



# VOICES OF THE POOR

  

## WORKSHOP REPORT - JOHANNESBURG, 2 JUNE 2007

Report produced for Urban LandMark by the Development Action Group

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**Urban LandMark**

MAKING URBAN LAND MARKETS WORK FOR THE POOR

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## Introduction

The Johannesburg workshop was held on Saturday 2 June at the Social Housing Foundation's offices in Parktown. Attendance was very good, with 49 participants attending. Attendance was also varied, with representatives from the different social movements such as the Landless Peoples Movement (LPM), the Federation of the Urban Poor (FEDUP), the Coalition of the Urban Poor (CUP) and the Anti-Privatisation Forum (APF), from the various communities that Planact has engaged in such as Alexandra, Zandspruit, Sol Plaatjie, Thembelihle, Thokoza, Wattville, Diepsloot and Cosmo City and from various support organizations / NGOs such as Planact, the Centre for Applied Legal Studies (CALs), the Inner City Resource Centre (ICRC), Ikwezi Institute and Yeast City Housing. It was clear though that although many organizations exist in Gauteng, they are isolated and do not work together on issues collectively. Also that they are relatively weak because of a lack of leadership skills and a lack of access to information. Language remains a problem, with groups requesting information in local languages.

## Presentations

### *Planact*

Planact, an urban development NGO working mainly with informal settlements in Gauteng, have worked over many years to bring attention to urban land issues. They have assisted with Peoples Housing Process (PHP) projects in Ivory Park, and Vosloorus and have also been involved in research on inner city housing. They have translated their experiences into material for policy makers.

Planact recently held a workshop on urban land issues and shared their findings and copies of their report with workshop attendants. According to the City of Johannesburg there are 1 million households in Johannesburg. Of these 1 million households, between 170 000 and 220 000 households live in informal settlements. This means that nearly 1 in every 4 people in Johannesburg live in an informal settlement.

Through Planact's work the following issues regarding land have been highlighted:

- Land resources are not pro-actively identified for the poor (relationship with the Housing Department is problematic);
- Land is isolated from amenities;
- There is not enough land. The City of Johannesburg's strategy is to relocate and the housing policy provides for one house on a plot which means that less people can be accommodated and pushes those not accommodated further out;
- The City of Johannesburg has a zero tolerance of new informal settlements but the reality is that more people are coming in;
- It is difficult for citizens to participate in legislation related to land such as the Development Facilitation Act (DFA);



- The urban growth boundary is a line drawn around the city beyond which there is no development which constrains access to land.
- Apartheid geography has been reinforced.

Planact suggests that civil society should be putting the following on the urban land agenda:

- Getting more community information, more community input, more community control;
- Getting access to the City of Johannesburg database so that civil society organizations are able to start engaging with the City on access to land for the poor;
- Getting policy to prioritise *in-situ* upgrading and only do relocations where it really is necessary
- Increasing densities by providing alternatives to the one-house-one-plot scenario;
- Conduct a public debate around urban growth.

#### *Centre for Applied Legal Studies (CALS)*

CALS started in 1978 to fight apartheid and now fights inequality. CALS does this by doing:

- Research;
- Policy advocacy; and
- Public impact litigation (take on cases where they have failed to get policy change).

CALS mainly works in Soweto and Thembelihle but will take cases from other areas on board. CALS is focused on 2 main issues:

- Security of tenure (evictions of inner city residents);
- Access to basic services.

Advocating against inner city evictions is based on the principal that poor people have a right to live where they work. If they are evicted they can't be put on the outskirts of the city where they have to use most of their income to pay for transport. In the case they are now taking to the constitutional court CALS wants to create a precedent. In terms of basic services, inner city tenants have no rights to services as these are all mediated through the landlord. Tenants and unlawful occupiers don't have protection and their electricity and water can be cut off at any point. CALS believes that pre-paid meters are unconstitutional as they punish poor people. CALS are fighting a case on this in Phiri in Soweto. These issues make poor people vulnerable and as such CALS would call for genuine social housing where poor people are accommodated in council owned housing and are provided with free basic services. Also that no evictions occur with people staying on in renovated buildings.



*Federation of Urban Poor (FEDUP)*

They are linked to the South African Homeless Peoples Federation (SAHPF) and are based on a model of community members coming together to save for land. They identify private or state owned land and then negotiate for ownership. They then build their own houses as they don't believe that the RDP "match box" houses are sufficient. They have therefore devised a strategy for accessing land for themselves so that they don't have to wait for the state to give them land.

