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Africa Regional Dossier: Key Issues and Propositions Raised by Civil Society

Report by:
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**With the support of
Habitat International Coalition**



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Introduction

The regional reporting process has been one of the key spaces for deliberation towards the production of the Zero Draft of the 'New Urban Agenda' which is being prepared by the 5 UN Regional Economic and Social Commissions and UN-Habitat, in collaboration with the Habitat III Secretariat. Regional reports aim to build on the national reports produced in preparation for Habitat III, integrating additional inputs from relevant research and outcomes of regional meetings.

However, findings from the research on national reporting processes conducted by the The Bartlett Development Planning Unit (DPU) of the University College London, in collaboration with Habitat International Coalition (HIC), show that national reports are, in the main, failing to capture the concerns and visions of civil society groups, including those engaged with Right to the City struggles. This lacuna was likely to be carried through to the regional reports. The regional reporting process did not clarify how national reports were going to be used nor did it outline a more meaningful participatory procedure. Therefore HIC's working group on Habitat III has prioritised the production of regional "dossiers", based on listening, discussion and feedback from civil society groups, that outline the key issues that ought to be taken into consideration into the production of Habitat III commitments.

Meanwhile, the Global Platform for the Right to the City has identified the need to generate methodologies and studies to monitor compliance of policies, commitments and initiatives as they relate to the Right to the City. The Platform's guidance document calls for research accompanying the Habitat III process that can "map limits and obstacles to the implementation of the Right to the City, as well as practices and forms of struggle developed by grassroots movements and civil society organisations to [realise] its implementation" (2014:6).

To address these identified needs, a DPU team helped co-coordinate the production of a dossier for the African region based on a research project that will address the following objectives:

- a. Provide input into the Habitat III process by presenting some of the dominant challenges at the regional level, as perceived by civil society groups, along with proposals for the "New Urban Agenda";
- b. Stimulate discussion beyond the Habitat III process and further research on themes related to the Right to the City across cities, nations and regions in order to contribute towards the activities of the Global Platform for the Right to the City.

The information collected for this dossier was drawn from a series of activities, including: the analysis of key documents such as the publicly available national reports of African countries and documents presented by civil society groups in response to Issue Papers, a series of interviews from key informants from academia and civil society groups, and discussions with representatives from civil society groups across the African region during the Global Platform for the Right to the City Regional Meeting and the Session of Inhabitants at the Africities conference in Johannesburg, November 2015. Furthermore, this initiative counted with the participation of an advisory committee that provided feedback and inputs on the process and outputs of this report (see advisory committee members in the Appendix)

This report proposes 8 key issues that require more visibility and reframing in the current African regional debates around Habitat III. Far from being an exhaustive list, these issues emerged from discussions with the advisory committee and key informants. Each section begins with an overview of the current dominant framework used in Habitat III issue papers, national country reports, and other reports by the UN or other international bodies, making references to particular urban development practices. Following this, each section identifies entry points for approaching the issue in ways that address the concerns from civil society groups. Finally, the report also provides examples of practices led with or in partnership by communities and civil society groups. These case studies are experiences attempting to challenge dominant approaches, opening up perspectives and entry points for equitable and democratic outcomes.

The immediate hope of this project is to feed into the discussions of Habitat III. More critically, we hope that the development of this dossier helps stimulate a broad discussion among civil society groups, nurturing collaboration, sharing experiences and supporting transnational collective action.



1. Forced Evictions and Land Grabbing

Current debates and practices tend to treat eviction and land grabbing as an unavoidable aspect of urban development, justified by re-zoning, settlement upgrading, private investment, infrastructure building, or other developments. Land dispossession tends not to be adequately addressed through legislative frameworks.¹ This means evictions and land grabbing are mostly practiced without legal redress, and compensation is very much dependent on the political will and capacity of governments. The severe conditions of evictions in some

cases drive people to compromise their options; they may forego resistance to eviction in favour of finding alternative living arrangements. As such, activism against evictions tends to be pursued with the objective of adequate compensation rather than the 'right to occupation'.² Additionally, threats of eviction affect how people upgrade their settlements and livelihoods. Governments are unlikely to make investments in informal settlements or in land preserved for development, as they know the settlements may be demolished or re-developed in the future.³

Box 1. Developing an informal settlement upgrading protocol. Epworth, Zimbabwe

Epworth is a largely informal town of approx. 130,000 people to the south-east of Harare that has been the repeat target of evictions. In 2005, the government embarked on a massive and unprecedented campaign to eradicate 'illegal' housing and informal jobs known as Operation Murambatsvina ('Restore Order') that displaced hundreds of thousands of urban poor residents across Harare. Although Epworth was also affected, people have continued to move to the area over the past decades driven by the search for affordable housing.

In the late 1990s, former Epworth residents living in holding camps for evicted families returned to Epworth and initiated the first savings groups as part of the Zimbabwe Homeless People's Federation, a national network of community and savings groups. These groups grew and mobilised others, resulting in 12 savings schemes incorporating about 400 households. In 2007, the Federation allied with Dialogue on Shelter Trust--a local Zimbabwean NGO--and approached the Epworth Local Board, in charge of the development of the area. The idea was to collaborate in developing a plan to upgrade parts of Epworth but also take a holistic view of the development challenges facing the settlement.

This upgrading approach was the first to include meaningful participation by residents in expressing their own development priorities and in influencing the design of the project. The upgrading program began with a settlement profile, mapping and enumeration of Magada, an informal settlement within Epworth where very few residents held secure tenure. This process aimed both to gather data but also to set the terms of agreement between residents, community organisations and local and national government for the exercise. The mapping and enumeration process was led by teams of residents and planning students and supported by members of the Federation and Dialogue on Shelter Trust. The wider Shack/Slum Dwellers International also supported the process with technical skills and facilitating knowledge exchanges; for example, members of the Federation in Kenya trained the Zimbabwean teams in the use of GIS mapping. The Epworth local board approved the process and also participated in learning exchanges and in gathering data. The teams developed a concept plan that was presented to residents and the local government for feedback.

In many ways, the Epworth upgrading protocol is a leading initiative that has enabled more than 6,500 households who have lived with insecure tenure to secure tenure rights and has insured real and meaningful participation by the residents in articulating their own development priorities, and having a significant input into the design of their settlement. In addition, it aims to provide a basis for policy alternatives to evictions at the national level. It remains to be seen whether what has been learned and achieved in this initiative can be scaled up to a protocol for in situ upgrading that can be used to inform other upgrading processes in other cities in Zimbabwe.

