Objectives

- To highlight urbanization trends and their implication on land management
- To provide an overview of urban land issues and the land dimension of slum phenomena with a view to facilitating assessment of the same in South Sudan
- To share information on policies and interventions employed to improve urban land management in general and mitigate the growth of slums in particular
Outline

- Objectives
- Urbanization trends and their implication on land management
- The land and informal settlements nexus
- Actors and interests in urban land management
- Land markets and informal settlements
Urbanization trends and their implications

- Developing world in general and Africa in particular are fast urbanizing with 70% of the population projected to live in cities in 2050. This will for the most part take the form of slums and occur in medium-sized cities (100,000 – 250,000)…in places like Juba.
- 1 billion people (32% of the world’s population) living in slums/informal settlements; Slum population expected to rise to 1.4 billion in 2020 or possibly 2 billion in 2030;
- Goal 7, Target 7d aims to: “Achieve significant improvement in the lives of at least 100 million slum dwellers, by 2020. This is achievable,
- The MDG target is achievable, but terribly inadequate. Why? Because the situation could be 30% worse in 2020 than it is at present.
- Global urban population increase (2000-2030)…..72%
- Global built up area growth (2000-2030)…..175
Urbanization trends

Population of The World

- Rural population
- Urban population
- Urban slum population

REF: UN-HABITAT, Global Urban Observatory
Trends and implications: growing demand for land and diminishing supply of serviced land/growth of built-up areas/urban expansion

Built-Up Area Projections, 2000-2030 (by Region)

Trends and implications: Expansion of Accra (Ghana) 1985-2000 - more demand for land due to increases in population and built-up area

Urban managers are required to avail more land to meet fast growing demand for investment, housing, infrastructure, services, etc.

Healthy urban development entails provision of:
- Serviced land (roads, water and sanitation, power, schools and other social services)
- Affordable (to the urban poor in particular)
- Reasonably located (close to employment and business opportunities)

Most urban managers are ill-equipped to meet the growing demand.

Due to reactive (rather than proactive) measures, which are also inadequate, urban problems in developing countries are getting more complex:
- Slums
- Rising crimes and insecurity
- Traffic congestion
- Water, power, etc. shortage
Urbanization trends and their implications

Urban land can be delivered in through:

- Administrative allocation
- Land market
  - **Sales, rental** (short term rentals and can include share cropping, lease (long term)
  - **Formal** (through land registries and transaction notaries and involving transfer fees and taxes), **informal** (one-on-one or having trusted community members as witnesses; no formal payments)
- Taking – squatting and invading public/private land
- Land grabbing
FOR A BETTER URBAN FUTURE

High level view of actors in land ....almost all sections of society

Context / constraints refer to history, politics, economy, policy, law, customs, etc

Note that actors have own as well as common interests; exclusive land rights don’t exist; hence the concept of triple R (RRR).
Unpacking actors and interests in land: an inside view

- Policy makers (parliament, cabinet, ministry, etc)
  - Land managers (planners, environmental authorities, housing authorities, etc)
  - Land administrators (cadastre, registry, traditional authorities etc)
  - Land businesses (lawyers / notaries, surveyors, valuers, bankers, etc)
  - Land dispute mediators (land tribunals, courts, administrative tribunals, informal mediators, etc)
  - Land users (private citizens, formal and informal groups, organizations, etc)

- Non-land institutions (other policies and laws)
Actors and examples of interest in urban land

Public sector

- Finance department: revenue maximization through land / property taxation, collection of lease, sale of public land, etc.
- Planning department: prevent new slums through land use control/forceful removal of squatters (evictions); improvement of slum via upgrading; redevelop deteriorated areas - gentrification; relocation of vulnerable settlements
- Public works: free or ‘cheap’ land for infrastructure – roads, parks, playgrounds
- Utilities: free or cheap land for services (to lay water, power, etc mains; sanitation trunks; communication cables)
- Mayor: implementation of master plan or CDS; coordination of government departments; oversight on land management / administration
- Politician: policy that would bring more votes; high level oversight on land systems on behalf of citizens
Actors and examples of interests in urban land