*Coalition of the Urban Poor (CUP)*

CUP is linked to FEDUP. They help FEDUP members to identify land and help members to save. CUP also do research and enumeration for FEDUP members. Once FEDUP members have accessed land, CUP then help with the layout. When they are identifying land they try and find land that is close to transport, schools, clinics and jobs. They have a 24-point programme for accessing land [to be attached].

*Landless Peoples Movement (LPM)*

There are 15 branches of the LPM in Gauteng. LPM was formed in 2001 to see that poor and landless people have access to land. LPM set the objective of asking for a land summit. This has happened and land issues have been talked about and resolutions have been adopted. Still land delivery has been very slow. They have put a stop to forced evictions and removals. Government has now put a free relocation scheme in place and is using the dolomite issue as the basis for relocation. Protea South Informal Settlement was established in 2002 and has access to a police station, schools and clinics but government wants to move them because they say it is dolomitic and therefore unsafe for human habitation. Relocations are happening because government wants to make Gauteng beautiful for the soccer world cup. The government is seen to be all about making money. Poor people don't bring money to the City and the City only wants to support things that make money and not help poor people. A call was made for Planact and CALS to help them fight these relocations. LPM members highlighted the importance on information being disseminated in local languages

*Yeast City Housing*

The Tshwane Leadership Foundation was created in 2003 to strengthen the unfolding inner city movement of churches, communities and programmes. It grew from the work of the Pretoria Community Ministries which was established in 1993 in response to the challenges of a changing inner city. It is currently run by 8 churches and delivers a range of housing which are affordable for poor people. Yeast City Housing is part of this as the first social housing company in the City of Tshwane. YCH is creating a mix of transitional, communal, special needs and institutional housing, thereby facilitating a diversity of tenure options and housing types. These groups are really struggling because they can't access housing subsidies for special



needs. Government is only interested in self contained housing and is not providing solutions for inner city housing. Planact and Tshwane should possibly link up as they are doing good work.

## Questions and comments on presentations

- Organisations only work in certain areas on interests based on those members who are directly affected. Organisations need to rather start working together and get more organized and stop things like all the new townhouse developments which are taking place where low cost housing should be.
- Planact is to provide copies of the presentation so that community members have access to information. Information from the other workshops would also be welcomed so that a sense of the bigger picture can be provided and organizations can then use this information to help with their strategies.
- Government says that the reason why the RDP houses are so small is because the subsidy money needs to be used to buy the land and pay for the services. Why then when the land is state owned are the houses still so small. Landless people need subsidy money to buy land for themselves.
- There was a call for CALS and Planact to look at the Property Right Laws as it is felt that the “willing buyer willing seller” principle does not work.
- Evictions are still happening and people are still being shot. The new government was supposed to bring “a better life for all” but things are bad.
- The housing policy needs to be revisited as the small houses are forcing households to split up therefore causing more demand for housing.
- The new housing projects like Cosmo City are not places for poor people. There are very few RDP houses in Cosmo City and they are tucked away in a corner. Most of the houses are big bond houses and these are the houses that the tourists see from the road. The poor are hidden away.
- It is a good that the churches are getting involved in poverty issues and this information should be spread so that others do the same;
- LPM is trying to develop a strategy for sustaining poor people. This is because you can have an idea to get land, but if you get houses and can't sustain yourself then what is the use. FEDUP owns land near Cosmo City which the City now wants to buy. The LPM must develop strategies to fight together for long term solutions for its members.
- The Inner City Resource Centre works with people in the inner city who are really suffering. They are being removed from buildings rather than from land. Even people who have bought units with government subsidies are being evicted. These people live on food from dustbins. Investors are now coming and are buying buildings for very little and then renovating them and then the tenants are no



longer able to afford to stay in them. Inner city residents are facing the same plight of those in informal settlements.

## Group discussions

Participants were then divided into three groups to discuss key questions relating to land.

