SECURING TENURE IN AFRICAN CITIES:

LEARNINGS FROM FIVE SMALL-SCALE, INCREMENTAL INNOVATIONS LED BY LOCAL NGOS AND SOCIAL ENTREPRENEURS

January 2021

Cities Alliance
Cities Without Slums

Hosted by
UNOPS

ACKNOWLEDGEMENTS

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ABBREVIATIONS & ACRONYMS

CAHF	Centre for Affordable Housing Finance Africa
CONAREF	National Commission for Land Reform (DRC)
COVID-19	Coronavirus Disease 2019
DRC	Democratic Republic of the Congo
IRDAC	Regional Initiative of Community Documentation and Follow-up for Development
LTAA	Land Title Adjust Act (South Africa)
NGO	Non-Governmental Organisation
STDM	Social Tenure Domain Model
TSC	Transaction Support Centre

FOREWORD

Securing land and property rights is a crucial step towards equality, social justice and poverty reduction. It brings recognition, opens doors to other rights and facilitates the access to public and private services. Despite its centrality for the well-functioning of our societies, efficiently managing land and achieving tenure security remains one of the biggest challenges faced by African cities. Unless we bring our resources together and deepen our collaboration for a more inclusive future, Africa's current demographic and urbanization trends will likely amplify this struggle and continue to disproportionately impact the urban poor with even more profound consequences for women, youth and other disadvantaged groups.

Whether by choice or circumstance, for too long local governments have been left alone to deal with land and property issues, while the urban poor have been denied the right to a decent and safe living and excluded from the formal markets. An integrated, culturally sensitive approach to land management is required, one that understands the intersections between customary and common laws, acknowledges the different types of tenure and is sensitive to women's and men's needs alike. The advent of new technologies coupled with Africa's growing young population opens a unique window of opportunity to harness local expertise and nurture inclusive processes.

Technology can bring efficiency, accessibility and transparency to urban governance. The success of a technology, however, does not lie in its disruptive capacity but rather in its transformative potential and how well it can recognize, incorporate and respect the local context while promoting positive systemic change. Above all, technology needs to work at the benefit of the most vulnerable, which is only possible when its design and use are embedded into a broader framework of dialogue and collective construction of the city that includes all local land stakeholders. We need to invest in democratizing city-building and recognize the innovative potential from within local communities, enabling participation, ownership and entrepreneurship.

Against this background, Cities Alliance and PLACE have come together to promote small-scale, incremental interventions that promote land and property rights for the urban poor in African cities through the use of affordable and accessible technologies while creating bridges between community members and government officials. Our Call for Proposals attracted almost three hundred inspiring ideas from African social entrepreneurs, innovators, micro-enterprises, community-based organisations and NGOs. The five selected projects exemplify how technology designed or adapted by local actors and embedded into broader participatory processes can be put at the service of the common good and help residents access the benefits of a secured tenure. It is our pleasure to share the lessons learned from these five interventions. We hope that this compilation of insights will contribute to shed light on often complex and controversial issues around land and property rights and bring new perspectives around the use of new technologies.

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EXECUTIVE SUMMARY

Achieving tenure security, land and property rights in informal urban settlements remains one of the most persistent, intractable development challenges today. The Secure Tenure in African Cities: Micro Funds for Community Innovation initiative launched by Cities Alliance aimed to address this challenge. To seek more innovative approaches, the call encouraged social entrepreneurs, and Non-Governmental Organisations to showcase how tenure security and property and land rights for poor people, especially those living in informal urban settlements or in other vulnerable circumstances, can be promoted. Cities Alliance received over 290 proposals, and five were selected for funding from Democratic Republic of the Congo (DRC), Republic of South Africa, Kenya, Tanzania (Zanzibar), and Côte d'Ivoire.

This publication is based on the independent evaluation of these five projects which were investigated in the context of land tenure failures in Africa and used as case studies to extract lessons and learnings on how small-scale, short-term incremental interventions can contribute to improving tenure security and housing conditions in the local communities where they are implemented.

Contributions of small-scale, short-term incremental solutions to improving tenure security: insights from five Cities Alliance grants

a. The role of modern technologies

The development of technologies can be a key driver for developing more equitable and responsive land management systems. The effective adoption of technologies, however, is strengthened when coupled with strong social dialogue and stakeholder engagement.

The main contribution resulting from the five Cities Alliance grants to promote land security is socio-technical innovation whereby well-calibrated combinations of easy-to-use, accessible, modulable and scalable technologies fit in small-scale and short-term incremental land management solutions and are capable of increasing their effectiveness. What the five projects did was to dive into land management systems to identify their flaws and to map stakeholders' knowledge, interests and strategies, and then to introduce technology and make it accepted by these stakeholders and create consensus about its use to solve these flaws. This was accomplished by embedding technology into social interaction and social dialogue.

Technologies have made data handling speedy and efficient and have built up evidence from informal settlements about transactions among the urban poor, providing such data with legitimacy and making them convincing for government officials and acceptable by formal market systems. This means empowering

communities to negotiate with governments, at the same time that appropriate spaces and frameworks for dialogue are being constructed.

b. *Engagement of the community and local government*

Close collaboration with local and/or national governments and community involvement have proven to be highly relevant for the successful implementation of incremental interventions. Additionally, the objectives are more likely to be achieved when tools and capacities are provided to empower community members and government officials.

The majority of projects have been designed and implemented by building on already ongoing presence in communities and in collaboration with different local governments. This has been deliberately reinforced in the projects by engaging the community, whether as a data provider or as a client, or both, in pursuing the purpose of evidence-based empowerment of the community and construction of mutual trust between the community, the projects, and government officials. In turn, **collaboration with local governments has been shown to be one of the conditions for the successful implementation of the proposed innovations.**

c. *Promoting gender equality*

Interventions aiming at improving tenure security need to consider existing gender inequalities and create tailored approaches and specific actions to address them. This can be done by mainstreaming gender along the intervention and/or focusing specially on women as the main target group. More precisely, these five projects show how 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 in a development trajectory by means of productive inclusion to be built upon land tenure regularisation.

d. *Sustainability, replication and upscaling*

Sustainability of the projects' results, as well as institutionalisation, replication, and upscaling of incremental interventions are objects of concern. The (interconnected) factors that are influential for success in this respect include:

- Genuine demand and consequent buy-in from government;

- Data-based and technology-driven evidence to convince governments of the validity of the proposed solutions;

- Adaptability of technology to specific needs, based on the variety of possible combinations offered by available technologies today;

- Influencing policy design to include the proposed innovations among the tools to be used in policy implementation;

- Building partnerships with other actors from civil society, the private sector, or academia;

- A conscious and consistent step-by-step growth strategy based on the systematisation and diffusion of results, communication and advocacy; and

- Successful fundraising.