The urbanisation practices that are driving evictions and land grabbing need to be placed at the centre of struggles around evictions. This implies rethinking the balance between collective rights (including the collective 'right to occupation') and individual land rights acquired through land markets.⁴ Habitat II commitments to 'prevent and remedy' unjustified evictions need to be upheld, while legislative frameworks for legal redress require developing to support community rights in cases of evictions that are deemed unavoidable.⁵ In some cases, communities have organised successfully to claim their 'right to stay put' or 'right to occupy'. For examples of this in Zimbabwe and Kenya, see Boxes 1 and 2.

Case study references

Chitekwe-biti, B., Mudimu, P., Nyama, M., & Jera, T. (2012) "Developing an informal settlement upgrading protocol in Zimbabwe – the Epworth story", *Environment and Urbanization* 24 (1), 1-18. <http://doi.org/10.1177/0956247812437138>

Dialogue on Shelter & Zimbabwe Homeless People's Federation (2012) *At Home in Epworth: Upgrading an Informal Settlement*. Available at: https://issuu.com/recreane/docs/final_epworth_bookletv3.

NOTES TO CHAPTER 1

1. H-III Issue Papers 9 and 22; GPR2C Africa Regional Meeting; interviews with P. Hofmann, B. Chitekwe-Biti, M. Gaye, E. Yao, A. Choplin.
2. GPR2C Africa Regional Meeting; interview with J. Walker.
3. GPR2C Africa Regional Meeting; interviews with P. Hofmann and B. Chitekwe-Biti.
4. GPR2C Africa Regional Meeting; Session of Inhabitants at Africities; interviews with B. Chitekwe-Biti, M. Gaye, E. Yao, J. Walker.
5. Interviews with B. Chitekwe-Biti and K. Thera; GPR2C Africa Regional Meeting; HIC comments on H-III Issue Papers.



2. Land Tenure

Land tenure is often perceived as a continuum with private ownership at one end, often associated with the most secure form of tenure, and informal occupation (sometimes known as ‘squatting’) at the other end, representing the least secure form of tenure.⁶ This understanding puts strong emphasis on private land rights within a market framework and underestimates the security that can be fostered through other types of tenure, such as customary or communal tenure,ⁱ which could be more socially inclusive.⁷ The emphasis on a

market-based notion of land value puts responsibility on the private sector to act ‘reasonably’ in terms of controlling the land market, rather than emphasising the State’s accountability in recognising and enforcing the social function of land.⁸

In response to this approach, civil society activism that addresses land availability and accessibility for the most vulnerable and impoverished communities, tends to focus on calls for individual formalisation or titling of

Box 2. The Tanzania-Bondeni Community Land Trust (Land tenure, eviction). Voi, Kenya

The Tanzania-Bondeni community land trust (CLT) in Voi, Kenya, highlights the potential for common property models to improve access to secure land tenure for the urban poor. In a CLT, households own their dwellings individually, while the underlying land is held jointly through a registered trust. Land is taken “out of the market” through various mechanisms so that housing remains affordable in the long-term. While the model is most known in the United States and Canada, and more recently in the UK, it was implemented in a squatter settlement of about 4,370 residents in Voi between 1991 and 2004 as part of an upgrading project in the Tanzania-Bondeni settlement. Residents of the settlement faced issues of flooding, lack of connection to municipal services, disease such as malaria, and with a lack of tenure security, they faced an ongoing fear of eviction. Residents voted for the establishment of a CLT, which was negotiated with multiple stakeholders, including the Ministry of Local Government, the German development agency GTZ, the Voi municipal council and the local community. It required negotiation with many other actors—for example, the government and two corporate entities that owned the land that the CLT wished to obtain. The process was consultative and actively involved residents as part of the planning process. Ultimately, costs were subsidised so that residents were able to pay less for their homes than what they might have paid in a conventional upgrading programme, and far less than what they would have paid in the open housing market. The Tanzania-Bondeni CLT reserves pre-emptive rights of purchase whenever a member leaves, and also restricts absentee landlordism by requiring homeowners to reside on their property. This ensures that housing remains within the community.

The Voi CLT project faced an incredibly difficult context in Kenya due to the national legal framework that privileges individual over communal landholding and restricts the permanent alienation of land from the market (however, it should be noted that the 2010 constitution provides many new openings for communal ownership of land). In addition, the success of this CLT is attributed in large part to the organisation and sense of community that existed before the start of the project, which required a high degree of mutual trust and willingness to work together. Since the Voi case, there has not been much success in establishing other CLTs, which may reflect the difficulty of scaling up such a project in Kenya or even in other parts of Africa. It also faces political opposition as the model inhibits rent-seeking and speculative activity which is a source of profit for certain wealthier groups.

Still, the CLT in Voi provides a striking example of the possibilities of communal land tenure to grant legal access to urban land for the poor, which the format of individual property titles, so often promoted by government, has rarely been able to guarantee. In addition to this, the CLT has fostered participation and engagement of the community in the co-production of urban space, forming new links that go beyond the landlord-tenant divide imposed by the model of individual property ownership.

land. This reinforces the structure of the formal land market, which provides limited access to land in the first place.⁹ Additionally, the focus on individual private land rights narrows the understanding of the 'right to land' to the 'right to formal land'. This reading is often used to legitimate the 'right to evict'.¹⁰ This is particularly problematic for certain groups, such as women under patriarchal land systems (e.g. inheritance laws in Nigeria or ownership laws in Cote d'Ivoire) and tenants, due to the lack of legislation and institutional capacity to protect tenants' rights (e.g. in Tanzania and Kenya).¹¹

'Land tenure' does not need to be limited to private ownership and private land rights. Rather, diverse forms of collective and individual tenure can be recognised and explored as mechanisms to ensure marginalised

groups' access to land. Ultimately, the focus may shift from 'land rights' to 'the right to land' as a principle.¹² For examples of innovative practices involving land rights and land tenure, see Boxes 2 and 5.

Case study references

Midheme, E., & Moulaert, F. (2013). Pushing back the frontiers of property : Community land trusts and low-income housing in urban Kenya. *Land Use Policy* 35, 73–84.

Video on the project: <http://cltnetwork.org/community-land-trusts-kenya/>

NOTES TO CHAPTER 2

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6. See H-III Issue Paper 9; State of African Cities 2014; Algeria National Report; South Africa National Report; Ethiopia National Report.
 7. GPR2C Regional Meeting; interviews with A. Cain, E. Yao, A. Choplin, C. Marx; HIC comments on H-III Issue Papers.
 8. Interviews with C. Marx and J. Walker; HIC comments on H-III Issue Papers; GP2RC Regional Meeting.
 9. Interviews with A. Choplin, J. Walker, C. Marx.
 10. S. Parnell at the workshop of Urbanization and Development.
 11. Interviews with E. Yao, C. Marx, J. Walker, D. Potts.
 12. Session of Inhabitants at Africities; interviews with A. Cain, J. Walker, A. Choplin, C. Marx, P. Hofmann; HIC comments on H-III Issue Papers.
 - i. Some African countries constitutionally recognise customary land rights (Tanzania, Uganda, Zambia) while others only recognise formal state forms of tenure (Angola, Mozambique). Others (Ivory Coast for example) are now in the process of recognising customary land rights.



