SECURITY OF TENURE FOR URBAN POOR COMMUNITIES

EXPERIENCES FROM OTHER COUNTRIES

MICHAEL SLINGSBY

UNDP URBAN POVERTY CONSULTANT

INSECURE COMMUNITIES

• Poor families represent one third of a city's population

• Few cities have policies to provide access to legal land and housing

• Officials and politicians argue that improving living conditions encourages migration

• Half of urban growth from those already in the city

• Urban poor provide the essential pool of unskilled and semi-skilled labour

• Remittances are important for rural development

• Families do not like to live in insecure and often polluted environments but have no choice

• Need access to a range of employment opportunities

INSECURE COMMUNITIES

• Poorest families live in cheapest and most insecure areas

• Some may claim ownership but may have "bought" from those who have no right to sell

• Middlemen may offer protection for payment of rent but are not able to help when the real land owner emerges

• Eviction from places of economic activity, loss of school places, access to health facilities and destruction of social networks are nearly as important as the loss of dwelling and possessions.

• 50% of those living in insecure communities are women and one third are children under 15.

PROCESS AND REASONS FOR EVICTION

• Those on private land may be cheaply bought out, one by one

• Much of this is unseen and unheard

• Organised communities may resort to legal action

• Courts usually decide in favour of land owners and disregard international conventions

• Strong organised communities may get higher levels of compensation or even alternative land

• Large scale evictions have taken place in last five years in Jakarta, Phnom Penh, Mumbai, Delhi, Karachi and Kolkata

• Part of a "policy" of freeing government land, "hoping" that slum dwellers will go back to their villages and others are discouraged from migrating

• Forces that drive migration stronger than politicians will power

KEY QUESTIONS

Is the land needed for development and if so when?

- Often not, in the short term, and in which case other options such a leasing could be considered

Would people living on the land be prepared to move or negotiate "win-win" solutions?

- In almost all cases the answer is "Yes"

SECURITY OF TENURE STRATEGIES

• "Fight and resist" or "anticipate, organise and plan"

• "Legal rights" or "negotiate win-win solution"

Successful solutions have included

• City level surveys carried out by communities identifying "danger zones" for eviction

• Communities meet each other, share problems and solutions and gather information for collective negotiation

• Community based savings to create solidarity, prepare for upgrading or relocation or deposits for housing

• Community generated alternative solutions

> • land sharing

> • upgrading

> • voluntary relocation

SECURITY OF TENURE STRATEGIES

• Form networks of communities threatened by eviction

• Compromises such as community purchase of land, identification of alternative sites and land and housing packages

• Form alliances with non slum groups such as better off neighbours, academic institutions and civil society groups

• Establish "task forces" of experienced community leaders

• Improving slum environment and appearance to create positive impression

STRATEGIES THAT HAVE LIMITED SUCCESS

• Court cases

   • At best evictions delayed but security of tenure rarely granted

• Protests

   • Only successful if on a large scale, well organised and supported by the media

• Petitioning government agencies

   • Changes in plans only occur when alternatives, including feasibility studies can be presented

• Support from NGOs

   • Can backfire when government perceives NGOs as "trouble makers"

SOME SUCCESS STORIES

- **Mumbai Urban Transport Project**

- 60,000 people voluntarily relocation by community, NGO, donor (World Bank) and government partnership

- Communities formed Railway Slum Dwellers Federation

- Those living within 10 metres of tracks and around railway stations agreed to move

- Communities and NGOs did baseline survey and decided who will be moved

- Voluntary groups of fifty families formed

- Transit accommodation on relocation sites and permanent apartments

- Communities formed Housing Cooperatives and savings schemes

- Land free but housing through loans

- Communities involved in apartment design and layout planning

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SOME SUCCESS STORIES

• Residents' Committees undertook maintenance, paid for common services, collected loan repayments and addressed grievances

• Success factors included

  • Women centred participation

  • Organised communities

  • Participation in the whole process including site selection, relocation action plans and implementation

  • Eligible families decided by communities

  • Transit camps on new sites

  • Flexibility of key stakeholders

  • Implementation of World Bank's resettlement guidelines

SOME SUCCESS STORIES

• **Land sharing**

• Negotiated agreements in Bangkok and Hyderabad resulted in communities moving to one part of the site in exchange for security of tenure and housing

• **Railway land**

• 61 communities in Thailand negotiated either relocation or lease arrangements with Thai Railways

• **Canal upgrading**

• Communities in Thai cities moved back from canals and rivers, cleaned waterways and were granted security of tenure

• **Phnom Penh City Strategy**

• Communities negotiated voluntary relocation to areas they had selected

• Land from city, site developed by project, loans for housing

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CONCLUSIONS

• Urban poor communities occupy insecure land because there is no alternative

• Urban poor families require a range of security options and the possibility of moving upwards as incomes improve

• Forced evictions are unnecessary as most families willing to relocate or negotiate solutions

• Key concerns are access to employment, education and health facilities

• Successful strategies have included organising and federating communities, anticipating and planning for eviction and negotiating win-win solutions