuinely inclusive.</p>
3	2016	Life Mosaic	rural	<p>Multimedia website resource in English, Spanish, French, Bahasa A rich source also for documents on indigenous people and land</p> <p>LifeMosaic produces and co-ordinates the distribution of educational resources for indigenous peoples. Resources are primarily based on community testimonies; they present complex issues in an accessible and engaging way; and support indigenous peoples right to free, prior and informed consent.</p> <p>LifeMosaic facilitates partner-led dissemination across wide networks to reach thousands of communities. They train practitioners to use our resources in their movement-building work, building their capacity to facilitate communities to organise to protect their lands, cultures and forests.</p> <p>Topics covered in the documentation are: LifeMosaic Resources, Community Organising, Forests and Climate Change, Land Rights, Livelihoods and Culture, Mining and Oil, Plantations, Popular Education</p>

Glossary

Theme	Keyword	Explanation
1	Eminent domain	the name of a legal institution which allows states to acquire property against the will of its owner in order to fulfil some purpose of general interest (Azuela 2007). Compulsory purchase, expropriation, or simply taking refer to the same legal institution. The power of eminent domain has three components: the power of the state to take over private land; this power has to be exercised for public good; and the obligation of the state to compensate those whose lands are taken over (Desai 2011: 95, in Eerd 2012: 15). At the international level there is presently no clear definition of public interest (Eerd 2012: 18)
1	Land acquisition	the stage in the development process at which land required to implement a plan or project is obtained by either public or private agencies (UNCHS3 1992: 72 in Eerd and Banerjee 2013: 7).
1	Expropriation	government exercise of sovereignty to take ownership of land from a private owner (UNCHS*1992:47 in Eerd and Banerjee 2013: 7).
		*UNCHS 1992 Multilingual glossary of human settlements terms Nairobi: United Nations Centre for Human Settlements
1	Compulsory purchase	Official order for acquisition or expropriation of private property for public use or benefit upon payment of fair and just compensation (UNCHS 1992: 23 in Eerd and Banerjee 2013: 7).
2	Development driven/based eviction	evictions often planned or conducted under the pretext of serving the "public good", such as those linked to development and infrastructure projects (including large dams, large-scale industrial or energy projects, or mining and other extractive industries); land acquisition measures associated with urban renewal, slum upgrades, housing renovation, city beautification, or other land-use programs (including for agricultural purposes); property, real estate and land disputes; unbridled land speculation; major international business or sporting events; and ostensibly, environmental purposes. Such activities also include those supported by international development assistance. (UN Habitat 2007, para. 8)
2	Forced eviction	the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection (UN Habitat 2014:3). May include the use of violence. Some other terms are: development induced displacement, development-caused forced displacement and resettlement (DFDR).
2	Market based eviction and speculation	'These evictions result from dynamics accompanying the liberalization of land markets in many developing countries, and nationwide land titling programs carried out in the name of economic development and poverty reduction, leading to an increase of the market pressure on urban low-income groups. Many of the evictions that result from these dynamics are not recorded as such, either because they do not require the use of force or because some form of compensation is paid to the displaced households, regardless of how fair and equitable this compensation may be. Market driven displacements concern primarily informal settlements and especially slums. It encompasses all situations where displacements are the direct or indirect consequences of a development aiming to make a more profitable use of the land' (Durand-Lasserve* 2006).
		*Lasserve 2006 Market-driven evictions and displacements: implications for the perpetuation of informal settlements in developing cities. In: Huchzermeyer and Karam (eds.) 2006, Informal settlements: a perpetual challenge? UCT press, Cape Town.
2	Land grabbing	a process of taking possession and controlling of interests over land (e.g. ownership, use rights, access rights) on purchase, lease or concession for a set period and for specific purposes. Other terms associated with land grabbing include large scale land acquisition and trans(national) land transactions (Eerd and Banerjee 2013: 7).

Reference guide on infrastructure set against land governance - Glossary

Theme	Keyword	Explanation
3	Security of land tenure*	three ways of defining tenure security: 1) the degree of confidence that land users will not be arbitrarily deprived of the rights they enjoy over land and the economic benefits that flow from it; 2) the certainty that an individual's right to land will be recognized by others and protected in cases of specific challenges or, more specifically, 3) the right of all individuals and groups to effective government protection against forced evictions (UN-Habitat 2008:5). Land tenure systems are sets of formal or informal institutions that determine access to, and control over, land and natural resources (Eerd and Banerjee 2013:7).
		*Land tenure is the way land is held or owned by individuals and groups, or the set of relationships legally or customarily defined amongst people with respect to land. In other words, tenure reflects relationships between people and land directly, and between individuals and groups of people in their dealings in land UN-Habitat 2008:5
3	categories of tenure types	There are various categories of tenure types ranging from statutory (individual freehold title) to collective or customary land titles, and informal land use.
3	Land access	opportunities for temporary or permanent use and occupation of land for purposes of shelter, productive activity, or the enjoyment of recreation and rest. Land access is obtained by direct occupation, exchange (purchase or rental), through membership of family and kin groups, or by allocation by government, other landowners or management authorities.
3	Land rights	socially or legally recognized entitlements to access, use and control areas of land and related natural resources (UN Habitat* 2008:5).
		*UN Habitat 2008. Secure land rights for all. GLTN, Global Land Tool Network, Nairobi, Kenya.
4	Compensation	relates to relocation in the case of eviction and the quality of the compensation in relation to what people had before. Compensation for any losses of and/or damage to personal, real or other property or goods, including rights or interests in property. Compensation can take many forms, including cash and/or in kind, providing they are adequate and fair. For example, cash may replace land and common property resources. Where land has been taken, those evicted should be compensated with land commensurate in quality, size and value, or better (Eerd and Banerjee 2013:7). Related is the concept of fair and just compensation as defined in the law.
4	Relocation	the physical transfer of individuals or groups from their usual home (place of origin) to another location (place of relocation). Relocation may be voluntary, as with the migration of people from places of origin in the search for better economic opportunities in other places e.g. rural-urban migration, or involuntary as happens with forced displacement of people due to natural disasters or violent conflict. Relocations may be temporary or permanent (GLTN* 2010:156 in Eerd and Banerjee 2013:7).
		*GLTN 2010. Count me in, surveying for tenure security and urban land management. Global Land Tool Network, Nairobi, Kenya.
4	Resettlement	the provision of shelter, basic services and infrastructure, livelihood opportunities and security of tenure to displaced households in the place of relocation or, on return, in their places of origin (Eerd and Banerjee 2013:7)
4	Benefit sharing	the possibility that people share in the revenues generated by a project. In some cases the possibility to benefit from a project through employment.
5	Participation and consultation	refers to the possibility of people to participate meaningfully in the infrastructure project. Related concepts are alternative bottom-up implementation of infrastructure as opposed to top-down projects, participatory planning approaches, and the possibility for communities to negotiate.
6	Environmental and social impact studies, guidelines for business, external reviewers, strategic environmental and social impact studies	all these relate to the responsibilities of business, states and investors. Who is promoting the project? Who is financing? Who is responsible to whom? Who is benefitting? What are the socio and environmental outcomes? Are there debt traps?
7	Gender aspect	What are consequences of the project for men and women? Is there a difference in impact, compensation, participation, resettlement, employment? What are specific guidelines for the more vulnerable groups?