Tenure insecurity in Africa is complex and is made up of interrelated causes and consequences. In order to modify the current situation, **a plurality of actions needs to converge 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.**

Top-down and technically driven attempts at reforming land tenure management can be costly and time consuming, and many have been unsuccessful. In contrast, these five Cities Alliance Innovation grants have shown the potential capacity of small-scale, incremental interventions to successfully address many of the challenges of land tenure insecurity in Africa, mitigating its underlying causes as well as consequences. The funded projects have carried out a broad spectrum of activities, achieving promising initial results and offering valuable learnings to inspire future initiatives. Now, the focus needs to be on sustainability, replication, and upscaling so that these initial results can prosper and multiply.

01.

INTRODUCTION

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 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. 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.[1]

Tenure insecurity can threaten the safety and well being of families and put people at risk of losing their homes and livelihoods to evictions, or they may even face the threat of land grabbing or conflict. Without proof of legal ownership, residents may lack the right to sell their properties or pass them on through inheritance. Further, people may be hesitant to risk making beneficial improvements to their lands or properties, while financial institutions and governments are much less likely to invest in upgrading homes or businesses, contribute to the cost and maintenance of community facilities, or supply products and services.[2]

Tenure insecurity especially impacts the urban poor, as many cities lack the capacity, resources or legal frameworks to provide adequate access to land and services for their growing populations. As a result, poorer people may be forced into informal land and service markets that are often more costly,

making them even more vulnerable to financial shocks. Tenure insecurity also disproportionately affects women, youth, and members of other disadvantaged groups, who often have weaker or less secure tenure.[3]

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.[4] Gaining secure tenure can be complicated, however, as land ownership and property use systems can vary considerably – from formal title deed ownership with legally binding documents to informal use of public spaces to recognized, customary use of rural lands dating back through generations. In addition, political patronage and corruption can

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1 – United Nations Human Settlements Programme, *Land Tenure Security in Selected Countries: Synthesis Report. Securing land and property rights for all*, Report 2/2014. UN-Habitat, 2014

2 – United Nations Human Settlements Programme, 'SDG Indicator 1.4.2 Training Module: Secure Tenure Rights to Land', 2018.

3 – Cities Alliance, 'Cities Alliance Innovation Programme: Call for Proposals 2019', Guidelines, February 2019.

4 – Cities Alliance, 'Secure Tenure in African Cities: Micro Funds for Community Innovation – Problem Statement and Theory of Change' (internal document), 2019.

make it difficult to obtain clear information about land ownership, use, and availability. There is no single best way of securing land tenure, and approaches differ from country to country, depending on legal, economic, political, social, and cultural contexts. Thus, any potential solutions to tenure insecurity must be targeted to the unique needs and circumstances of a given place.

1.1
Tenure Insecurity in Africa

In Africa, land tenure is rarely regularised and is highly insecure, at the same time that land tenure management is weak.[5] It is estimated that 90% of rural land in Africa is not formally documented. With regard to urban areas, only 4% 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: according to Prindex, a Global Property Rights Index developed by the Global Land Alliance and the Overseas Development Institute to measure people's perception of their property rights, in sub-Saharan Africa the difference in the perceived security between landowners with formal documentation (70%) and landowners without (65%) is very small.[6]

Demographics and accelerated urbanisation exacerbate the negative effects of land tenure insecurity. It is estimated that between 2015 and 2050, the populations of 28 African countries will more than double, and the increase will be concentrated in cities, especially small

and medium-sized ones, where institutional capacity is lower. As a consequence of rapid demographic growth, young people already make up more than half of the African population – in 2015, 60% of the entire African population was under 24 years old.

The combination of population growth, accelerated urbanisation and land tenure insecurity contributes decisively to the proliferation of informal, underserved settlements and housing shortages. Achieving tenure security, land and property rights in informal urban settlements remains one of the most persistent, intractable development challenges today.

1.2
Secure Tenure in African Cities Initiative

The Secure Tenure in African Cities: Micro Funds for Community Innovation initiative launched by the Cities Alliance with support from PLACE, aimed 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. This initiative is part of the Cities Alliance Innovation Programme, which was created to incubate fresh thinking and approaches to urban challenges, particularly in rapidly urbanising cities. It is meant to be a flexible instrument that is also designed for new and non-traditional partners, especially in those cities and communities that are typically left behind.[7]

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5 - 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. Other recommended readings include:
Parry, J., Issue *Paper on Secure Tenure for Urban Slums. From slums to sustainable communities: The transformative power of secure tenure*, Habitat for Humanity and Cities Alliance, 2015.
United Nations Human Settlements Programme, *Quick Guides on Housing the Poor in African Cities*, 2011.
United Nations, 'Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination', A/73/310/Rev.1, United Nations, New York, 18 September 2018.
Lall, S.V., Freire, M., Yuen, B., Rajack, R. and Helluin, J.J., eds, *Urban Land Markets: Improving Land Management for Successful Urbanization, Springer*, 2014.
United Nations Conference on Housing and Sustainable Urban Development, Habitat III Issue Papers, United Nations, New York, 2017.

6 - Prindex, *Prindex Comparative Report: A global assessment of perceived tenure security from 140 countries*, July 2020

7 - Previously, Cities Alliance had launched under the Innovation Programme (formerly Catalytic Fund) the following calls: Migration and the Inclusive City, Know Your City, Youth and the City, and one open call.