3. The Rural-Urban ‘Divide’

Many UN and government agencies present ‘rural’ and ‘urban’ areas as opposites,¹³ with dominant trends towards urbanisation. Some civil society groups in Africa fear that this approach presents urbanisation as an inevitable reality, ignoring the importance of rural areas.¹⁴ This view of the rural-urban dichotomy is particularly problematic with regards to small and medium-sized cities and peripheral towns. Legislative frameworks, as well as the administrative capacities of local authorities, tend to falter when dealing with the governance of peri-urban areas. This results in a deficit in allocating responsibilities and collecting revenue across municipal boundaries.¹⁵

Current market-oriented models of urban development, which tend to overemphasise urban sprawl as a premise for intervention, are leading to unjust practises in relation to land-based concerns (e.g. speculation, land grabbing, and gentrification among others).¹⁶ In addition, in such models of urban development,

environmental concerns are understood in terms of the excessive pressure on resources, without engaging with the intensive industrialisation of production chains and its impact on food systems, on climate change and on local economies. Environmental concerns are also mostly used to advocate for ‘green infrastructure’ and the embedded ‘smart’ and innovative practices which call for private sector’s ‘expertise’ and excludes people’s experiences.¹⁷

Re-framing ‘rural-urban’ as a continuum rather than dichotomy, as interconnected parts of the same system, allows for the recognition of diverse urbanisation trajectories. Policy making could reflect this plurality and the linkages between the ‘rural’ and ‘urban’ by adopting more of a ‘territorial’ perspective and emphasising inter-municipal and cross-departmental coordination rather than dealing with ‘rural’ and ‘urban’ as separate categories governed by different authorities.¹⁸

NOTES TO CHAPTER 3

13. See H-III Issue Paper 10; State of African Cities 2014; Ethiopia National Report; Algeria National Report; South Africa National Report.

14. HIC comments on H-III Issue Papers.

15. Interview with P. Hofmann.

16. HIC comments on H-III Issue Papers.

17. HIC comments on H-III Issue Papers.

18. GPR2C Regional Meeting; HIC comments on H-III Issue Papers; interview with P. Hofmann.



4. Infrastructure

Infrastructure in Africa is mainly addressed through top-down uniform solutions and through discrete sectorial approaches.¹⁹ The focus is mostly on mega projects and large infrastructure provision and not necessarily on solutions for infrastructure deficit at the local level.²⁰ Current approaches to providing infrastructure are generally not socially inclusive, and often reinforce socio-spatial divisions as they are designed to target 'formal'/'planned' areas, neglecting 'informal'/'unplanned' settlements and their diverse

modes of service production.²¹ Community experiences and knowledge tend to be excluded, leading to projects which are rarely grounded in the real contexts of these communities and often fail to address real needs.²² For example, the World Bank funded initiative in Tanzania, the Community Infrastructure Upgrading Project, has effectively exacerbated flooding concerns in particular settlements.²³ Dominant large-scale infrastructure projects also tend to be environmentally non-sustainable as they are often resource-intensive.²⁴

Box 3. 'People's Plans into Practice' project. Kisumu, Kenya

One example of an effort to improve governance through participatory processes is the People's Plans into Practice (PPP) Project (2008 – 2013) in Kisumu, Kenya, that aimed for 'poor people in informal settlements to have more say in decisions that affect them'. The project built on existing neighborhood planning associations (NPAs) and created new ones, following efforts to promote decentralisation across the country in the early 2000s. NPAs were set up, often with the aid of NGOs, though they were intended to be durable community structures that outlast the time frame of any particular project. The PPP project was delivered by the INGO Practical Action in partnership with two Kenyan NGOs: the Kisumu Urban Apostolates Programme (KUAP) and the Shelter Forum, and funded by Comic Relief.

The project promoted methods to ensure that different categories of residents were represented in the associations; for example, the NPA Executive committees had to include both men and women, a landlord, a tenant, a community health worker, and a youth representative. This helped to raise the visibility of certain concerns, and helped to generate cross-cutting solidarities. For example, the issue of disability emerged as an issue to be addressed throughout the NPAs. There were also short-term tangible outcomes, such as an improvement in livelihoods through the establishment of small-scale enterprises.

These NPAs were part of an effort to make governance more democratic and participatory, by having many groups represented. However, the case shows some limitations and challenges of this approach. First, in order to have more groups represented, categories of groups must be established in order to be invited to the table. It must be decided who is to be targeted, and who will be left out, which raises the issue of whether the planning needs of certain groups are more important than others', and who gets to decide this. In addition, inviting people based on their presumed category can create a situation in which marginalised groups are expected or even allowed to speak only on issues that are seen to directly affect them. In addition, the presence of marginalised groups in a planning body does not mean they will necessarily have a greater voice in decision-making. While inviting diverse group representatives to the table is an important first step towards more democratic governance, it does not necessarily address the underlying power relations embedded in the everyday reality of the city.

Despite these concerns, the neighborhood planning associations used in the PPP project offer an interesting mechanism to explore more participatory and representative planning processes that may lead to more socially just outcomes. The identification and use of categories can probably not be avoided when there are groups of people who clearly face higher levels of injustice than others; the aim is to reflect on some of the limitations of this process and to find ways to mitigate the reproduction of unjust relationships.

Finally, maintenance of infrastructure is being neglected, both because of a lack of emphasis on maintenance and the capacities needed to ensure long term sustainability.²⁵

There are many forms of producing infrastructure—from networked to self-constructed—that can be understood as context-specific responses to every-day realities and needs of the majority urban population (especially poor communities). At the local scale, infrastructure development plans (including ICT-based solutions) need to recognise and integrate these decentralised, low-cost and low-skilled solutions through targeted financial resources and training.²⁶ Understanding diverse infrastructure provision within the urban-rural continuum and through a combination of financing sources that connects Africa's diverse economies (informal, formal, social, solidarity, etc.) is key in this regard. This can

be facilitated through cross-departmental and cross-boundary coordination among local governments.²⁷ Additionally, there is an opportunity to view infrastructure and service delivery as providing environmental outcomes, creating employment or economic opportunities, as well as social outcomes, for example, in mobilising youth.²⁸ For an example of this in Kisumu, Kenya, see Box 3.

