

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

# The unresolved debate

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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# *Viabile 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 land-owners 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

## *Continued...*



### *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