# Appendix to Chapter 7 - Slums and Forced Evictions: The Broader African Context

Africa has the dubious distinction of being the fastest urbanising continent in the world as it experiences the greatest influx of rural dwellers into urban areas the continent has ever known. The annual average urban growth rate is 4%, twice as high as Latin America and Asia. Already, 37 per cent of Africans live in cities, and by the year 2030 this is expected to rise to 53 per cent. Sub-Saharan Africa also has the world's largest proportion of urban residents living in slums. These slums are home to 72 per cent of urban Africa's citizens. That percentage represents a total of 187 million people. They constitute 20% of the world's urban slum dwellers.[1]

According to the latest research of UN-HABITAT, the UN agency for cities and other human settlements, the statistics show that these slum dwellers have so few services, such as water and sanitation, electricity, or telephones compared to their wealthier compatriots, that African cities appear starkly divided. Even those with these services are far fewer, proportionately, than in other regions of the developing world.

In sub-Saharan Africa only 48 per cent of urban households have a water connection, but in the informal settlements only 19 per cent have such a connection. Only 31 per cent of urban households are connected to the sewerage system, but in the informal settlements only 7 per cent are connected. Just 54 per cent have electricity in their homes, but in the slums this figure is 20 percent. While just 15.5 per cent have a telephone, only 3 percent have this luxury in the slums. These figures speak of the urban divide in Africa.

In a process known as the urbanisation of poverty, more and more people are seeking a better life in towns and cities. In Africa, this urbanisation has occurred in an environment of consistent economic decline over the past 30 years. Today, two out of five of these urban residents live in circumstances deemed to be life and health threatening. The United Nations Millennium Declaration recognises the dire circumstances of the world's urban poor. It articulates the commitment of Member States to significantly improve the lives of at least 100 million slum dwellers by the year 2020 and to promote Cites without Slums. UN-HABITAT is tasked with coordinating action towards meeting this goal.

Whatever the myriad reasons behind this urbanisation – the quest for a better chance in life, fleeing conflict, drought in the countryside, or rural economic decline – it is characterised by worsening access to adequate shelter and security of tenure, and all the problems of overcrowding; by growing vulnerability to environmental health problems, and natural disasters; by growing inequality and increasing crime and violence, which has a disproportionate impact on women and the poorest of the poor; and finally by a lack of community participation in decision-making.

Thus the challenges of sustainable urbanisation in Africa are many and varied: security and safety, environmental degradation, growing slums, a lack of human and financial resources at the municipal level, insufficient decentralisation of powers and resources, and poor urban governance that leads to divided cities.

Indeed, this shift towards increasing urbanization is a normal and irreversible progression of human development. Migration to the cities is an economic process that is not reversible in a

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[1] *The Challenge of Slums*, UN-HABITAT Global Report on Human Settlements 2003.

democracy. It should also be noted that a significant proportion of Africa's growth is also attributed to natural population growth within cities.

In many cities, there has been a continuing reliance on the classical rigid master plans, which are often unrealistic, rather technocratic, and too expensive to implement. Often the lack of an inclusive perspective in city visions, the mismatch between old standards, and lower levels of affordability, all lead to unsustainable urban development and growing exclusion, compounding the proliferation of slum and squatter settlements.

And whether through occupying vacant lands, setting up home in existing neighbourhoods, the settlements tend to be haphazard, with no allowance for modern and public infrastructure. There also prevails a general lack of awareness and appreciation for rules and regulations in constructing such neighbourhoods. At the same time, partly due to limited capacities, and sometimes also due to political expediency, local authorities in a number of cases fail to proactively guide the development of these new settlements or to contain at an early stage their further growth and consolidation. As a consequence, when left for a number of years, such seeming violation of municipal rules and regulations develops into a sense of de-facto regularity among the population, and the subsequent rectification becomes a source of tension and conflict.

An immediate response to this problem by many urban authorities has been to initiate forced evictions, and this has been widespread in Africa. In Angola, between 2001-2003 large-scale evictions took place in Boavista, Soba Kapassa and Benfica where over 5,000 houses were demolished. Thousands of evictees had to live in tents for two years until alternative accommodation was found. Half of the evictees are still homeless and without a livelihood. About 3.5 million people live in slums in the capital Luanda, most with no legal security of tenure. Similarly, in Kibera, Nairobi, Kenya, evictions have also taken place. Indeed, Kibera is considered Africa's largest contiguous slum settlement, with over 750,000 people, on only 240 hectares of land. In 2004 an estimated 2,000 persons occupying 400 structures in Kibera were removed as part of a government initiative to clear settlements located on road reserves. Aside from homes, the demolished structures included homes, schools, churches and a clinic [2]. Other recent examples include Nigeria, where in June 2005 forced evictions were carried out in Kubwa, one of the popular satellite towns of Abuja, the Federal Capital Territory. Similarly, in January 2005, some 6,000 residents of Aboru Abesan, in Ikeja were rendered homeless when officials of the Federal Ministry of Housing and Urban Development in Lagos State demolished their homes. The Centre for Housing Rights and Evictions reckons a survey of selected Nigerian newspapers for 2004 and established that, in the course of the year, over 30,000 households (that is, more than 150,000 people) were forcibly evicted.