### Group 1 Discussion

*Question 1: What do you think are the major obstacles preventing access to urban land and markets by the poor?*

- Corruption is a big obstacle. Local Government and Provincial officials sell land to private developers for a cut and evict poor people;
- Poor people don't have access to finance but this should not be an obstacle as government is supposed to buy / give land.
- Slow delivery. Government budgets for development and tell people that there is money for development but it takes forever for things to happen. People begin to lose hope as development never arrives.
- Poor people don't have information and understand about government budgets so this makes it difficult for communities to question the lack of development for the poor.
- Most of the undeveloped land is private land and government land which makes it very difficult for poor people to access as government is focused on making things look good for tourists rather than focusing on the needs of the poor. The current development policy favours rich people.
- Government keeps on promising delivery but people are not seeing any changes. People are still getting evicted by land farmers and houses continue to be given to wrong beneficiaries and government is not stepping in to help the poor.
- RDP houses go to wrong beneficiaries rather than those on the subsidy waiting list as officials sell houses to those with cash.
- The City of Johannesburg (CoJ) is selling dilapidated buildings to white owned companies for next to nothing provided they renovate the building. Government should rather sell the building to the tenants who can use subsidy money to renovate the building and the tenants will then own their units.
- In the inner city tenants get evicted when the buildings get sold and need to be renovated. Once renovated the new rentals are too high. It then becomes unaffordable for the poor to stay in the inner city. Even those that earn between R3 000 and R10 000 can't afford to stay in the renovated flats.
- TUHF was set up to provide finance for renovating bad buildings. They are supposed to help the poor but they don't as they say they will only loan money to one person for an entire building and not for individual units.





- There is no real social housing in the inner city. There is some transitional housing which serves the needs of the poor but this is only temporary.
- In the inner city poor there are building hijackers which are protected by the community.
- Information is not freely available on who owns parcels of land so people are unable to contact the land owners to negotiate sales. Also who owns bad buildings so that tenants don't know who to approach if they want to buy their building.
- Buyers are unwilling to sell and when they are approached they want inflated prices for their land. Government needs to assess land ownership and force people to sell at reasonable prices. The willing seller willing buyer principal does not work.
- Where there are absent owners of land and people have occupied the land, they should have rights to this land as first occupiers of the land.
- Ward councilors are not serving the needs of the poor. Ward Committees often become obstacles for poor people to being able to access land. Poor communities need the support of community orientated NGOs to work with communities. NGOs empower communities with information so that they are able to engage. Local Government does not consult but NGOs force Local government to engage with communities. However it must be noted that not all NGOs are reliable. Sometimes they work with poor communities under the pretence of helping them but actually they are working against them. Some NGOs are just instruments of Government.
- The interests of the poor are not prioritized by government, particularly Local Government. Government is more concerned with recovering rates and making money. An example of this is Kliptown where people have water but no electricity and only "easy loos" (which are drained once a week) and Government is focused on attracting tourists by building things like hotels rather than focusing on improving the conditions for those that are living there permanently.
- Politicisation of issues - people are not treated equally. You have to belong to the dominant political party if you want to access land or services. Politics gets in the way of development.
- People living in informal settlements don't work together to fight for access to land. If people worked together government would have to listen. Different associations keep information to themselves with the different groups working towards different goals. There should be unity with communities being educated to come together.
- Government is now using dolomitic conditions as an excuse for relocating people as the free relocation system has not worked.
- Where well located land has been identified residents living alongside it have objected to development for poor communities as they say their property values will be decreased.



*Question 2: How well are informal arrangements for accessing land, e.g. establishing informal settlements, working? Why?*

- In the inner city the arrangements have become informal by default. Initially people staying in the inner city had formal lease agreements and were paying rent. With the transition to democracy in 1994 landlords started becoming scared of the political changes and so although they were collecting rent, they stopped paying for services. Things got bad after this as buildings were no longer maintained and the City of Johannesburg cut water and electricity. Landlords disappeared and those that were left were not able to negotiate to be reconnected to services. Government is partly to blame as it allowed owners to run away. This had led to a whole set of informal arrangements which are not working for the poor as they are under constant threat of eviction. Now rich people are coming back and buying buildings for very little money on the condition that they renovate them. Informal arrangements are again being made formal but at the expense of the poor as the poor are not able to afford the new rental payments and therefore have to find alternative accommodation.
- Groups of people are also occupying empty factories such as in Betrams but they are living in very inhuman conditions. They use cardboard boxes to divide the space and have no water, electricity or toilets. If they are evicted they move to abandoned office blocks.
- Zandspruit started as a "shack farm" where the landowner / farmer put an "Induna" in charge saying he must divide the land into blocks of 3m x 3m and rent these out for a certain amount of money. The landowner / farmer then comes and collects the money from the Induna. The system does not work because people keep on coming in. The landowner / farmer then leaves the community with the farm when things get out of control. However the title deed still remains with the farmer, so the community is always at risk of being evicted. Community leaders are supposed to control access but they don't communicate well with each other and lose control of the community. The Zandspruit community is currently working with NGOs and the municipality to try and resolve the informal arrangements.
- Informal arrangements are much quicker as people are allocated a space and then build a house for themselves. In formal processes people have to wait forever because they are not just given a piece of land but have to wait until the land is serviced and houses are built and this takes forever.
- Backyard informal rental will continue while people need to earn a living. Once people are allocated a space they can use this to make money. While this works for providing an income it means that even when a settlements has been upgraded it continues to be an informal settlement because of all the shacks that are erected.
- Informal arrangements work in the context of people coming and going. When relatives come from the rural areas you will find a space