The *Secure Tenure in African Cities* 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 accountability.[8] Following the call for proposals in 2019, Cities Alliance received 292 proposals, and five were selected for funding, based on their innovative approach, as well as potential to improve access to land and housing, strengthen capacity to ensure effective land management, and contribute to gender equality. The five projects chosen were from Democratic Republic of the Congo (DRC), Republic of South Africa, Kenya, Tanzania (Zanzibar), and Côte d'Ivoire (Table 1).

Country	Project	Grantee	Duration	Grant (USD)
Democratic Republic of the Congo	Drones for land clarification and the empowerment of women: Modernising land governance in the Democratic Republic of the Congo	IRDAC SARL	10 months	$49,570
Republic of South Africa	Transaction Support Centre: Securing tenure, building wealth	Centre for Affordable Housing Finance in Africa & 71point4	6 months	$50,000
Kenya	Upscaling the social tenure domain model (STDM) to promote integrated and sustainable land use: create voice and space with the urban poor	Pamoja Trust	12 months	$50,000
Tanzania	Secure tenure on Zanzibar: Creating a new methodology for collecting data on land	Spatial Collective	8 months	$48,988
Côte d'Ivoire	eServices Techniques: 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	Association 3535	8 months	$50,000

Table 1 - Overview of Secure Tenure in African Cities: Micro Funds for Community Innovation projects, 2019

8 – Cities Alliance, 'Project Description – Secure Tenure in African Cities: Micro Funds for Community Innovation', Brussels, February 2019.

This publication is based on the independent evaluation of these five projects, which were investigated in the context of land tenure failures in Africa and used as case studies to extract lessons and learnings on how small-scale, short-term incremental interventions can contribute to improving tenure security and housing conditions in the local communities where they are implemented. The evaluation was conducted by a senior Independent Technical Assessor with in-depth knowledge of land tenure issues and extensive experience in public policy analysis, project evaluation and research. The evaluator assessed and documented achievements, challenges during implementation, results, lessons learnt, and sustainability issues faced by the projects funded. Information was gathered through document review and analysis, and semi-structured interviews conducted with grant recipients.[9]

The purpose of this publication is also to briefly explore the potential of these five interventions for adaptability and scale-up to other African cities and beyond. Tenure insecurity in Africa is complex and is made up of interrelated causes, consequences, and challenges; hence, this publication will also discuss these factors synthetically to provide context for the analysis of the five projects.

It is structured into eight sections including the present introduction. After a brief description of the five case study projects, the remaining sections address the causes, consequences and challenges of land tenure insecurity in Africa; the contributions of small-scale, short-term incremental solutions such as those funded by Cities Alliance to tenure security, land and property rights in African cities; the relevance of these projects with regard to partnerships and stakeholders' participation, especially community engagement and involvement of local authorities; gender mainstreaming in projects; sustainability, replication and upscaling of the proposed solutions; and concluding remarks.

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9 – The documentation reviewed included Call for Proposals materials, evaluation matrix constructed in collaboration with Cities Alliance staff, and project proposals, outputs and reports.
The interviews took place online under the form of dialogues where all parts contributed to collective learning and knowledge-building. Three key issues were addressed and operationalised into a series of questions that helped guiding the interviews: (i) actual results in the field; (ii) institutionalisation, internalisation or adoption, by key stakeholders, of the innovations proposed; and (iii) replicability/upscaling of such innovations. Additionally, the factors and conditions that respectively favour and hinder success, institutionalisation and replicability were also investigated.

02.

