

ROUNDTABLE

**Challenges and Perspectives for Tenure Security in African Cities:
Lessons Learned from the Secure Tenure in African Cities projects**
A Conversation between Local Innovators and Global Partners

Chair: Gabriela Mercurio, Urban Analyst – Cities Alliance Innovation Programme

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13.30h Tanzania – Kenya | 12.30h Brussels – SA | 11.30h DRC | 10.30h Ivory Coast | 07.30h SP-MVD

Key Words

Land, tenure security, access, legal frameworks, housing, informality, livelihoods, initiatives, participation, governance, women, socio-technology.

Objective

The roundtable seeks to reflect on lessons learnt and challenges that remain ahead, by means of the experiences of the projects implemented through the *Secure Tenure in African Cities initiative*, finding alternative and collaborative solutions to address tenure insecurity and its many axes.

Context

Tenure security: a wide-ranging problematic

Land constitutes a main asset for people around the world in rural and urban areas alike. Secure access to land or property can provide a source of livelihood, ensure access to adequate housing and to services, mark a pathway out of poverty for future generations, create a space for small businesses, and enable farmers to grow crops or raise livestock, and it can be used to secure credit or encourage investment, tenure security is a precondition to enjoy civil, cultural, economic, political and social rights. But countless people globally do not have formal ownership rights or recognized legal rights to use and manage land or property – thus their hold or tenure is not secure.

The lack of tenure security impacts the urban poor particularly, as cities are not structurally prepared to face the challenges that their growing populations pose. These include issues related to the provision of services, the necessary frameworks to guarantee some form of tenure security, and lack of resources both financially and technologically, which is also deeply interlinked to the lack of local capacities. As a result, people in more disadvantageous positions may resort to inhabit informal land, whether this may be by settling in plots or through the informal renting market, with intrinsic risks of eviction. In either of the former and other cases, the costs to inhabit informal land is higher and does not ensure access to services, which makes people in these conditions also more vulnerable to financial shocks. These affects further particular vulnerable groups, women and youth.

The overall problematic of tenure insecurity is far intertwined with conditions of informality, as people with no secure tenure may not be able to commercialise what they recognise as their land or property, they may not be subjects to credit to improve their livelihoods, and governments and financial institutions are less likely to provide support for housing and business improvements, services and products within the territory; leaving only informal means to access these. In this context, informally built and occupied housing settings may not provide the basic habitational needs, particularly for women which carry extra loads of work within the household, causing overcrowding, exposure to illnesses, lack of access to clean public spaces; all of which have exacerbated due to the COVID-19 pandemic.

The issue of land tenure is recognised in global development agendas: Goal 11 of the 2030 Agenda calls for ensuring access for all to adequate, safe, and affordable housing and basic services, and upgrading slums, while the New Urban Agenda promotes security of tenure solutions that respond to age, gender, and environmental issues. In this regard, it is important to recognise that access to information on land ownership and property use systems can vary considerably from country to country, and that they may depend on legal, economic, political, social, and cultural contexts. As well as this, it is necessary to also consider what are the existing mechanisms -if any- within each context to engage affected communities and what reach do they have to bring potential solutions to decision-making spaces, making processes to guarantee tenure more territorialised, flexible and appropriate for local realities.

Tenure Insecurity in Africa

Achieving tenure security, land and property rights in informal settlements remains one of the most persistent, intractable development challenges today, especially in an increasingly urbanized world.

The situation is particularly acute in Africa¹, which is experiencing very high population growth rates, notably in its small and medium-sized cities. It is estimated that 90 percent of rural land in Africa is not formally documented. With regard to urban areas, only 4 percent of African countries have mapped and titled the private land in their capital cities. In sub-Saharan Africa, even when land titling is regularised, it is hardly perceived as secure.

Tenure insecurity in Africa is complex and made up of interrelated causes and consequences, including these:

- Out-dated paperwork-based and often time-consuming land management processes,
- Conventional urban planning tools inadequate to informal settlements,
- Inexistent land and property records,
- Lack of standardisation between customary land tenure systems and modern systems,
- Lack of spaces for dialogue between local land stakeholders, and
- Political patronage and corruption.