for them until they find work and are able to find something better for themselves. Or relatives may lose a job where they had accommodation and now they need somewhere to stay. There is therefore a constant flux of people coming and going so you need to be able to accommodate these people.

- Informal settlements are not fit for human occupation and government says it will clear all shacks by 2014, but because more people are always coming in they will not be cleared by then.
- RDP houses perpetuate informal settlements as they are too small to accommodate a family.
- Government has not followed up to see if the housing policy is really working on the ground.

*Question 3: How does the buying and selling of property (e.g. of RDP houses) work for the poor? Is this working well? Why?*

- People do sell their RDP houses informally with that those that buy the house not getting the title deed / papers. RDP houses are being sold for R2 500 but effectively it means you have just paid R2 500 in rent as you never own the house. No-one really benefits from this.
- RDP houses are also being sold by councilors to people who have cash or their friends. These people don't get the title deeds but they get somewhere to stay. If the councilor allocated your house to someone else you remain forever waiting for a house because as far as the government is concerned you have been allocated a house already.
- There are poor people who are living in bond houses who are forever paying but they never own the house because of the interest.
- In the inner city the buying and selling is only working for those with resources (white people and people from other African countries). There is no way for poor people to buy buildings in the inner city.
- There is a lot of illiteracy about how buying and selling work. People don't understand that you need a title deed. Government has not provided enough advice for people demonstrating why they should keep their house.
- Even if the system is working well, it does not matter because the reason for people selling remains. People sell their houses because they are hungry and need the money. Also those that come from the rural areas sell their houses because they have another home in the rural area to fall back on, or they want to go home to retire.
- Foreigners have been able to buy property and this has put pressure on the market.

*Question 8: What are your suggested solutions for improving access to well-located urban land by the poor?*

- Foreigners should not be allowed to buy land. They should only be able to lease land on a short term lease.
- TUHF should allocate money to individuals who can then get together and buy a building collectively.



- How the property market works needs to be part of the education system as people will continue to be exploited until they know how things work.
- All attached buildings in the inner city of the City of Johannesburg should be used for social housing for poor people.
- Inner city units are not to be auctioned. A deal should be made with the tenants who have been renting for a long time.
- Government must make provision for poor people to purchase buildings / units / land where landlords are absent.
- Government should provide a joint subsidy for upgrading buildings and for purchasing units for poor people in the inner city. Poor people should also get free basic services in the inner city.
- Sectional title units in the inner city should be expropriated by government. Government should write off these units in the inner city like they did in Soweto.
- Government needs to consult properly with communities. Often they say they have consulted but they go back and report falsely.
- Once new RDP housing developments have been built government needs to go back and see what has been delivered.
- Government needs to give government owned land to poor people.
- Poor people need to organize themselves properly so that collectively solutions can be sought for accessing urban land. CBOs/ social movements should present a united front on land issues.
- Government should review their housing policy where they build one house on a plot and should rather build flats so that more people can be accommodated in less space.
- Government must buy big plots of land for development rather than small plots all over.
- The RDP housing allocation system needs to be reviewed so that it becomes impossible to sell houses and the right people get the houses.
- Government needs to move towards a classless society. Those that stay in informal settlements are treated like 3<sup>rd</sup> class citizens.

## Group 2 Discussion

*Question 1: What do you think are the major obstacles preventing access to urban land and markets by the poor?*

- The property clause in the Constitution (which protects the rights of property owners, but indigenous people were dispossessed of their land).
- The poor do not have access to money and therefore cannot access land.
- Speculation in land - people sit on vacant land for years, for example, because they know that something will be happening in the future. This results in increased land values.
- Two international examples were noted: In the United Kingdom, planning rights have a time limit, and if you do not build in time



you can lose those rights; in many countries, leasehold rather than freehold is more common in city centres, i.e. the state leases out land rather than selling it (this makes it easier to monitor the use of land).