Case study references

Walker, J. and Butcher, S., 2016, "Beyond one-dimensional representation: Challenge for neighbourhood planning in socially diverse urban settlements in Kisumu, Kenya", *International Development Planning Review*, vol. 38, n. 3, pp. 275-295.

NOTES TO CHAPTER 4

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19. See The State of African Cities 2014; Ethiopia National Report; Algerian National Report; South Africa National Report.
 20. See H-III Issue Papers 18, 19, and 21; E. Pieterse at the Johannesburg 2015 Africities Summit; interview with P. Hofmann.
 21. GPR2C Regional Meeting; interview with P. Hofmann.
 22. UCLG comments on H-III Issue Papers.
 23. Interview with P. Hofmann.
 24. Annotated Outline of the Habitat III Regional Report for the Arab Region; State of African Cities 2014.
 25. Interview with P. Hofmann.
 26. E. Pieterse; UCLG comments on H-III Issue Papers.
 27. E. Pieterse; UCLG comments on H-III Issue Papers; D. Satterthwaite at the Development and Urbanisation workshop; interview with P. Hofmann.
 28. Interviews with K. Thera, A. Cain, J. Walker.



5. Governance and the Right to Political Voice

National reports and H-III issue papers propose mechanisms of decentralisation based on notions of 'good governance' which do not explicitly articulate pathways for substantial empowerment of local governments and other stakeholders.²⁹ The decentralisation mechanisms often do not reflect the realities of governance in Africa, where mandates often call for decentralisation in delivery while resources remain very much centralised.³⁰ In current national reports, governance is approached in a top-down way, potentially reproducing the discriminatory legacies of colonialism.³¹ National reports also do not address other patterns of governance such as customary or informal leadership.³² (WIEGO comments on H-III issue papers).

Civil society's access to decision-making spaces is very much dependent on the political will and capacity of governments to engage with civil society and local communities.³³ This varies significantly across the African region; for instance, Namibia sets a good example of engagement with civil society and local communities while Zimbabwe has mainly conducted consultative participation to 'tick boxes' for certain programmes.³⁴

Generally though, there are limited opportunities for participation in decision making which, if they exist, mostly cater to the desires of elite groups and exclude the rest of civil society--especially the most impoverished and marginalised communities.³⁵ Women and youth's participation is particularly limited in decision making although they are amongst the most significant social actors, especially in poor communities.³⁶ Youth face an absence of democratic platforms where they can voice their views and demands; they are thus more vulnerable to being pressured into joining extremist groups or mobilised in social and political movements where they can better articulate their power and potential.³⁷

There is a widespread call amongst African civil society actors to reframe 'good governance' through a focus on deepening meaningful democratic practices. This implies ensuring better recognition of different social actors, facilitating increased participation in decision-making structures, and achieving better redistribution of wealth and services.³⁸ It also implies recognising the diverse modes of governance on the ground and reconsidering how bottom-

Box 4. Improving governance through Participatory Budgeting. Dondo, Mozambique

Dondo, known as the *cidade cimento* or 'cement city', is a low-income municipality located half an hour away from Beirna, the regional capital of Mozambique--one of the poorest countries in the world. With a population of 70,000 (2010), Dondo spreads across 10 densely-populated and largely self-built neighborhoods surrounding the formal colonial city centre, and expanding into the bordering rural areas (around 50 villages) with very poor access to services. In 2007, less than seven percent of the population had access to water on their plots.

The city is still facing deep historical divides stemming mainly from the socio-political structures inherited from the Mozambique Liberation Front (FRELIMO), the Marxist party that led the decolonisation war and came into power after independence, and chiefdoms and traditional organisations, many of whom had supported the Mozambique National Resistance (RENAMO), the opposition party during the civil war. This is along with other religious and non-religious organisations that form part of Mozambique's civil society.

Within this deeply divided context, Dondo initiated its Participatory Budgeting (PB) process in 2007 - 2009. PB in Dondo emerged in the context of decentralisation initiated at the national level in 1998. Notably, the territorially-based PB process, divided across key priority sectors, operated beyond the ten official neighbourhoods that comprise the city, and was debated at the level of fifty-one communities - 'unidades comunais', across the whole Dondo area. This allowed the complexity of formal and informal institutions operating in the area to be incorporated throughout the process. The PB was coordinated by two different administrative bodies: the Office for Studies and Councils and the section of Community and Territorial Affairs, both of which fall under the Administration and Institutional Development Secretariat. The Mayor of Dondo also took a lead in the process.

In the first stage, development units and community councils undertook socio-economic diagnoses of each district. The identified needs were then put into three categories: those with local solutions, those which require the involvement of both the community and the municipality, and those which depend solely on the municipal budget. Priorities were defined by the communities, and then the budget matrix was finalised by the the municipality's Consultative Forum which consisted of community leaders, religious leaders, mass organisations, influential public figures and economic agents. The conclusions and recommendations of the Forum were presented to the Municipal Council, which voted on the proposed budget and put forward decisions that were to be implemented with the participation of the community. Throughout this process, 2.6 million USD was discussed, debated and invested in the area with impressive distributional outcomes, particularly with investment in basic services, the provision of water supply and health centres, the installation of stand-pipes, and the construction of latrines or drainage canals.

PB in Dondo has been significant not only because of its distributional outcomes, but also because it involved a broad range of actors, improving relations between them and addressing some historical tensions. It also opened channels of communication between municipal employees and the general population. For this reason the PB process was awarded the United Cities and Local Government Africa (UCLGA) Excellence Award in 2009.

up systems of governance can be institutionally connected to formal processes.³⁹ Equally important to involving civil society actors and other stakeholders is the recognition of unequal power relations between actors, taking steps to address these power imbalances in decision-making fora, and to ensure that more democratic governance leads to equitable outcomes. For examples of an attempts to improve democratic modes of decision-making, see Boxes 3 and 4.

Such a reframing puts the limelight on addressing the multiple power imbalances that underpin (formal and informal/customary) decision-making structures, in order to ensure democratic and transparent processes. Here, a focus on enabling capacities and resources to support more empowering democratic practices is emphasised.⁴⁰ This implies a challenge to current widespread inter-governmental relations with a focus on bolstering local government structures in the planning, implementation and monitoring and evaluation of policies, legislations⁴¹ and in designing their own efficient, contextualised systems of revenue

collection and expenditure. It also implies a challenge to the category of actors deemed 'worthy' of decision-making, including traditionally excluded groups; but also potentially a reframed engagement with private sector actors and customary systems of decision-making.⁴²

Case study references

Cabannes, Y. and Delgado, C. (eds.) (2015) *Participatory Budgeting, Dossier N° 1, Another city is possible! Alternatives to the city as a commodity series*, Lisbon: Creative Commons. Available at <http://www.spora.ws/en/projects/pb-dossier1/>

Cabannes, Y. (2014) *Contribution of Participatory Budgeting to provision and management of basic services*, IIED Working Paper, London: IIED. Available at <http://pubs.iied.org/pdfs/10713IIED.pdf>

NOTES TO CHAPTER 5

29. See for example: H-III Issue Papers 5, 6, and 7; Ethiopia National report; Algeria National Report; South Africa National Report.