Citizens / land users

- Business: land in accessible and attractive location
- Rich: residential tracts away from the poor (gated) and downtown noise
- Developers / land speculators: appreciation of real estate portfolio; cheap acquisition of additional properties
- Middle class: land close to infrastructure and services
- The poor: shelter and space to earn a livelihood
- Slum dwellers: services and infrastructure; recognition of property rights; relocation to less vulnerable areas, but close to employment opportunities
- Traditional authorities/chiefs: keep access to land in the community; award tracts to those that bring fortunes to the chief/the village
Urban land management

- Almost all urban activities take place on space – have land management implications
- Different actors and interest – don’t always operate in harmony; interests clash and actors find themselves on collision course
- Interests and actors in real world are far larger and more complex than captured in the illustration
- Roles of urban land managers is to manage these diverse actors and their many interests on behalf of society
  - Economic efficiency
  - Social equity
  - Environmental sustainability
Urban Land issues

- No or limited access to affordable and reasonably located land
- Insecurity of tenure emanating from a variety of sources including forced evictions undertaken to make way for vested interests/ more ‘decent’ spatial form;
  - Access and insecurity problems have mainly deprived the poor, but affecting business as well: poor access to land is the biggest barrier to business as reported by 57% of enterprises in Ethiopia, 25% in Tanzania and Kenya
- Inequality in land distribution (e.g., land gini in Kenya is 0.7-0.8);
- Weak land governance and legal framework:
  - proliferation of conflicting / overlapping laws;
  - colonial laws;
  - uncoded customary laws in expansion / peri-urban areas;
Urban land issues

- Failed land administration whose emphasis has for the most part been on large-scale, systematic individual land-titling;
  - led to ‘land grabbing’ by the elite,
  - entrenched inequality,
  - extinguished collective and secondary rights
- Rising informality (> 4.53% in Africa)
  - Informality (the market dimension) - much of the market in African cities is informal and unregulated (e.g. Kenya – tenancy rate in Nairobi slums 90% with US$31 million paid in rents annually – more than the budget of the city hall)
- Development in environmentally vulnerable locations (areas threatened by floods, land slides and other natural hazards)
- Exclusion of women
Informal settlements

- Settlements with one or more of the following deprivations
  - Lack of access to improved water supply
  - Lack of access to improved sanitation facilities
  - Poor structural quality and durability of buildings (non durable housing)
  - Insufficient living space (more than 3 persons sharing the same room)
  - Security of tenure
- Degree of deprivation:
  - Moderate (1 of the above)
  - Severe (2 of the above)
  - Extreme (3 or more)
- Slum cities: cities where slum dwellers constitute the majority of the population (as opposed to pockets)
- Informal settlements are poor people’s coping mechanisms to access housing; a practical solution to shelter problems in fast growing urban area; there are lessons that urban managers need to learn from the informal delivery of land and housing.
Dimensions of informality

1. Property rights (Titling)
2. Access to urban infrastructure and services
3. Urban norms and regulations
4. Building codes
5. Legal?
6. Irregular?
7. Limited or clandestine?
8. Irregular?
9. Rights unregistered - Illegal?
Informal settlements are not homogenous: the need for nuanced analysis and interventions
State of informality : some examples

