Between a rock and a hard place: Negotiating a space for the poor in expanding cities

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Expanding cities

- Next 30 years most of worlds population growth will occur in the urban areas + increasing numbers of the world’s poor will be city dwellers

Poor being squeezed out by…
- Higher land prices ➔ population growth + competition for inward investment + penetration of market forces
- Evicted from informal settlements on unused public land
- Unrealistically high standards, restrictive regulations and complex administrative procedures

- Issue urgently needs to be addressed however leading bi-lateral agencies have reduced their focus on urban issues
Improving the lives of the urban poor

• MDG to improve lives of 100 million slum dwellers - however only addresses a portion of 924 million currently estimated to live in slums let alone reducing need for future slums

• 3 components needed in land policies
  ► Improving tenure security and living conditions in existing slums and informal settlements
  ► Providing alternative options for groups which have to be relocated
  ► Increasing the supply of affordable land to reduce existing shortages and meet future needs.
1. Options for improving existing settlements and resettlement

A long-standing international emphasis on large-scale individualised land registration and titling programmes

Objectives;
• Increase tenure security
• Reduce poverty and improve living conditions by increasing access to formal credit to invest in businesses or home improvements
• Reduce transaction costs for property transfers and promote more efficient land and property markets
• Ensure that properties realise their full market value
• Increase government revenues for funding public services and facilities
Divided opinion as to whether objectives are achieved:

- No concrete evidence that actually increases access to credit
- Formal titles are not only option that can achieve these objectives
- Social legitimacy of legal titling can not be assumed; illegal markets will not be stopped if titles are unequally allocated and options for urban poor are reduced
- Creates excessive administrative and financial burden to survey number of settlements and plots, resolve disputes and issue titles
- Can mean loss of rights for most vulnerable groups, especially women

"The poor are not undifferentiated; multiple rights may be connected to one piece of land; women’s rights limited if only male heads of household recognised on title or if not given knowledge and space to secure their entitlements.

Can prolong the problem:

- Encourage in-migration or new illegal settlements
- Increase land prices suddenly encouraging residents to sell
- Tenants will face higher rents or eviction
- Encourage land speculation by elites
More research is required...

Debate will continue unless independent empirical research is carried out on the social and economic outcomes of titling programmes in urban and peri-urban areas.

Most research has been undertaken in rural areas (particularly on the impacts for women) but the conditions are different in urban areas. Evidence needed before large-scale titling programmes are rolled-out further in urban areas.

A proposal being prepared by Geoffrey Payne, Alain Durand-Lasserve, Edesio Fernandes and Carole Rakodi

We would welcome suggestions on case studies and local researchers
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Viable alternatives to titling?

Cases exist internationally that we can learn from;

• Community Land Trusts (Kenya)
• Certificate of Rights (Botswana)
• Communal land rental (Thailand)
• Concession of the Real Right to Use land (Brazil)
• Certificate of Comfort for squatters on public land (Trinidad)

All these options have significant benefits but also limitations

Most effective tenure policy;

• Is not based on one blanket option
• Reflects diverse + changing needs
• Offers a wide range of options to meet needs of all socio-economic groups
Devising a viable alternative in Cambodia

Key considerations:

• Provide short term security leading to permanent security
• Prevent any sudden change of property values to avoid distorting expectations and market behaviour
  – Avoid downward raiding by developers and speculators
  – Avoid creation of new informal settlements
• Prevent sudden increase of rental prices
• Recognise government financial and personnel capacity constraints
A 5-step incremental approach to tenure security and property rights

1. Moratorium on Relocations and Evictions
2. Temporary occupation licences or permits
3. Communal Tenure Options e.g. communal leases or land rights
4. Communal Land Titles
5. Individual Titles
2. Options for increasing supply of new affordable development

Mechanisms are required that will encourage and enable landowners and private sector developers to bring land into urban use. This is the only way to avoid new unauthorised settlements and achieve sustainable development.

A. Regulatory review and reform to reduce excessive costs imposed by overly high planning standards, restrictive regulations and complex procedures which
- increase the costs of private sector developments
- reduce access by lower income households to legal shelter
- are responsible for significant proportions of unauthorised urban development
B. *Property taxation* to
- discourage long-term speculation and land left unused
- increase government revenues

C. *Incentives to allow urban poor to access developments and land*
- Land pooling and readjustment
- Land sharing
- Transferable Development Rights
- Mixed income developments