30. GPR2C Regional Meeting; interview with M. Gaye; UCLG comments on H-III Issue Papers.

31. Interviews with E. Yao, A. Cain, M. Gaye.

32. WIEGO comments on H-III issue papers.

33. GPR2C Africa Regional Meeting.

34. Interview with B. Chitekwe-Biti.

35. GPR2C Africa Regional Meeting.

36. The State of African Cities 2014; interviews with E. Yao, M. Gaye, WIEGO and Streetnet inputs at GPR2C Regional Meeting.

37. Interviews with E. Yao and K. Thera; The State of African Cities 2014.

38. GPR2C Africa Regional Meeting; interviews with B. Chitekwe-Biti, V. Okoye, E. Yao, M. Gaye, K. Thera.

39. E. Pieterse; WIEGO comments on H-III issue papers.

40. Interviews with E. Yao; K. Thera; WIEGO comments on H-III issue papers.

41. UCLG comments on H-III issue papers.

42. GPR2C Africa Regional Meeting; Interview with M. Gaye; B. Chitekwe-Biti ; Andrea Rigon - DPU.



6. Economic opportunities

Dominant discourses on the urban economy in the African region present a dualistic conception of ‘formal and informal’, often ignoring the overlaps and synergies between the two.⁴³ This understanding tends to privilege formal structures and to disregard (in some cases, criminalise) informal ones so that they must be either suppressed or formalised. Meanwhile, the plurality of economies, ranging between the formal and informal, remains mostly unacknowledged.⁴⁴ Unemployment, especially among youth, is a major problem across the African continent.⁴⁵ But as economic opportunities are not understood and approached as a human rights issue, policies and recommendations tend to emphasise the need for job provision rather than focusing on the conditions needed for achieving the right to decent work.⁴⁶

Resources are mostly channelled to the ‘formal’ sector, excluding those who operate in different economic settings from legal and social protection, as well as from financial support (including access to credit). This is despite the fact that ‘informal’ workers often pay considerable amounts—both officially and unofficially—in taxes, licenses or daily fees (including bribes and protection money) either directly to local governments

or to middlemen. Women are particularly vulnerable in this regard as assumptions around women’s work contribute to a gender division of labour, where women are more likely to work in the informal sector.⁴⁷ Economic development plans often do not reflect local economic practices and are not responsive to local needs, especially among the most impoverished who operate in the informal sector. This is exacerbating unemployment, poverty, and inequality.⁴⁸

The ‘economy’ can be re-conceptualised within a plural perspective of diverse systems—formal, informal, solidarity, social, etc.—interacting together. ‘Informality’ can be delinked from illegality and recognised as an assemblage of diverse practices. The fluidity and adaptability of informal practices can be harnessed while policies are pursued to limit potential exploitative conditions. In addition, viewing employment conditions through a human rights perspective would imply the need for protection of jobs, especially in the informal sector, and the right to legitimate and decent work.⁴⁹ At the same time, a focus on the capacity of local governments could improve their ability to generate revenue through taxation and the capture of value from real estate or infrastructure developments.⁵⁰

NOTES TO CHAPTER 6

43. H-III Issue Paper 14; Ethiopia National Report; Algeria National Report; South Africa National Report.

44. GPR2C Regional Meeting; interviews with A. Cain, B. Chitekwe-Biti, D. Potts, V. Okoye, M. Gaye.

45. Interview with K. Thera; H-III issue papers 12 and 13; The State of African Cities 2014.

46. Interviews with E. Yao, K. Thera, A. Cain, B. Chitekwe-Biti, V. Okoye, M. Gaye, WIEGO comments on H-III issue papers.

47. Interviews with V. Okoye, A. Cain, M. Gaye, B. Chitekwe-Biti, A. Choplin, D. Potts, WIEGO comments on H-III issue papers.

48. Interview with M. Gaye; UCLG-GTF comments on H-III Issue Papers.

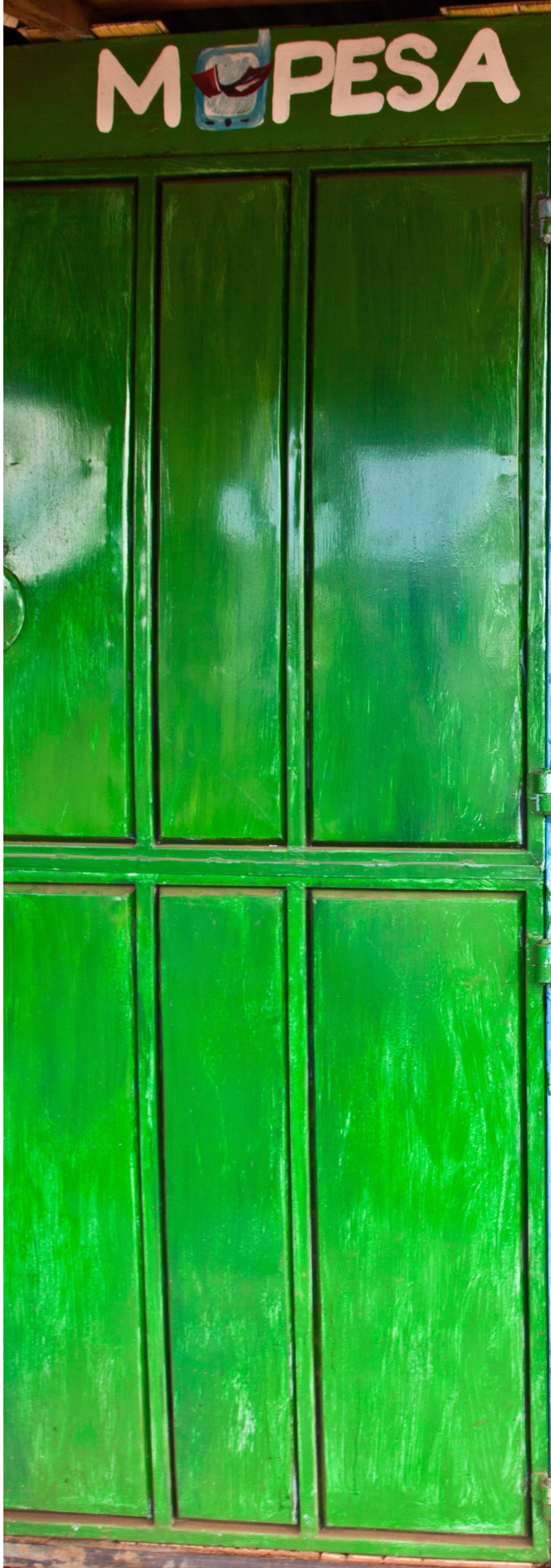
49. Interviews with M. Gaye, B. Chitekwe-Biti, V. Okoye, A. Cain, J. Walker; UCLG-GTF comments on H-III Issue Papers.