- If one does not have land this can be a barrier to entry to markets (one cannot use land for livelihoods or as collateral for loans).
- The state is part of the problem, for example, in Tshwane the municipality owns most of the inner city land but is using it for its own purposes.
- Government and parastatals own the land but don't release it for community organizations and the poor - instead, the price of land is left to the market.
- There is lots of unutilized, unproductive land - this land should be used.
- Poor people don't get information on access to land and markets (it was noted that some information is actively prevented from reaching the people who need it).
- Poor people are not involved in land audits.
- Government should support CBOs and NGOs in acquiring land, because if government owns land they easily sell it for money/ give it to the highest bidder.
- It is better for government to own land than big business, as people can at least engage with government - they are accountable to citizens/ taxpayers/ ratepayers.
- Municipalities don't have a policy for giving municipal land to the poor (although most have a policy on giving land for free or low cost for social housing).
- The new social housing policy does not address the needs of the poor (only 30% of households in social housing projects have to be low-income).

*Question 4: Is there adequate access to finance for accessing urban land and housing?*

- There is not sufficient access to finance for the poor because of the high levels of poverty and unemployment.
- There is insufficient funding for RDP housing.
- Corrupt officials, who can be bribed, are a problem.
- Government only facilitates housing delivery - projects go to 'super contractors'; there should rather be a parastatal for providing housing.
- Subsidy qualification criteria are problematic - for example the R3500 per month threshold has stayed the same since it was introduced - people earning R4000 per month don't qualify for the subsidy and also can't access finance from banks.
- The Financial Sector Charter is not a legal requirement and it is not clear how well it is being implemented.
- There is a need for a national housing finance institution for those who do not qualify for finance from the private sector.



- The western notion of the 'family' is inappropriate - it helps disadvantage people in terms of access to finance as people have to support many dependents.
- The housing subsidy does not go directly to the beneficiary - most of it goes to other people and little is left for housing; there should be greater focus on self-help/ people's housing schemes, which can work well.
- People can be evicted both from public and private land; CBOs/non-profit organizations should therefore rather own land.
- There should be more government funding for CBOs and NGOs.

*Question 5: In what ways does access to urban land and housing (especially in terms of location) affect social and economic networks and activities?*

- Location is crucial, but government wants to relocate people from jobs and schools.
- Even for community-owned land, the location is crucial - it must not be peripheral land.
- The poor need to be accommodated in the densification of the inner city (currently, inner city development in Johannesburg is for the elite).
- Areas like Diepsloot and Orange Farm are on the periphery, and people have to spend half of their salary on transport.
- Moving people to the periphery is not even sustainable for government (it results in increased infrastructure costs, etc.).
- Location is an issue of livelihoods.
- The problem is with the pricing of land, with market forces determining the price of land - it is cheaper to put people further away.
- There is a lack of a holistic approach towards human settlement planning.
- Concerns were raised about people being 'forced' to live in flats, because although flats may be appropriate for some, such as young people temporarily living in the urban area, it was not possible to perform certain cultural arrangements in flats (although it was also noted that culture is not static, it can change with time).

*Question 8: What are your suggested solutions for improving access to well-located urban land by the poor?*

- Government must consult with people first, before deciding on housing options (because the government doesn't understand people's actual problems).
- There must be access to information on human rights.
- There needs to be more information on government procedures - on how to engage with the government.
- Some policies, like IDPs, need greater monitoring and action by civil society to ensure implementation.



- There must be densification in the inner city (but not for elderly people; and cultural practices must be accommodated, and there must be communal courtyards and greening of the inner city).
- Urban agriculture is important (and there can even be roof gardens in the inner city).
- There should be greater support for CBOs from NGOs and churches around land issues. For example, there should be greater use of church land (the National Religious Leaders Forum should be followed up in this regard).
- There should be mobilization of communities around evictions of informal settlements and inner city areas (but it was highlighted that mobilization should not only be issue-based but should address broader concerns as well).
- There needs to be greater integration between government departments.
- There should be more networking between CBOs - CBOs must speak with one voice (as a practical suggestion, it was suggested that CBOs need a list of relevant organisations and contact details).
- Use of the media must be a strategy for mobilizing communities.
- Planact should be a vehicle for dealing with urban land issues in Gauteng - to negotiate with government (but community representatives and all other stakeholders must also be involved in this process).
- The capitalist system overseen by the government must be challenged (class struggle).
- There must not only be lobbying, there also needs to be mass action if necessary (it was noted that the only way to speak to the government is to toyi-toyi).
- CBOs must be strengthened in order to be able to engage government and in order to build their structures and their capacity to mobilize.
- Report backs to the community are important (and this has resources implications, e.g. in terms of organising workshops).
- Some CBOs are mobilized already, they just need opportunities to be able to engage with the government.
- Government needs to be exposed in the media.
- NGOs and CBOs must commit themselves.