In all the above cases, and in many others, the scale of evictions remained limited and hence has not degenerated into a humanitarian crisis. In some cases even a certain degree of restraint was exercised, recourse to due legal process was provided and redress affected. The case of Zimbabwe conforms to the pattern described above, except in regard to scale which is unprecedented. The systemic issues, which need to be dealt with by most African countries, including Zimbabwe, to prevent evictions, include:

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[2] The President of Kenya suspended the operation before it could get out of hand after the intervention of the Vatican in the context of the UN-HABITAT-Government of Kenya-Kenya Slum Upgrading Programme.

w. Land tenure. Generally there has been a focus on the provision of individual land titles. Individual land titling delivers tenure security but it does so at great human and financial cost. Countries such as Kenya, which have been rolling out titles for a hundred years, still only have 15 percent coverage of the national land surface. Instead it is suggested that a range of different types of tenures have to be introduced by countries to deliver security of tenure for the urban poor and to make adequate housing for all a reality. Examples of these tenure types include occupancy rights, anti-eviction rights, adverse possession, unregistered leases and rentals.

x. Land administration.  These systems are vital as it is not possible to supply land rights and security of tenure without an appropriate technical and institutional (governance) system to underpin these rights, such as for example land records, administrative procedures, and appropriately decentralised delegation of functions. Thirteen Sub Saharan African countries have already started experimenting with new forms of tenure linked to new forms of land administration (such as Namibia, Ethiopia, Mozambique). Conventional land registration (titling) systems are highly centralised, expensive, rely on scare professionals, and are based in the capital city. This means that the poor, illiterates, and those living outside of the capital city cannot easily use or access the conventional systems.

y. Strategic Planning. Too often the systems of managing and planning urban development have not changed significantly after independence to fit with African urbanisation patterns. Strategic planning approaches have to be strengthened and ensure that development control and land use management is sustainable. City-wide and affordable planning approaches and standards, including plot sizes and service standards, need to be developed and agreed upon.

z. Decentralisation and improved local governance capacity. In many cities, decentralized frameworks have not been accompanied by adequate devolution of resources, authority and qualified manpower, transparency, or the participation of communities in development decisions.

aa. Building standards. Most countries still have colonial building standards appropriate for middle class housing, yet the majority of the population is low income and poor.

bb. Financing mechanisms. In most countries it is necessary to own a registered land title to be able to obtain a mortgage or housing loan from a commercial bank. Institutional strengthening of the financial sector is required accompanied by supportive legal instruments and pro-poor foreclosure laws.

cc. Housing delivery. The Habitat Agenda encourages governments to create a framework that facilitates housing delivery by the involvement of all stakeholders particularly the private sector (including informal sector), in partnership with the public sector. Housing co-operatives remain under-developed despite their proven ability to cater for low-income groups in other parts of the world accompanied by the capacity to promote services for all to justify the taxes.

dd. Land tax. In most countries, land tax uses the land registration (cadastral) system as the information system to indicate who should be paying taxes. If the majority of the population is living outside of the land titling system then a country or municipality cannot increase its tax, or tax the rich who are not living in the formal system.

Appropriate approaches to tax parcels, tax records and tax procedures have to be developed. The Zimbabwe urban crisis should serve as a wake up call for the international community to assist more seriously in the implementation of the Habitat Agenda in the African continent.

The underlining principle in dealing with the challenge of slum settlements is that emphasis should be given to a pre-emptive approach that is directed to guiding and facilitating orderly urban and housing development. As much as possible forced eviction of a segment of the population who mostly have no place to go and have been trying to survive with no other alternative housing and income generating facilities needs to be avoided. While evictions may sometimes be necessary, they should be a last resort.

UN-HABITAT, through its Global Campaigns for Secure Tenure and Good Urban Governance, has developed methods and tools to help developing countries dealing with chaotic rapid urbanisation that do not infringe on human rights. The agency has also assisted Member States wishing to take advantage of its expertise in land tenure and property administration reforms, including property restitution in post-conflict areas. However, while UN-HABITAT has the expertise to guide cities towards sustainable human settlements' development, and this is needed in most African countries, its capacity is still limited to deal with the task because of inadequate funding.