As consequences of that:

- The rights of the urban poor, and especially of women, to land, services and housing are undermined,
- Both public and private investment is disincentivised and transactions are dominantly informal, leading to loss in property value,
- Residents cannot use their properties as assets and collateral to access credit,
- A loss in national wealth.

The lack of access to formal land documentation and provision has resulted in the extensive emergence of informal land and services markets, particularly for the urban poor. In light of this, alternative solutions to the issue of tenure security are searched for in order to try to alleviate the constraints caused by the lack of security.

Fostering local innovation and collaboration: Cities Alliance's Secure Tenure in African Cities initiative

As part of the Cities Alliance Innovation Programme and funded by Omidyar Network, with support from PLACE, the *Secure Tenure in African Cities: Micro Funds for Community Innovation Call for Proposals* was launched in 2019 and selected 5 project (see box below), with the aim to address this challenge by encouraging innovation for the promotion of tenure security and property and land rights for poor people, especially those living in informal urban settlements or in other vulnerable circumstances. The initiative addresses the connections between the issue of land tenure, Africa's growing young population, and the capacity to innovate and deploy modern technologies, with an emphasis on the specific needs of women and the urban poor. It targeted tech-savvy entrepreneurs, microenterprises, innovators, community-based organisations, and local NGOs through a competitive call offering small grants to promote the use of simple, affordable, accessible innovations to empower communities to demand improved governance and accountability².

¹ The World Bank hosts the annual Conference on Land and Poverty and its Development Research Group generates relevant knowledge and new insights on land and land tenure issues, including in Africa. References are available at: <https://www.worldbank.org/en/topic/land#2> (general introduction to land tenure issues); <https://www.worldbank.org/en/research/brief/land> (land research, data, and policy insights); and <http://pubdocs.worldbank.org/en/874331534788929947/Land-Research-Publications.pdf> (list of the Development Research Group publications on land issues). An overview of the historical, political, economic and social background of the land question in Africa is available in: African Union, African Development Bank and Economic Commission for Africa, *Framework and Guidelines on Land Policy in Africa*, Addis Ababa, 2010, especially chapters 2 and 3.

² Cities Alliance (2019a). *Project Description – Secure Tenure in African Cities: Micro Funds for Community Innovation*, February 14, 2019, available at <https://www.citiesalliance.org/newsroom/news/business-opportunities/secure-tenure-african-cities>

Cities Alliance's Secure Tenure in African Cities Projects

[Drones for Land Clarification and the Empowerment of Women](#)

Modernising land governance in the Democratic Republic of the Congo

Organization: Initiative Régionale de Documentation & d'Accompagnement Communautaire au

Développement (IRDAC Sarl)

Democratic Republic of Congo

[A Transaction Support Centre to Support Secure Tenure in Functioning Property Markets in Khayelitsha](#)

Securing tenure, building wealth

Organization: Centre for Affordable Housing Finance in Africa

South Africa

[Upscaling the Social Tenure Domain Model \(STDM\) to promote Integrated and Sustainable Urban Land Use](#)

Create voice and space with the urban poor

Organization: Pamoja Trust

Kenya

[Secure Tenure on Zanzibar](#)

Creating a new methodology for collecting data on land

Organization: Spatial Collective

Tanzania

[eServices Techniques: a tech solution to help street vendors get access to the public space](#)

An open-source software application that speeds up the issuance of permits for the occupation of public space for informal vendors and small businesses in Côte d'Ivoire

Organization: Association 3535

Côte d'Ivoire

Through small-scale, short-term incremental solutions, the initiative showed that tenure security can be achieved more rapidly and efficiently by engaging communities and making use of technology and alternative methodologies at reach of the wider public. The projects have emphasised that with established governance-participatory mechanisms where communities are at the core, many challenges can be overcome. The availability and readiness of off-the-shelf technology has been key to achieve its objectives, and it has also emphasised the idea that capacities need to be built at the local level, empowerment needs to be given in order for any drafted roadmap to continue its mission towards further improvements, and local governments need to be engaged to produce sustainable change. In all cases, the forceful combination of expertise with local engagement have thrown encouraging results, reassuring the need to find ways to scale-up collaboration.