### Group 3 Discussion

*Question 1: Major obstacles preventing access to urban land and markets by the poor*

- Urban land is very expensive, with most land being owned by the private sector. There seems to be no clear audit done by the state in terms of the land it owns.
- The high rate of unemployment is a contributing factor.



- The government seems to respond to those who have money while the poor are neglected.
- Those who have money have the freedom to misrepresent the community's ideas or views by pretending to help people, but instead use their economic power to their own advantage .
- Officials responsible for land look for ways to benefit from people's needs to access land (eg bribes etc). There are no clear policies in place in terms of urban migration which leads to abuse by officials.
- Certain political allegiance is favoured by officials (councillors) especially with regards to ANC membership in being allocated a stand / place on the waiting list.
- After voting campaigns, the poor are neglected with no response to community needs eg. service delivery concerns. This leads to disillusionment in the community.
- Many poor people waste money on alcohol, drugs, building taverns etc instead of saving to contribute towards purchasing land for priority needs.
- The community often reacts without being adequately informed on key issues.
- Organizations and forums like this are necessary to empower people to access information to utilize opportunities effectively.
- People are often too dependent on government to provide.
- Often people from outside take advantage of opportunities to buy land.
- People don't plan to join together to take advantage of opportunities eg subsidies for first time land owners.
- Land is available, although not necessarily in the city, but land can be identified for development which will allow for accommodation and work. Land should be developed to accommodate housing, job opportunities and education needs etc..
- Government should look into situations where farmers have more than one farm with land not being used effectively. Even in urban areas, there are places where land is not being developed and should be identified to meet housing needs.
- At times when land is available, people from all over move to the over to invade the land, yet invasion breeds other problems

*Question 6: Implications of rural-urban linkages for access to urban land by the poor*

- There is uncertainty regarding the existence of a central record of people accessing subsidies. Often people may be on the waiting list in more than one area. Therefore fairness in subsidy allocations is necessary.
- Temporary affordable rental accommodation is necessary in the city areas where people move to for (seasonal) employment. Government needs to invest in low-cost rental units in the inner city. In some cases the rental units have also led to increased crime rates since people living in rental units are perceived to have more money hence





the location of rental units needs to be considered. The point however, is that everyone should have access to decent affordable housing.

- The townships / urban informal settlements are most affected by rural - urban migration which leads to congestion and other problems (health related).
- Homes in rural areas have cultural importance and therefore people prefer not to give up these homes when they move to the urban areas.
- The “chain of shack living” is continued when a shack is passed on to a relative once the initial owner gains access to housing, again pointing to the crisis in the demand for housing.
- The problem of corruption as a result of renting out (backyard) shacks needs to be curbed. One example provided was that the actual reason people preferred outside toilets, was to facilitate the practice of renting out backyard shacks with access to toilet facilities.

*Question 7: Differences between men and women in terms of access to urban land*

- There are no differences in allocations, payment is the main consideration.
- It has been observed that the RDP houses are mostly owned by women. For some this is considered an unfair advantage (upsetting the cultural tradition of men being the household head). Others feel that it entails fair discrimination because women are usually left taking care of dependents.
- The issue of inheritance of assets demands attention in terms of the rights and protection of the remaining spouse and children as well as the extended family members who may have been sharing the accommodation.
- This issue was also linked to the protection of children’s rights to assets in terms of child headed households especially since this situation is open to abuse by relatives / friends of the family who often pretend to have the children’s interests at heart by taking responsibility for the assets. Support groups set up for children in such positions, have in some cases proved valuable.

*Question 8: Suggested solutions for improving access to well-located urban land by the poor*

- People need to know how to use land effectively once they own it (knowledge and skills are important in this regard). Education about rights is important so that rights are not abused or neglected.
- Organizations need to support communities to provide information that officials and councilors do not provide.
- Officials need to be invited to workshop sessions / forums like this so that they can hear people’s concerns and understand their priorities.