CASE STUDIES: FIVE INNOVATIVE APPROACHES TO ADDRESSING LAND TENURE

FIVE INNOVATIVE APPROACHES

COTE D'IVOIRE

DEMOCRATIC REPUBLIC OF CONGO

KENYA

TANZANIA

REPUBLIC OF SOUTH AFRICA
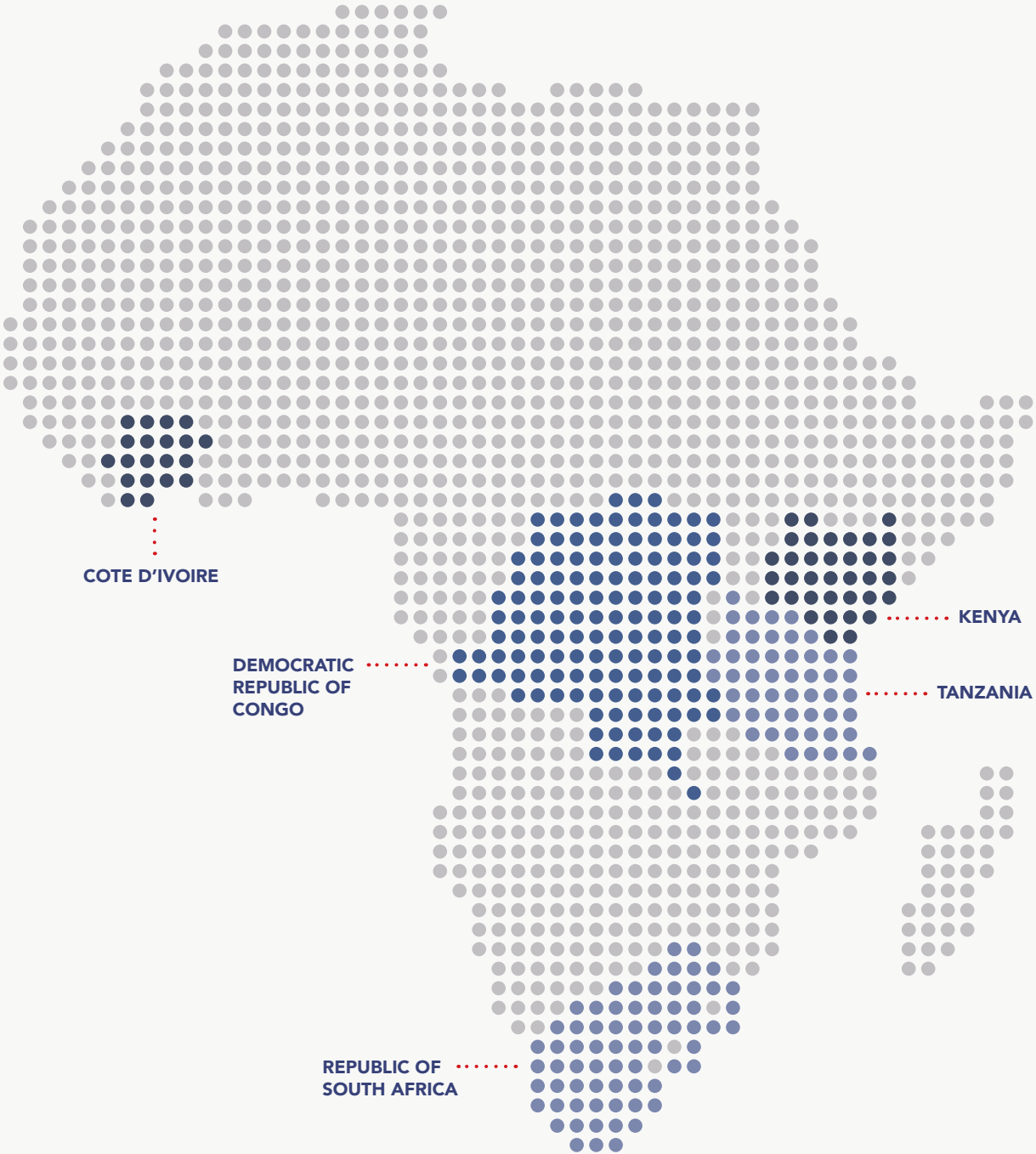
@ IRDAC

Those most affected by tenure insecurity are poor people – whether in a rural area outside a megacity in the Democratic Republic of the Congo (DRC) or in urban areas of South Africa, Tanzania, Kenya, and Côte d'Ivoire – and many are women, young people, and members of other disadvantaged groups. As the brief descriptions of the five case study projects will show, people living in these diverse communities may nevertheless face similar issues connected with tenure insecurity. The innovative projects funded through the Cities Alliance Secure Tenure in African Cities initiative each take a different approach toward implementing solutions at the local community level, as will be discussed in the sections that follow.

2.1
Democratic Republic of the Congo (DRC)

Project: Drones for land clarification and the empowerment of women: Modernising land governance in the Democratic Republic of the Congo [*Drones pour la clarification foncière et l'autonomisation de la femme*]

Organization: IRDAC SARL

Tenure security synopsis: Farmers in Kasangulu, a small rural community in the outskirts of Kinshasa, DRC, lack formalised titles for their customary lands and are at risk of land grabbing. Government land management processes are manual and based on paperwork. Community members and local authorities lack spaces for dialogue about land issues.

Targeted solutions: The IRDAC project introduced new geographic information technologies including civilian drones, GIS, and webmapping tools into DRC's land management system. To do this, IRDAC first trained young people from Réseau

des Associations de Développement de Kasangulu (RADEKAS) member households and land agents in civilian drone use, GIS and webmapping tools and helped the land administration digitise the land registry. For instance, the project created a complete land registry plan covering 622,000 ha in four Kasangulu districts, extracted nearly 5,000 land plots from the drone's aerial digital images and measured and demarcated a sample of 98 plots belonging to RADEKAS members on the registry plan. Modernising the system has greatly speeded up the process of granting of formal land titles to vulnerable community members. The IRDAC project also established a space for participatory multi-stakeholder dialogue where people concerned about land management could meet to discuss issues and propose joint solutions to the authorities. Finally, inclusive development activities were implemented that focused specifically on women.

More info: Two-page project report - DRC

2.2
Republic of South Africa

Project: Transaction Support Centre: Securing tenure, building wealth

Organization: Centre for Affordable Housing Finance (CAHF) in Africa

Tenure security synopsis: Many residents of lower income neighbourhoods, such as Khayelitsha, a township in Cape Town, South Africa do not have formal land and property rights for their homes, which prevents them from accessing the value in their homes or participating in the vibrant residential property market. The process of acquiring formal title deeds is complicated, there is a large backlog for state-funded houses, and the time and costs involved in the title transfer process can be prohibitive. Finally, the participation of mortgage lenders is limited for lower income clients in areas of the community with lower value homes.

Targeted solutions: The Transaction Support Centre (TSC) in Makhaza, Khayelitsha is a walk-in advice office

that works with low-income clients to formalise their residential property rights and resolve other property-related issues. Low-income property owners who need help navigating the complicated process for obtaining a formal title deed receive free personalised support throughout the process. With support from the Cities Alliance grant, TSC has helped clients secure 26 title deeds; another 7 title transfers have been formally lodged, and 52 more are in process. The TSC team has also proactively identified 930 households across four sites in Makhaza that do not yet have the title deeds for their properties, and has begun negotiating the transfer of the deeds for 656 of those properties. Lessons learned from the TSC are shared with public and private sector partners in an effort to improve client experiences and outcomes, as well as to advocate for systemic change and to facilitate its broader advocacy strategy with government and stakeholders at the national, provincial and city level.

More info: Two-page project report – South Africa

2.3
Kenya

Project: Upscaling the social tenure domain model (STDM) to promote integrated and sustainable land use: create voice and space with the urban poor

Organization: Pamoja Trust

Tenure security synopsis: Residents of informal settlements in Mashimoni and Mathare 4B in Nairobi County, and Kwa Bulo in Mombasa County Kenya have unequal access to infrastructure, basic services, public resources and land tenure security, and are often overlooked because they are not recognised in conventional land planning, administration, and management systems. They also face the constant threat of eviction and demolitions. Residents of informal settlements lack ways to advocate for tenure security and land rights and to participate in urban governance.

Targeted solutions: Pamoja Trust has introduced the use of social tenure domain model (STDM). This dynamic tool generates data about where informal community members actually live, which can help them gain recognition in the system for their tenure rights. The STDM is a dynamic tool for community members to advocate for themselves in support of tenure regularisation, gender-mainstreaming, and responsiveness to youth[10]. Some of the many accomplishments of the Pamoja Trust STDM project thus far include preparation of the Mombasa Housing Bill to implement STDM in the development of the county housing information system and land inventory, development of advocacy strategies with the Mathare 4B community in response to eviction threats, integration of the STDM model and process in the Women's Movement and issuance of certificates of occupancy to members of the Kwa Bulo community, among others. Pamoja Trust has already found opportunities to expand STDM to additional communities, upscaling these positive gains and using them for policy discussion and advocacy on behalf of poor people.