Lessons Learnt and Challenges Ahead to Address Tenure Security

The main challenge from land tenure insecurity is to drive a diversity of actions towards the common purpose of simplifying, modernising, and making land tenure management more accessible, transparent, and accountable, especially to the urban poor, as well as more efficient and effective.

Moreover, in order to ensure the success of such interventions, it is important to aim for sustainability, replicability and upscaling.

Enhancing collaboration and partnership in land management

A participatory approach that emphasises social interaction, learning, and dialogue is key to attain positive results in the search for viable alternatives for more inclusive land management processes. Within all projects, engagement has generated at least two very important effects: empowerment of the community (this is related to building up evidence, as previously discussed), and construction of trust/mitigation of friction, both between the project and the community and between the community and local administrations. Well-established long-lasting partnerships between actors in the territory, with the appropriate recognition of each other's value, knowledge and ownership in context provide the basis to advance towards more sustainable land management practices. Although the processes to form tight bonds with partners may not be except from difficulties, a periodic consensus needs to be reached and eventually renewed throughout time in order to keep collaborations up and running.

Governance mechanisms to empower the urban poor

As mentioned before, building long-lasting partnerships are key to advance with processes of land management throughout time. However, it is important to recognise that participation goes beyond consultation processes and signing agreements, but it needs to be scaled-up and form multi-scalar structures that seek to establish governance mechanisms that include and account for all those involved in the building of the city: governments, private interests, academic institutions, NGOs, communities, and more. This in turn involves the effective inclusion of vulnerable groups and partners that also live the city and that may be exposed to the threats of poor frameworks to integrate people to the city. Governance mechanisms are tools to empower the urban poor and make them visible to structural knowns. Moreover, governance mechanisms need to be prepared to face challenges particularly related to political interests and administration changes and be ready to constantly innovate to survive.

Legal Framework: Strengthening diverse tenure forms

It is presumed by the UNHCR *Guiding principles on security of tenure for the urban poor* that individuals and communities occupying land or property fulfil their right to adequate housing, and that those who have no other adequate option, have legitimate tenure rights that should be secured and protected. The concept of legitimate tenure rights extends beyond mainstream notions of private ownership and includes multiple tenure forms deriving from a variety of tenure systems. States should promote, protect and strengthen a variety of tenure forms, including those deriving from statutory, customary, religious and hybrid tenure systems. All relevant laws, policies and programmes should be developed and adapted on the basis of human rights impact assessments, which identify and prioritize the tenure arrangements of the most vulnerable and marginalized. Moreover, as it may be seen within different contexts, it is important to also recognise that existing legal frameworks may not correspond to realities in practice and/or may not be implemented accordingly.

Promoting women's security of tenure

Both de jure and de facto gender equality are essential to the enjoyment of the right to adequate housing. In this regard, States must strengthen and protect women's security of tenure, regardless of age, marital, civil or social status, and independent of their relationships with male household or community members.

Women's rights to land can be restored and promoted:

- By focusing on women as a specific target group and aiming at maximising women’s access to land management systems and technology;
- Designing tailor-made approaches to address specific women’s needs;
- Empowering women by means of self-organisation and capacity-building; and
- Including women into a development trajectory by means of productive inclusion to be built upon land tenure regularisation.

Technology: Socio-technological innovation in local communities

In the five projects, the implemented technologies have been shown to be pervasive, accessible, modulable and scalable, so as to fit in small-scale and short-term incremental land-management solutions. In this line, the use of technologies has proven to have different results depending on the context to which they are applied, having the social context and level of engagement as key points to bear in mind to ensure that technologies are reaching the targeted audience, and that are used as active catalysts for inclusion of those more vulnerable. Socio-technological innovation, if used collaboratively, can be a strong piece in the puzzle to attain secure tenure.

The Roundtable

Agenda of the Event

OPENING (10’)

(2’) Anacláudia Rossbach, LAC Regional Manager - Cities Alliance

Welcome remarks, broader context about Cities Alliance work and programmes interlink.

(2’) Amy Regas, Co-Founder and Partner - PLACE

PLACE work and context to support the initiative.

(6’) Gabriela Mercurio, Urban Analyst - Cities Alliance Innovation Programme

Introduction to Innovation Programme and Call for Proposals.

ROUNDTABLE DISCUSSIONS (1h 40’)

Introduction Round (10’)

Brief introduction to the Projects.