50. See Monkam, N. and Moore, M. “How Property Tax Would Benefit Africa”, 26 January 2015. Available at: <http://www.africaresearchinstitute.org/publications/property-tax-benefit-africa/>

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7. Security and Urban Conflict

Security in Habitat III documents is mainly addressed from the perspective of crime prevention and urban safety, but not adequately from the perspective of violent conflict, although this is a key issue in many parts of Africa today.⁵¹ Underplaying or indeed ignoring the fundamental issue of violent conflict, or dealing with it merely through some of its side effects, is currently leaving many African societies under huge strain, with some groups particularly vulnerable (people living in poverty, people with disabilities, ethnic and religious minority groups).⁵² Often, post-conflict recovery approaches are inadequate in providing access for internally displaced persons and refugees to new built environments, providing durable shelter solutions and livelihood opportunities, reconstructing damaged infrastructure and destroyed neighbourhoods, restoring archaeological or

other historical urban sites.⁵³ While many North, Central and Eastern African countries are currently facing the issue of violent conflict, South Africa and some West African countries have been developing in post-conflict conditions for decades. A point of departure for reframing security and violent conflict could be to document the lessons learnt from these experiences and to look at them from the perspective of the 'Right to the City'.⁵⁴ Such a reframing could entail looking at post-conflict contexts as moments of opportunity to develop more inclusive and democratic modes of thinking and acting out recovery plans. These would also build on the links between humanitarian, development and human rights approaches, and the fundamental principles of security and equity.⁵⁵ For examples of innovative practices addressing post-conflict challenges, see Boxes 4 and 5.

Box 5. Incremental Land Tenure, Huambo, Angola

Much of Angola's population fled to cities like Huambo during the post-independence civil war between 1975 and 2002. During this period informal settlements grew rapidly in peri-urban areas, with no legal or administrative procedures developed to manage these areas. A further influx of migrants returning from coastal areas at the end of the conflict caused a surge in property prices as demand for housing rose. There was a lack of new urban construction, planning and maintenance, and a growing "informalisation" of the land and housing market. Building conditions, urban infrastructure and services became severely deteriorated, while the inner city was gentrified and the asset value of buildings and land increased in the informal rental and real estate markets. In the post-conflict period, the Angolan government turned its attention to addressing social issues such as housing and the rebuilding of institutions for land management. However, the government faced limited technical and financial capacity to implement legislation, especially at the local level.

This was the case in Huambo, where land prices in the centre have been rising rapidly. Because of the rising cost of housing and expansion of informal settlements, the majority of residents do not have legal land titles. Instead, residents rely on other means--such as traditional authorities, families and friends--to claim their legitimacy or right of occupation. Although these transactions are perceived as legitimate by an overwhelming majority of residents, few transfers can be backed up by legally-defensible documents. In Huambo as in other provincial centres where much of the urban population has migrated from rural areas the role of traditional authorities, who were historically responsible for land rights, remains strong. Neighborhood-level leadership has assumed some of the authority of the *soba* or traditional chief.

In spite of the unclear and unenforceable national legislation on land tenure, local solutions have been developed to respond to the urgent territorial settlement issues that faced the city of Huambo at the end of the conflict. These administrative solutions have gained widespread legitimacy in Huambo and have been increasingly employed by the Municipal Administration who have the responsibility for domestic-scale land management. In most municipalities of Angola, acquiring tenure security in non-urbanised unplanned areas is an impossible task. However the Huambo Municipality has been able to use the administrative tool of the *Licença de Arrematação*, or "license of occupation" in order to regularise unplanned but 'urbanisable' areas through an incremental process that is relatively simple; it is low-cost (\$350) and fast (takes 33 days); and it involves and legitimises actors such as local traditional authorities.

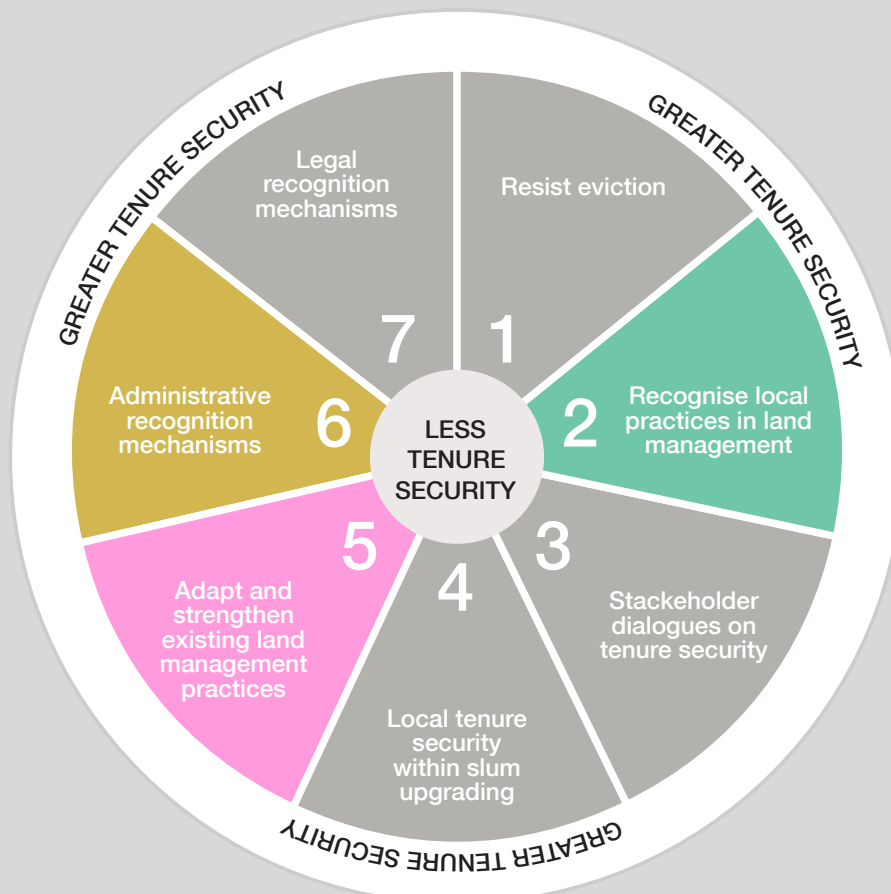
Huambo's provincial and municipal authorities welcomed the collaboration with Development Workshop (DW), a non-profit organisation, which enabled the city to pilot demonstration projects in Participatory Inclusive Land Readjustment (PILaR) from 2005 and 2008. The projects demonstrated how a land readjustment model could reduce land conflicts by regularising tenure status. It showed how market mechanisms created land value that benefited former occupants, new owner-builders, financial intermediaries and the State. The projects demonstrated an opportunity to mobilise the land market to 'create value' for urban infrastructure investment. Through the progressive regularisation of land tenure, municipalities had the possibility to generate their own financial resources through transaction fees and taxes. It was argued that income from the regularisation of land tenure could be one way for municipalities to sustain themselves in the future. These projects have contributed to the development of administrative tools by the Municipal Administration that have allowed them to tackle the challenges of land management without resorting to large-scale forced evictions.