More info: Two-page project report - Kenya

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10 – Global Land Tool Network, 'Land Administration and Information', <gltn.net/land-administration-and-information-2/#>, accessed 20 February 2021

@ Spatial Collective

2.4
Tanzania

Project: Secure tenure on Zanzibar: Creating a new methodology for collecting data on land

Organization: Spatial Collective

Tenure security synopsis: Formal records such as title deeds do not exist for many thousands of properties on the Zanzibar Archipelago. Before the Revolutionary Government of Zanzibar (RGoZ) can issue certificates of occupancy, it must first collect land data and documents using traditional manual methods, which is extremely time consuming. As a result, the RGoZ has struggled to produce certificates of occupancy for residents. The lack of title deeds limits landowners' ability to use, improve, and manage their properties, and it also affects the government's ability to effectively implement new land development projects.

Targeted solutions: Spatial Collective developed a more efficient method for collecting land data information using ubiquitous digital technology such as phones, drones, and tablets. They developed a field guide and data collection protocols, and they trained Zanzibar stakeholders on using the tools and techniques. With these methods, data collection and property documentation processes have greatly accelerated, and residents are able to obtain certificates of occupancy on their properties much faster. For instance, over just 6 weeks, 10 trained data collectors were able to map 492 plots and document the claims of 230 men and 85 women as landowners. The RGoZ expects to be able to reach its target goals of adjudicating 50% of land ownership claims within a few years.

More info: Two-page project report – Tanzania (Zanzibar)

2.5
Côte d'Ivoire

Project: eServices Techniques: 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 *[eServicesTechniques: un logiciel en open source qui révolutionne la délivrance des autorisations d'occupation du domaine public en Côte d'Ivoire]*

Organization: Association 3535

Tenure security synopsis: Informal vendors and small businesses in the city of Cocody, Abidjan, can face delays of two months to receive the permits needed to legally occupy a public space. Without a permit, vendors can be evicted. This threat can make them reluctant to invest in and improve their market stalls. The permit process involves multiple in-person visits between a municipal technical services office and the desired public space.

Municipal technical services offices are understaffed and the permitting process is very time consuming. These steps make the process cumbersome, as well as expensive for vendors and businesses.

Targeted solutions: eServices Techniques created customised apps through a free, open-source web-based software platform for digitising the permitting process. With the software accessible by phone or tablet, informal vendors and small businesses can easily apply for permits, and city agents can more easily conduct inspections and complete the process. During the pilot project, the web application reduced the processing time required to obtain a permit—from 8 weeks to just 14 days—and helped 200 informal street vendors and small businesses receive their permits.

More info: Two-page project report – Côte d'Ivoire

03.

CAUSES, CONSEQUENCES AND CHALLENGES OF TENURE INSECURITY IN AFRICAN CITIES

Causes of tenure insecurity in the continent are associated, in the first place, with limited government capacity, scarce resources or inadequate legal frameworks to provide adequate access to land and services, as well as to inappropriate planning and land use standards in poor urban areas.[11] The experience of Cities Alliance points to the dysfunctionality of urban land markets as the main obstacle to sustainable urban growth and proper city management in Africa.[12]

Poor land administration is part of the problem: on average in Africa it takes 59 days to register a property, and the cost of the transfer of deeds is 9% of the property's value, more than twice than the cost in OECD countries.[13] According to the World Bank, "only three countries in Africa (Rwanda, Mauritius and Kenya) have fully digital deeds registries. A further six countries have deeds registries for which records are scanned by computer; and the remainder continue to have deeds registries recorded only on paper".[14]

3.1
Causes of tenure insecurity

While in most of the communities where the five Cities Alliance projects were implemented, land tenure management processes are still manual and based on paperwork, more specific causes of tenure insecurity tend to show up in each of these cases and combine in variable ways. In Kenya, for example, Pamoja Trust highlights the inability of conventional dominant planning tools to guide and foster inclusive urban governance because of their rigidity, inadequate standards and top-down approach.[15] Further, the Kenya case also indicates that these tools and systems are not capable of addressing informal land rights and embracing complex tenure relationships in urban spaces.

This, according to the case of DRC, is a critical obstacle to the need to standardise and integrate **traditional land tenure systems and tribal chiefs' authority** in land issues on the one hand, and modern systems and government officials on the other. In DRC, this is aggravated by the **lack of spaces for dialogue between local land stakeholders** – especially between the land authority and the communities. In turn, the same project indicates that when tools are old and ineffective,

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11 – Cities Alliance, 'Slum Upgrading', 2021, <www.citiesalliance.org/about-slum-upgrading>, accessed 01 December 2021.

12 – Additional readings:
Habitat for Humanity, 'Compendium of Best Practices for Housing in Africa', 2021
Cities Alliance, 'Addressing Informality in Cities', Policy Paper, November 2019
WIEGO, Inclusive Public Spaces for Informal Livelihoods: A Discussion Paper for Urban Planners and Policy Makers, 2018
Cities Alliance, UNCDF, Losing Ground? The Unprecedented Shrinking of Public Spaces and Land in Ugandan Municipalities, 2018

13 – Dreams of fields - The quest for secure property rights in Africa - Handing out title deeds is not enough', *The Economist*, 12 September 2020.

14 – Rust, K., 'Stay Home: what does COVID-19 mean for affordable housing in Africa?', Centre for Affordable Housing Finance in Africa, 30 March 2020, <housingfinanceafrica.org/documents/stay-home-what-does-covid-19-mean-for-affordable-housing-in-africa/>, accessed 01 June 2020

15 – In many African countries outdated planning and land use instruments are the heritage of colonial times and are not appropriate to manage and promote inclusive growth in cities.

the law only works in theory, not in reality, the cadastral plan is out of date and the land registry only exists on paper. Hence, official title documents cannot be produced because of the absence of land data.

Similar problems were found in Tanzania, where **property records did not exist for the Zanzibar Archipelago, and methods to generate them were too slow**. It took three months just to collect data and fill in forms, and up to five years or more to adjudicate the land.