- Willing buyer / willing seller policy should be done away with because it increases the price of land with the private sector taking advantage of the higher value of the land.
- Government needs to fast-track expropriation of privately owned land for the benefit of the poor.
- Better control in terms of subsidies and buying land is required, also in terms of private development to curb abuse. An effective audit / central database of people requiring housing and services is necessary.
- Government needs to invest financially to empower people to access and use land acquired effectively.
- Organizations need to lobby government to prioritize objectives for the benefit of the poor (rather than being driven by the current capitalist agenda).
- Officials / developers should consult community members on their priority needs and views in terms of developments. Many summits have been held where people put across their views, yet these are often neglected when decisions are taken / developments embarked upon. Organizations like Planact should support communities by putting community views (in terms of their real immediate needs such as housing) forward to those in power.
- People need to be proactive in terms of saving to buy property or to organize to gain support (financial or other forms) to access land which requires effective organization and patience

## **Comments and questions on group report-backs**

- TUHF is dividing tenants in the inner city. When tenants want to buy jointly with housing subsidies they are refused as TUHF want to deal with one owner only. This is depriving the poor from owning their own units.
- Social housing is not working for the poor in the inner city. Buildings are being sold very little if owners make the commitment to renovate. People in government are using information to get access to buildings and are buying them for their own benefit. Government should be transparent and declare which buildings are in arrears and go and negotiate with the tenants for the tenants to have the opportunity to buy the buildings, renovate and manage them themselves.
- Government officials manipulate information for their own benefit.
- It should be legislated that multi-nationals are not able to buy land and it should be legislated that they can only have leasehold. They should also be given timeframes so they can't sit on land and speculate.
- The urban-rural issue is complex. Rural people move into urban areas because of poverty as they are trying to find work. They don't necessarily want to own a house in the urban area and so social housing needs to be built for these people so that they can rent decent accommodation while staying in the urban area.



- Funding for social movements and Community Based Organisations (CBOs) should be made available. NGOs such as Planact need to help these organizations to get their own money. Organisations often have good ideas but need to be capacitated so that they can write proposals and get funding.
- Organisations need to come together and strategise. There needs to be workshops in communities;
- Social movements are seen as radicals / the ultra left and this poses a problem for trying to negotiate with the state. It must be recognized that people come together on social issues rather than with a political agenda.
- The role of government and the private sector needs to be reviewed. The private sector have the resources to do things which the poor are not able to do, so government should be supporting the poor and not the private sector;
- There is a lack of organizational leadership. New people are coming in to the social movements but they do not have the experience of the 80's. Activists / cadres need to be trained and given skills. This is demonstrated in the fact that people have been lobbying for years but have not been taken seriously. Social formations need to be empowered so that they can grapple with issues of development. Knowledge is very important and needs to be imparted. Leadership needs to be developed.
- Access to land is political as it has to do with access to resources. In South Africa the resources are held in the hands of a few. This necessitates that poor people be organized so that they can engage with government to find out who owns the land. Advocacy and lobbying is not enough.
- Black Economic Empowerment (BEE) has also been a hindrance to access to land for the poor because people in power use land to enrich themselves;
- Government is only interested in making money and so sells their land to those willing to pay the most rather than to the groups who need it the most;
- The information obtained from these workshops and the presentations need to be shared with the workshop representatives so that they can report back to their communities. Lack of access to information is also a big obstacle for the poor being able to access urban land.
- Often the problem is also within organizations themselves with leadership withholding information from their membership. Leaders need to make the information available to all their members.

## **Plenary discussion/ key issues coming out of the workshop**

The following issues were raised in the plenary discussion as reinforcements of or additions to what was said in the small group report-backs:



*Poverty / lack of finance*

- A key constraint to accessing land and retaining access to land by the poor is poverty. People are unable to buy land for themselves and even when they are given land sell it for money.
- Backyard rentals will continue as this is a key way for poor people to earn an income once they have access to land.
- The location of land that I allocated to the poor reinforces poverty as people live far from job opportunities and services.
- Poor people should be able to live near to where they work.

*Community disorganisation*

- There are many different groups but they are not organized and do not work collectively.

*Government policy*

- The willing buyer willing seller principle does not work.
- Government still evicts people from the inner city and from informal settlements without providing them with alternative accommodation.
- Social housing does not work for the poor. There is no government provided cheap decent rental accommodation.
- The RDP houses are not working as they are too small to accommodate families and are of poor quality.
- Government wants to look good (for 2010 and tourists) rather than provide for the needs of the poor.
- Government is focused on generating an income rather than on providing for the needs of the poor, so they will rather sell land to developers than allocate it for the use of poor people.
- Inner city buildings are being sold to development entrepreneurs rather than tenants.

*Corruption*

- Officials sell land to private developers for a private fee.
- Officials sell RDP houses to those with cash.
- Officials use information for their own benefit.