(2’) Drones for Land Clarification and the Empowerment of Women – Democratic Republic of Congo

Organization: Initiative Régionale de Documentation & d’Accompagnement Communautaire au Développement (IRDAC Sarl)

By: Barthélemy Boika

(2’) A Transaction Support Centre to Support Secure Tenure in Functioning Property Markets in Khayelitsha – South Africa

Organization: Centre for Affordable Housing Finance in Africa

By: Kecia Rust

(2’) Upscaling the Social Tenure Domain Model (STDM) to promote Integrated and Sustainable Urban Land Use – Kenya

Organization: Pamoja Trust

By: Diana Wachira

(2') **Secure Tenure on Zanzibar** – Tanzania

Organization: Spatial Collective

By: Primož Kovačič

Horizontal and Dynamic Discussion guided by the Key Questions (1h 30')

Comments and queries submitted by the audience via the chat box should be addressed by the Roundtable.

Facilitates:

- Anaclaudia Rossbach, Cities Alliance Informality Programme;
- Giulia Maci, Cities Alliance Gender Programme;
- Gabriela Mercurio, Cities Alliance Innovation Programme.

Key Questions

1. How can alternative forms of land tenure be more pragmatically recognised by existing **legal frameworks**? How can legal frameworks enable and regulate private investments in projects for the urban poor?
2. How can mechanisms for **participation** and engagement established through the projects be further leveraged? How can participation strengthen capacities and empower youth to become the next leaders?
3. What are the enablers for **socio-technological** innovation and how can they be scaled-up? How to ensure data is collected, handled and used as a public good and how to safeguard its privacy?
4. How can **women** pressing tenure needs be made more visible? What are possible alternatives to attenuate the gap for women to attain tenure security?
5. What are the new **challenges and opportunities** identified? And how can partnerships help to address them in the near future?

Members of the Panel

1. Barthélemy Boika, IRDAC, Democratic Republic of Congo
2. Diana Wachira, Pamoja Trust, Kenya
3. Kecia Rust, CAHF, South Africa
4. Illana Melzer, 71point4, South Africa
5. Primož Kovačič, Spatial Collective, Tanzania
6. Tony Piaskowy, CADASTA
7. Deborah Asikeit, Cities Alliance Country Programme, Uganda
8. Lorraine Sibanda, StreetNet International - Council President, Zimbabwe
9. Evelyn Benjamin-Sampson, StreetNet International Organizer for West and Central Africa
10. Jane Weru, Akiba Mashinani Trust (AMT), Kenya
11. Camille Bourguignon, World Bank
12. Mathabo Makuta, Habitat for Humanity Zambia

WRAP-UP OF THE ROUNDTABLE (10')

(10') **Kecia Rust, CAHF - South Africa**
Key takeaways and the way forward.

Annex

Other questions which might be addressed during the roundtable

Technology

- How can ICT successfully support addressing the needs of people in vulnerable territories and informal settlements?
- More specifically, how can ICT promote gender equality and strengthen partnerships?
- What innovation was tested and what new ideas for the future were generated by project participants?
- Technology supports those groups and individuals who own it. Did the projects also demonstrate how technology can foster inclusiveness and create stronger communities?
- Does the introduction of technology and digital tools generate new risks for vulnerable groups? How can we prevent a widening of the gap between groups of the society, which have and those who do not have access to new technologies? How can it be prevented that the funding of ICT reduces the availability of funds for other services?

Gender

- Due to their role and experience women have a special knowledge of the territory and local community. What are special advantages in employing women for collecting and using information?
- Access and ownership of land is a central aspect of women empowerment. Where did that become visible in the projects e.g. through knowledge sharing among women on the benefits of land titles in inclusive development?
- Which of the projects had a positive impact on gender mainstreaming and how did it become visible?
- What other opportunities exist to further empower women if tenure security will be increased?

The role of collaboration/partnerships/learning to address informality.

- Did the Corona pandemic have an impact on the projects and what are the perspectives for the time post COVID-19?
- What role did collaboration and partnership play in the role-out of the projects? How can collaboration in future support tenure security?
- Were the projects hampered by any lack of capacities and what capacity building is recommended for the future?