The problems of inefficiency and ineffectiveness above are aggravated by the lack of social control and collective pressures, which is associated with the l**ow level of awareness among land management stakeholders** – both residents and government officials. In Kasangulu (DRC), it was found that only 0.9% of households in target communities had titles regularised, and most residents even ignored the existence of a local land tenure office. In Kenya, Pamoja Trust records the knowledge and skills gap in both settlement leadership and government officials on innovative and sustainable tools to advocate for tenure security, such as STDM.

Finally, **political patronage and corruption** can exacerbate other causes to increase land tenure insecurity, when transparency and efficiency are perceived in government as threats. The project of Côte d'Ivoire suggests that this might be the case with regard to bribes in exchange for licensing of informal street vendors.

3.2
Consequences of land tenure insecurity

The consequences of land tenure insecurity are equally multidimensional. In general, in a context of insecure land registration, the **rights of the urban poor to land, services, housing and livelihoods are undermined.** When it comes to the use of public space for economic activities, for instance, the lack of transparent and efficient regulation and procedures allowing for its legal occupation may inhibit further investments by vendors and small businesses, who are at risk of eviction,

affecting their livelihood. In DRC, poor farmers who lack formal land titles for their properties are under constant threat of land grabbing and land conflicts. **Women's rights to land are often unrecognised under customary rules**, which further weakens the situation for women-headed households. The case of Pamoja Trust in Kenya indicates that informal settlements tend to be underserved and only become capable of negotiating investment in services with government when tools that promote land tenure security, such as STDM, are used.

In a context of diffused land tenure insecurity, **informal property transactions** are common. However, these transactions reduce the value of houses as assets and generate obstacles to accessing credit for property owners, adding to already dysfunctional land markets. In informal land transactions, **a vicious cycle of loss of property value tends to be created as both private and public investment in housing, services, and businesses are discouraged** by tenure insecurity.

A clear example in this respect comes from the TSC project. In South Africa, the title deeds backlog is estimated at 1.1 million out of the 3.5 million properties that have been delivered under the National Housing Programme, one of the largest subsidised housing programs in the world. Among the 1.9 million registered title deeds, a high number of actual owners have their status unrecognised, either because they bought the property informally or because of deceased estates.

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Subsidised properties should represent the entry point to the formal property market and, as such, the first step of the property ladder. But this step is jeopardised when tenure is not formally registered: properties that can only be traded informally lose value as economic assets in the resale market, and

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16 – Centre for Affordable Housing Finance in Africa and 71point4, 'Utilisation of the Land Title Adjustment Act to Address Title Deeds Issues to Enable Formal Transactions in the Resale Property Market', Memo, 25 February 2020

owners have no collateral to show as guarantee for mortgage (dead capital). The value of the asset is further reduced as, according to CAHF, subsidised properties sold formally with a mortgage achieve higher prices than those sold without a mortgage. Quantitatively, this represents a big problem both for owners and as a loss in national wealth: if all government subsidised properties were on the deed registry, they would comprise about 43% of the market. The conclusion of CAHF is that the South African housing programme has created real assets, but weak land administration limits the potential value of these assets. By jeopardising public investment in services and infrastructure, as well as disincentivising private investment in housing improvement, it undermines the sustainability of cities.

- Land management processes are outdated, manual, and based on paperwork.
- Conventional land management schemes and urban planning tools are not adequate to address the reality of informal settlements.
- Land data and property records do not exist.
- Lack of government commitment, capacity or resources.
- There is a lack of standardisation and integration between traditional land tenure systems (based on tribal chiefs' authority) and modern, formal systems (based on a legal framework and the authority of government officials).
- Communities lack spaces for dialogue and interaction between local land stakeholders, especially the land authority and the community, and there is a low level of awareness.
- Political patronage and corruption – an increase in transparency and efficiency in land management would be perceived in government as a threat.

Box 1 – Causes of land tenure insecurity in Africa*
* as observed in the five projects, non-exhaustive list of causes

- In general, land tenure insecurity undermines the rights of the urban poor to land, housing, services and livelihood.

- Women are most affected as their rights to land usually are not recognised under customary rules; they also tend to have more difficult access than men to official land management authorities because of invisible barriers (e.g., lower literacy, discrimination, lack of available time because of the double burden of work and house duties).

- Insecure land tenure disincentivises both public investment in infrastructure and services, and private investment in house and business improvements – which, in turn, undermines quality of life and sustainability of cities.

- This generates a loss in property value which is exacerbated by the fact that unregistered properties can only be traded by means of informal transactions.

- Unregistered properties are "dead capital" – they cannot be used as collateral or guarantee to have access to credit.

- Unregistered government-subsidised houses miss the goal to provide owners with an entry point in the formal housing market, and represent a significant loss in national wealth.

Box 2 – Consequences of urban land tenure insecurity in Africa*
* as observed in the five projects, non-exhaustive list of causes

3.3
Challenges of land tenure insecurity

The discussion above suggests that 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.** Actions to be undertaken include at least the revision of legal and policy frameworks, administrative reforms, introduction of new technologies, standardisation of procedures, simplification in data handling, capacity building, and awareness raising.

In turn, improving land tenure security would generate a virtuous circle of increases in municipal income from land and property taxes; municipal planning, together with higher public investment in infrastructure and local services, resulting in sustainable use of land; access of residents to credit, private investment in housing, and housing asset appreciation; local business growth; and eventually, better quality of life in informal settlements.

In order to address the shortcomings in land tenure regularisation, reforms have been undertaken in the majority of African countries, mostly to revise customary land management rules. Since 1990, 39 out of Africa's 54 countries have issued laws revising communal land rights – however, one lesson from these experiences is that **top-down land reforms do not work.**[17] Instead, **local, bottom-up, participatory solutions that are small-scale, short-term and incremental can be key to improving tenure security and housing conditions by addressing the challenges that land management failures generate.**[18] The next section analyses evidence from the contributions of the Cities Alliance grants to the development of innovative local solutions to land tenure insecurity in African cities.

17 – 'Dreams of fields'
18 – 'Secure Tenure in African Cities: Micro Funds for Community Innovation – Problem Statement and Theory of Change'.