*Politics*

- People are not treated equally. Politics gets in the way of development.

*Information / education*

- Information on who owns land / inner city buildings is not freely available.
- People don't understand how property markets work.
- People struggle to organize to buy collectively as they don't know how it is done.

*Community consultation*

- Ward Councillors / Committees often constrain development.



Need for intermediaries

- There is a big need for NGOs / support organizations / churches to work with communities so that they can access information and empower people to become involved in technical processes such as IDPs and land audits.
- Both social movements and the support organizations need funding.

## **Conclusion and way forward**

Access to urban land by the poor is a large and complicated problem as it is linked to inherent problems within the economy. There needs to be mobilization and action by communities through lobbying and seminars like this one to engage with the state. By documenting community experiences you can use this information to change policy. For this you need community mobilization, research and access to the media. These workshops by Urban LandMark are one step in the process of compiling experiences and views. As a way forward a report will be produced based on the workshops held in the different provinces and this will then go to decision makers and organisations like DAG and Planact. There does need to be feedback to stakeholders of these workshops and it stills needs to be decided how best this should be done. There could be another workshop or pamphlets could be produced summarizing the outcomes of the workshops in different languages. The contact details of the different organizations who participated in these workshops will be shared so that organizations can begin to engage with each other.

These workshops need to have some practical outcome so people don't feel that they have sat in workshops and just spoken but nothing gets changed. Technical support organizations like Planact or CALS need to expand on what they do for poor communities and government should fund this.

Organisations need to engage with government for dedicated funding for urban service organisations. Understanding needs to be built between civil society organisations and the state so that they don't see each other as enemies and hear each other when you speak. The states intention is to deliver and CBOs want to see that what is delivered is appropriate and goes where it is needed.

The City of Johannesburg has developed an Inner City Charter which was supposed to have been signed on 5 May 2007. However this was delayed so that the needs of the poor can more closely be considered. The Inner City NGOs should work with NGOs working beyond the inner city as the issues are often the same.



## Annexure: Attendance register

	Name and Surname	Organisation
1	Alison Wilson	Yeast City Housing
2	Maureen Mnisi	Landless Peoples Movement (LPM)
3	Ntombi Kampi	Anti-Privatisation Forum (APF)
4	Angelina Thebola	LPM
5	Augustina Thibadira	LPM
6	Morapedi	LPM
7	Emmah	LPM
8	Rabinda	LPM
9	Bhayzer Miya	T. CC / APF
10	Mkhululu Zulu	LPM
11	Tshepo Ntsepe	Ward Committee
12	Mandla Dlamini	T. CC / APF
13	Eddie Sabi	Ikwezi
14	Gwashi Manamela	Planact
15	Dolly Ntshangase	Kliptown
16	Rosy Mashimbye	Coalition of the Urban Poor (CUP)
17	Alfred Gabuza	Federation of the Urban Poor (FEDUP)
18	Albert Rane	FEDUP
19	Rose Phila Mboniswa	Kliptown Forum
20	Monwabisi Bocco	Inner City Resource Centre (ICRC)
21	Bewoy Letsolo	ICRC
22	Andile Mvelase	Environment
23	Mark Mvelase	Environment
24	Malachia Mathoho	Planact
25	Manzi Maputuma	APF
26	Busisiwe Mavuso	Alex Civic Organisation (ACO)
27	Grace Molobedzi	ACO
28	Stewart Sibanda	Sizani
29	Becky Himlin	Planact
30	Emily Khoza	Kliptown
31	Hermine Engel	Planact
32	Khaya Xaba	SACP Thokoza
33	Albert Dlamini	
34	David Booi	SACP Wattville
35	Shereza Sibanda	Inner City Resource Centre
36	Alphacinah Nhoko	FEDUP
37	Princess Tatt	FEDUP
38	Nomalizo Khayingana	
39	Rackson	MDCC Mothopele
40	S'celo Shezi	MDCC Mothopele
41	Lerato Ndjwili-Potete	Urban LandMark
42	Max Kambau	FEDUP
43	Jennifer Greenburg	Forced Migration Studies Programme, Wits University
44	Russell Crane	CALS
45	Johanna Thulane	
46	Kwena Molapo	CDF
47	Edwards Sithole	CDF



	Name and Surname	Organisation
48	Annah Moloji	Community Leader
49	Lilly Mkwanzazi	Community Leader
50	Jackie Dugard	CALS
51	Mzwanele Mayekiso	Ikwezi Institute
52	Warren Smit	DAG
53	Susan Carey	Consultant