The municipality has also engaged DW to help set up the first comprehensive cadastre which aims to map and record land occupation and tenure claims of all of the municipality's residents. DW is training local administrations in Huambo and neighbouring provinces in using Open Title, an open-source public access land tenure mapping and recording tool built on the Social Tenure Domain Model, a pro-poor participatory land information system.

Thanks to innovative local leadership, urban land conflicts remain rather rare in Huambo to date. Because legal land documents are almost never issued and the procedural regulations for dealing with the vast informal settlements have not been published by the executive branch of Government, the current strategy of employing local administrative tools seems to be appropriate. However it remains to be explored, how these tried-and-tested administrative procedures, which incorporate many of the good-practice principles of incremental land tenure, can be progressively legalised.

The case study of Huambo presents insights into three different routes toward incrementally increasing tenure security.

Figure 1. Key routes towards securing incremental tenure in Huambo. Source: Development Workshop, Urban Land Mark



Case study references

Cain, A. "Legitimizing local tenure practices through incremental recognition: The case of Huambo in Angola" Paper prepared for presentation at the "2014 WORLD BANK CONFERENCE ON LAND AND POVERTY", The World Bank, Washington DC, March 24-27, 2014.

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in southern Africa: Gaining administrative recognition for local land management practices: The case of Huambo, Angola". Practice note. Available at: http://www.urbanlandmark.org/downloads/tsfsap_pn_01.pdf.

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NOTES TO CHAPTER 7

51. Angola National Report; Algeria National Report; Annotated outline for the H-III regional report of Arab Region; The State of the African Cities 2014.

52. GPR2C Regional Meeting; interview K. Thora and A. Cain.

53. Interview with A. Cain.

54. Interview with A. Cain.

55. Annotated outline for the H-III regional report of Arab Region; HIC comments on H-III Issue Papers.



8. Climate Change and Environment

The issue of climate change tends to be tackled from the perspective of environmental sustainability and resilience and not focused on environmental justice, which calls for emphasis on the equitable distribution of environmental goods and hazards. In addition, climate change is mainly treated as a technical issue requiring ‘expert’ scientific knowledge and excluding other types of knowledge.⁵⁶ Solutions are mainly presented in terms of adaptation to tackle the consequences of climate change and do not address its root causes.⁵⁷

Climate change vulnerabilities tend to be divorced from specific socio-economic conditions so that approaches to climate change do not engage with issues of socio-economic and spatial inequalities. Moreover, promoted approaches to climate change are often difficult to implement and maintain at a local level as they tend to rely on scientific and technical perspectives that call for

the use of ‘green infrastructure’ and ‘smart’ technologies. These are often costly and open the door for the private sector to control the field, excluding the lay knowledge of people.⁵⁸ The voices of women are particularly excluded as they have less access to power, information, and the scientific spaces where climate change is addressed.⁵⁹

Climate change can go beyond concepts of sustainability and resilience, and be re-framed from the perspective of environmental justice. This allows for the links between social justice and climate change to be acknowledged, and for a discussion about the distribution of environmental benefits and hazards, so that the differentiated effects of climate change can be addressed. Such a perspective calls for people’s experiences and coping mechanisms to be recognised, accommodated and built upon in any proposed approach to address climate change.⁶⁰

NOTES TO CHAPTER 7

56. The State of the African Cities 2014; Habitat-III Issue Papers 15, 16, and 17; interviews with M. Gaye, V. Castan Broto, A. Choplin, J. Walker.

57. E.g. H-III Issue Paper 17; HIC comments on H-III Issue Papers.

58. Interviews with M. Gaye, V. Castan Broto, A. Choplin, J. Walker; HIC comments on H-III Issue Papers.

59. Interviews with M. Gaye, V. Castan Broto, A. Choplin, J. Walker.

60. Interviews with M. Gaye, V. Castan Broto, A. Choplin, J. Walker; UCLG-GTF comments on H-III Issue Papers.



Conclusion

This Africa Regional dossier highlights a series of key urban issues and propositions articulated by civil society actors in need of further visibility and commitment from national and transnational actors. The regional scope of this dossier reinforces the need for territorial debates in the process of elaborating international agendas by civil society groups or UN agencies, such as the 'New Urban Agenda'. This initial process demonstrated the appetite by civil society groups to share experiences, deepen their understanding about wider regional processes, and collaboratively build synergies for transnational collective action.

This process also highlighted the lack of opportunities in the regional reporting process for the 'New Urban Agenda' for civil society groups to participate meaningfully. Lack of transparency and limited access

to official regional reporting channels compromised the possibility of the agenda-making process to become a space to deepen collective understanding about on-going urban challenges in Africa. Thus the process represented a missed opportunity to build commitments from a variety of stakeholders towards the transformative potential of the 'New Urban Agenda'. As a result, this initiative has aimed to articulate some key issues and propositions raised by civil society groups, articulating some of their prominent preoccupations. This is far from an exhaustive or representative list, but it does bring to the forefront the need for regional and international commitments that dialogue more explicitly with these concerns. See box 6 below for a summary of the key messages on each of the eight prioritised issues:

Box 6. Key messages on each of the eight prioritised issues

| | |
|----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Forced evictions and land grabbing | Habitat II commitments to 'prevent and remedy' unjustified evictions need to be upheld. There is a need to develop legislative frameworks for legal redress, in order to support community rights in case of evictions that are deemed unavoidable. |
| Land tenure | A shift from 'land rights' to 'right to land' as a principle needs to recognise the diverse forms of tenure and mechanisms to ensure marginalised groups' access to land. |
| Rural-urban 'devide' | Instead of focusing on the dichotomy between the 'rural' and the 'urban', a territorial perspective can capture the diverse urbanisation trajectories and emphasise inter-municipal and cross-departmental coordination. |
| Infrastructure | At the local scale, infrastructure development plans (including ICT-based solutions) need to recognise and integrate decentralised, low-cost and low-skilled solutions through targeted financial resources and training. |
| Governance and the right to political voice | Commitments towards 'good governance' need to address the power imbalances within democratic spaces while strengthening bottom-up processes in ways that they can be supported and institutionally connected to formal institutions. |
| Economic opportunities | The economy needs to be approached in an inclusive manner. Informality needs to be delinked from illegality, while harnessing its fluidity and adaptability through policies that also limit the potential of exploitative conditions. In addition, viewing employment conditions through a human rights perspective would imply the need for protection of jobs, especially in the informal sector, and the right to legitimate and decent work. |
| Security and urban conflict | Rather than responding merely to side effects, a focus on security and urban conflict needs to address its social, political and economic underpinnings. Commitments need to call for building linkages between humanitarian, development and human rights approaches, and the fundamental principles of security and equity. |
| Climate change and environment | Climate change can go beyond concepts of sustainability and resilience, and be re-framed from the perspective of environmental justice. This allows for the links between social justice and climate change to be acknowledged, and for a discussion about the distribution of environmental benefits and hazards, so that the differentiated effects of climate change can be addressed. |

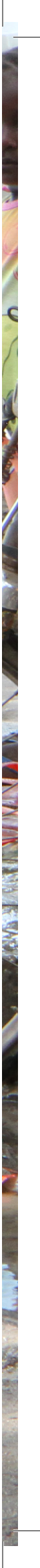
Across the eight priority issues this report argues that the 'New Urban Agenda' should place more emphasis on the following three commitments:

- **Protection against the loss of entitlements:** debates and discussions from civil society groups demonstrate the need for more explicit commitment to the protection of entitlements of the urban poor. A systematic and consistent use of a human rights framework in line with other international conventions could provide legal instruments for vulnerable groups to protect and claim for their rights.
- **Distribution of resources and opportunities:** this report articulates the need to have clear commitments towards the distributive goals of a sustainable urban development. Approaches to address urban poverty and inequality cannot

be addressed merely as a targeted programme, but rather must be inserted into mainstream development agenda, policy and programmes.

- **Democratic governance:** the 'New Urban Agenda' needs to speak more directly to the roles, responsibilities and capacity of local actors to implement and monitor the agenda. The examples and case studies in this report demonstrate the role that civil society groups can play in such processes and the need to support them in bringing about more democratic and equitable urban development.

We hope that this report can contribute to the on-going discussions within and about Habitat III, but most importantly, that it can be of use in the process of building synergies and collaboration among civil society groups within the Africa region advocating for more just urban development.





Appendix

List of Interviewees

Advisory committee members

Allan Cain

Development Workshop
Interview on 16/12/2015

Victoria Okoye

Women in Informal Employment: Globalizing and Organizing (WIEGO)
Interview on 17/12/2015

Edouard Yao

Action Internationale de Développement Intégral
Interview on 18/12/2015

Beth Chitekwe-Biti

Slum Dwellers International (SDI)
Interview on 23/12/2015

Malick Gaye

Environment and Development Action (ENDA)
Interview on 28/12/2015

Korotimi Thera

Coopérative Féminine pour la Protection de l'Environnement (COFEPE)
Interview on 20/1/2016

Academics

Le Yin Zhang

Development Planning Unit (DPU)
Interview on 09/12/2015

Pascale Hofmann

Development Planning Unit (DPU)
Interview on 14/12/2015

Deborah Potts

King's College London
Interview on 15/12/2015

Colin Marx

Development Planning Unit (DPU)
Interview on 17/12/2015

Julian Walker

Development Planning Unit (DPU)
Interview on 22/12/2015

Armelle Choplin

Université Paris Est Marne-la-Vallée
Interview on 14/01/2016

Sue Parnell

University of Cape Town
Presentation in DSA Urbanisation and Development study group workshop – 27/01/2016

David Satterthwaite

IIED
Discussion in in DSA Urbanisation and Development study group workshop – 27/01/2016

List of references (mentioned in the draft)

H-III issue papers

See: <http://unhabitat.org/issue-papers-and-policy-units/>
Global Platform for the Right to the City (GPR2C) - African Regional Meeting

November 28th, Johannesburg, University of Witwatersrand

Global Platform for the Right to the City (GPR2C) - comments on H-III issue papers

July 2015

The State of African Cities

United Nations Human Settlements Programme (2014)

Edgar Pieterse - the African Centre for Cities (ACC)
in Johannesburg 2015 Africities summit

See: <http://www.urbanafrika.net/news/africa-leads-with-urban-agenda-for-habitat-iii/>

Annotated Outline of the Habitat III Regional Report for the Arab Region

October 2015

Participatory Planning for Climate Compatible Development in Maputo, Mozambique. Vanessa Castan Broto – Development Planning Unit (DPU)

see: <http://www.ucl.ac.uk/ucl-press/browse-books/participatory-planning-for-climate-compatible-development-in-maputo>

H-III Algeria National Report

H-III South Africa National Report

H-III Ethiopia National Report



The Development Planning Unit, University College London, is an international centre specialising in academic teaching, research, training and consultancy in the field of urban and regional development, with a focus on policy, planning, management and design. It is concerned with understanding the multifaceted and uneven process of contemporary urbanisation, and strengthening more socially just and innovative approaches to policy, planning, management and design, especially in the contexts of Africa, Asia, Latin America and the Middle East as well as countries in transition. For more information, see website: www.bartlett.ucl.ac.uk/dpu

Habitat International Coalition. The Habitat International Coalition (HIC) is the global network for rights related to habitat. Through solidarity, networking and support for social movements and organisations, HIC struggles for social justice, gender equality, and environmental sustainability, and works in the defence, promotion and realisation of human rights related to housing and land in both rural and urban areas. For more information, see website: <http://www.hic-net.org>

This project was coordinated by Alexandre Apsan Frediani, Barbara Lipietz, Sawsan Abou Zainedin and Rafaella Lima from the Development Planning Unit, in collaboration with the HIC Habitat III Working Group with the support of DPU staff members. To access outputs from this project and other initiatives by HIC Habitat III Working Group, see website: <https://habitat3hic.wordpress.com>

To know more about DPU's engagement with Habitat III, visit the website <http://www.bartlett.ucl.ac.uk/dpu/habitat-III>

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