04

CONTRIBUTIONS OF SMALL-SCALE, SHORT-TERM INCREMENTAL SOLUTIONS TO TENURE SECURITY IN AFRICAN CITIES

THESE FIVE PROJECTS…

01.
Identified land management systems flaws

02.
Mapped stakeholders' knowledge, interests and strategies

03.
Introduced new technologies

04.
Received stakeholders' acceptance

05.
Created consensus on technology's use to solve the flaws identified

This section explores the contributions of the five projects funded by the Cities Alliance *Secure Tenure in African Cities* initiative toward the development of **community-based** local solutions to problems of tenure security and land and property rights in African cities. It begins by addressing the innovations that these projects have developed and implemented – in technology, administrative processes, community engagement, policy dialogue and more – and the way these innovations **have been embedded into small-scale, short-term incremental solutions** and helped them to become more effective. It then discusses the results and benefits that innovative small-scale and incremental solutions to land tenure management have generated at the community, institutional, and policy levels.

4.1
Technology, evidence, reliability and trust

Technology is the most immediate and apparent element of innovation in the five projects. It includes the use of STDM, open-source apps, drones, several geo-technologies, web-mapping tools, blockchain, and the digitisation of both manual processes and paper documents. These technologies have been applied in activities such as land-use planning and management, property localisation, measurement and attribute data handling, tracking of property transactions, and issuance of permits.

More decisively, in the five projects **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. As highlighted in Tanzania by the Spatial Collective project for Zanzibar, there is considerable experiences with adopting new technologies in Africa today, and numerous technologies are easily available. The issue is determining how these technologies can best be combined in order to attend to the specific needs of different projects. The introduction of technology in land management solutions has led to products and results that are quite specific to each of the five projects, as well as very illustrative of the impact of innovation in this realm.

In the TSC project in South Africa, blockchain technology has helped generate evidence about transactions, making information convincing for government officials: it has been described as creating "a framework for certainty … and basis for good governance … the registry can become the mechanism through which the state engages with the resident," eventually leading to improved administrative system, as well as higher housing asset value.[19]

In the Pamoja Trust project in Kenya, STDM technology is said to generate a creative space for the community to engage, where evidence is used to make social-spatial relationships explicit. **The accurate information, in turn, produces confidence and power within the community to engage with and sit at the same table as government officials and negotiate both land tenure and services based on clear and accurate data.**

In DRC, the cadastral plan for Kasangulu is out of date and the land register only exists on paper. The IRDAC drones project, together with data collection in the field, generates real and updated data on land parcels and their boundaries, allowing the digitisation of these properties. Dossiers can then be produced for each property owner, eventually leading to land rights titles.

This also has had a motivating effect on the community, especially on both the young and on traditional leaders.

A similar process occurred in Tanzania with the Spatial Collective project for Zanzibar, where both time for property data collection and uncertainty in land adjudication were remarkably reduced. In Côte d'Ivoire, the Association 3535 project used technology to improve speed, transparency, and credibility in informal vendor licensing.

Overall, in part through the technologies introduced by these five projects, (i) communities have been sensitised, engaged, trained, or made knowledgeable about land rights issues; (ii) data on a number of properties have been collected, standardised, systematised, and formalised; and (iii) in some cases, actual land titles have been issued. The issues of **evidence and reliability** also emerge as key contributions from the technological innovations in the projects. In turn, they contribute to generate **engagement, trust, and confidence** both in communities and in government, opening **space and framework for dialogue and negotiation** between them, and eventually to increased influence for the former and accountability for the latter.[20]

19 – Rust, K., 'Stay Home'.
20 – Information for land tenure regularisation usually includes data on both properties and owners. This may raise issues of security and privacy. Addressing these issues, TSC in South Africa points to the need for one secure and distributed system to store data with permissioned users to access and edit them; users would include service providers who gather data, City, and conveyancers. Source: Centre for Affordable Housing Finance in Africa and 71point4, 'An Overview of the TSC', PowerPoint presentation, May 2020.

4.2
Participation, social interaction, dialogue and learning

However, **technology is just one element of innovation** in the projects under analysis. In the first place, technology needs to be fed, as CAHF in South Africa puts it: populating the register is just the first step – you also have to develop processes to maintain the register over time.[21] Often these processes need to be redesigned and modernised, as the cases of the CAHF TSC project and the Spatial Collective project in Zanzibar clearly indicate. Further, technology by itself is no substitute for time-consuming and resource-intensive activities of search, data collection, and data checking. However, this applies primarily to *attribute* data (data about owners, transactions, heritage, etc.).

Where *spatial* data is concerned, technology is the primary provider. Drones, geospatial technologies, and STDM all allow the collection of data on plots localisation, dimensions, and boundaries with a combination of speed and – to some extent – accuracy, that traditional, analogic technology does not. In some cases, as with the use of STDM, **technology also opens more room for bottom-up social participation.**

This leads us to the **non-technical elements that actually make technological innovation work** in the five projects: **a participatory approach that emphasises social interaction, learning, and dialogue.** This is the framework in which these innovations actually acted and which enabled the technology itself to be concretely beneficial to small-scale, short-term incremental projects. A participatory approach allowed the project participants to identify the key challenges in land management in each specific context and to focus the technological solutions on them. At the same time, it contributed to build up mutual trust and consensus and to win the commitment of key stakeholders in order to address these challenges.

All five projects implemented awareness raising, engagement, and mobilisation activities. But they have done more than that:

- In the Côte d'Ivoire project, a preparatory phase of full immersion into the street vendor licensing process at the local level was crucial to both identify the bottlenecks that generate inefficiencies in this process, and to network with key actors in government.

- In the DRC project, social cartography, mapping of land-related interests and conflicts, and construction of a space for participatory multi-stakeholder dialogue were all critical activities to identify stress points between customary rules and modern land management regulations, to motivate stakeholders, and, to some extent, to accommodate competing stakeholder strategies.

- In Tanzania, the Spatial Collective project in the Zanzibar Archipelago made explicit in the fieldwork guide a sort of political economy approach in order to identify who were the allies and who were the opponents to innovation in land management systems in the field, and to orient field workers accordingly. They also adopted an extremely collaborative working relationship with the government of Zanzibar.