Urban population living in slums condition, 1990, 2001 and 2005

<table>
<thead>
<tr>
<th>Region</th>
<th>1990</th>
<th>2001</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sub-Saharan Africa</td>
<td>72</td>
<td>72</td>
<td>62</td>
</tr>
<tr>
<td>Southern Asia</td>
<td>64</td>
<td>64</td>
<td>59</td>
</tr>
<tr>
<td>Eastern Asia</td>
<td>41</td>
<td>41</td>
<td>38</td>
</tr>
<tr>
<td>South-Eastern Asia</td>
<td>37</td>
<td>37</td>
<td>37</td>
</tr>
<tr>
<td>Latin America &amp; the Caribbean</td>
<td>35</td>
<td>35</td>
<td>32</td>
</tr>
<tr>
<td>Oceania</td>
<td>35</td>
<td>35</td>
<td>32</td>
</tr>
<tr>
<td>Western Asia</td>
<td>26</td>
<td>26</td>
<td>24</td>
</tr>
<tr>
<td>Northern Africa</td>
<td>28</td>
<td>28</td>
<td>26</td>
</tr>
<tr>
<td>Developing regions</td>
<td>47</td>
<td>47</td>
<td>43</td>
</tr>
</tbody>
</table>

Source: Global Urban Observatory (GUO)
## State of informality: some examples

<table>
<thead>
<tr>
<th>Country</th>
<th>Urban pop</th>
<th>Slum pop</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sudan</td>
<td>14 771 000</td>
<td>13 914 000</td>
<td>94.2</td>
</tr>
<tr>
<td>Central Africa Republic</td>
<td>1 563 000</td>
<td>1 446 000</td>
<td>94.1</td>
</tr>
<tr>
<td>Chad</td>
<td>2 463 000</td>
<td>2 247 000</td>
<td>91.3</td>
</tr>
<tr>
<td>Ethiopia</td>
<td>12 370 000</td>
<td>10 118 000</td>
<td>81.8</td>
</tr>
<tr>
<td>Ethiopia</td>
<td>18 476 000</td>
<td>14 115 000</td>
<td>76.4</td>
</tr>
</tbody>
</table>
Informality in land administration: plot demarcation and adjudication in three informal settlements, Kampala, Uganda

Some determinant of informality

- Rapid urban growth without the requisite urban infrastructure; failure to anticipate growth and the resultant huge shortfall in supply of serviced land
- Urban poverty (a function of income, employment, etc) negatively affects access to affordable serviced land/housing
- Complex and unrealistic land use regulations, planning norms and land administration procedures (e.g. restriction on subdivision)
- Expensive and/or time-consuming bureaucracy – lengthy transaction; too many requirements; exorbitant fees and costs including bribe;
- Inheritance or transfer taxes or fees encourage people to start to go and get used to the informal route
Factors that contribute to informality

- Failure formal routes (including land markets) to provide access
- Informality begets informality (e.g., collateral requirements of financial institution vis-à-vis land registry documents)
- Restrictive legislations on transactions (lease, rental, sale, inheritance, etc)
An example of an incremental (step-by-step) tenure change

- **New planned development**
  - **Informal settlement**
    - **Starter title**
      - **Landhold title**
        - **Freehold title**

- Individual title within a group (block); occupancy and inheritance rights; no permanent structure; not defined in space (loose spatial framework)

- Capable of being sold, donated, inherited, **mortgaged**, etc; permanent structures;
The way forward

- Revisit State’s role in land in the context of land policy reforms (Africa land policy framework); positive relationships between less dominant public sector involvement in land development and better land market outcomes (Bank research finding);
- A flexible and inclusive land registration and cadastral system (preferably hosted in 1 location; or linked (through IT) and operating from single window)
- An improved transactions processing (reduction of procedures / steps to register rights)
- Improving infrastructure and public services (eg water, sanitation and electricity) is also vital.
The way forward

- Recognize and support property rights in informal areas
- Innovative land management approaches including land value capture
- Use incentives and encourage the development of peri-urban land, or empty publicly owned land.
- Reduce regulatory constraints imposed by inappropriate planning standards, regulations and administrative procedures.
- Regularizing and upgrading informal settlements as opposed to neglect or demolition
- Enabling people to live in their present locations. Where relocation is essential, it should be close to the existing location.
- Regularization shouldn’t raise land values significantly. If this is likely, consider appropriate tenure to prevent dispossession.
Thanks!