- Pamoja Trust in Kenya invested significantly in several activities for the engagement of and capacity-building in governance for traditional leaders, and, at the same time, in drone training for the young and sensitisation of the community. This built consensus towards the project among the chiefs, generated the commitment of the community members, and created teams with technical skills to use drone technology.

- In the South Africa TSC project, building upon interactions with both residents and officials, precise diagnostics of the land tenure administrative system's failures and bottlenecks were produced for the main types of cases attended, namely informal cash sale, deceased estates, and primary transfers. Further, the project also benefitted from well-established working relations and mutual respect with the City government.

21 – Centre for Affordable Housing Finance in Africa and 71point4, 'The Transaction Support Centre: Lessons Learned & a Way Forward', webinar powerpoint presentation, July 2020, <housingfinanceafrica.org/app/uploads/TSC-webinar-slidedeck-FINAL-04082020_compressed.pdf>, accessed 01 August 2020.

4.3
Influence at the policy level and support to their effectiveness

Land and housing policies are key to ensure security of tenure as they have the potential to support economic and social inclusion, and reduce poverty. An inclusive framework can allow for the recognition of different types of rights and tenure and their evolution over time, reduce the costs associated with establishing property rights and support the realization of the value of land as an asset. For this to be achieved, however, legal and institutional arrangements, as well as planning practices, need to be deeply aligned with the local context.[22]

The learning process from first-hand experience with challenges in land management systems, together with the visibility and legitimacy that were gained vis-à-vis key stakeholders, have helped the projects in their attempts to influence the revision of land management policy and legal frameworks, and/or implementation tools, considering the different stages at which each country was regarding the availability and updating of these frameworks.

Each case has its particularity and it is important to note that although not all projects may have set policy influence as a key objective, they have all attempted to influence at least its implementation and effectiveness, investigating how policy and practice can be better aligned and respond to the real needs of the population.

In this regard, the project in Kenya used the knowledge accumulated along the years by Pamoja Trust to advocate for the inclusion of STDM within the regional and national policy and legal framework. In addition to multiple in-person engagements carried out with government officials, the project has prepared a policy paper discussing the strengths and weaknesses of current land policies in Kenya and detailing how STDM could help fill some of the gaps in order to protect the rights and tenure of those living in informal settlements.[23] For instance, the paper suggests the introduction of community empowerment elements from STDM in the national Slum Upgrading and Prevention Policy, the Community Land Bill, and Housing policy in both Nairobi and Mombasa, and

22 – Deininger, Klaus, *Land Policies for Growth and Poverty Reduction - A World Bank policy research report*, The World Bank and Oxford University Press, 2003

23– Omia, Dalmas, Midigo Okoth and Oyier Charles, 'Policy Paper on Up scaling The Social Tenure Domain Model (STDM) To Promote Integrated And Sustainable Urban Land Use' (draft 0), Pamoja Trust, September 2020

the formal recognition of the multiple tenure types at play in informal settlements. It also argues that STDM can be an effective way to gather data and advocate for informal settlements to be declared as Special Planning Areas, a mechanism that recognizes an area's unique development potential and issues and allows for tailored planning efforts to take shape.[24]

South Africa is also illustrative in this respect and has been set since its inception as an action-research project. Based on findings and knowledge gathered during the implementation of the TSC, the project has proposed to use an existing Act to support title deeds restoration. The TSC has noted that the majority of residents requesting support from the Centre was looking to regularize informal sales or transfer the property to the heirs of the deceased owner; some of these cases, however, raise additional complications when the interested parties cannot be found or are not willing to cooperate.[25] It is argued that such cases could be solved through the application of the Land Titles Adjustment Act, No. 111 of 1993, (LTAA), an Act created with the purpose of regulating the allocation of land for the claimant but so far still little applied in urban areas. A memo on the subject was prepared by CAHF and 71point4 for circulation within the National Department of Human Settlements and the Minister of Agriculture, Rural Development and Land Reform, and a funding application was submitted by TSC to allow for the piloting of an LTTA-project.

In DRC the project was implemented during the national process of land reforms. This has offered a great opportunity for the project to liaise with the various government officials involved in land affairs, showcasing how new technologies could be deployed by local organizations in partnership with communities and the government in order to support a more inclusive land management, and advocating for the modernization of the land system. Finally, the Zanzibar and Ivory Coast projects focused on supporting effective implementation of existing policies through the creation of more efficient land information collection methods and issuance of occupancy permits, respectively. Both projects have worked in close collaboration with local governments to map the gaps in the processes being applied that were preventing the legal framework to work in favor of the urban poor, and

how new technologies could be used to correct this.

As highlighted in these examples, the potential for influence at the policy level, albeit limitations, can be a further contribution from small-scale, short-term incremental solutions as they can provide evidence to drive change and provide a space for testing new approaches that could be further scaled up and institutionalized.

Socio-technical innovation: increasing effectiveness and building up stakeholder commitment

The five projects **explored land management systems in depth to identify their flaws and to map stakeholders' knowledge, interests, and strategies. They then were able to introduce technology, enable its acceptance by stakeholders, and create consensus about its use to help solve flaws in the land management systems.** This was accomplished by embedding technology into social interaction and social dialogue.

As a group, the main contribution of the five projects to land security promotion was **socio-technical innovation,** whereby **well-calibrated combinations of easy-to-use, accessible technologies** were capable of increasing the effectiveness of small scale, short-term incremental projects for addressing key challenges in land management. **Social interaction** contributed to help identify and focus on such challenges, but was decisive in building up the commitment of the stakeholders to the adoption of these technologies, and so enabling them.

Technologies, in turn, made data handling speedy and efficient (at least in some cases) and generated data evidence from informal settlements about transactions among the urban poor. This effectively **provided such data with legitimacy, making them convincing** for government officials and acceptable by formal market systems. The end result is a means of empowering communities to negotiate with governments, at the same time that appropriate spaces and frameworks for dialogue are being constructed.

24 – Weru, Jane and William Cobbett, 'Slum upgrading in Kenya: what are the conditions for success?', *Thomson Reuters Foundation*, 25 February 2021
Cities Alliance, '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', Roundtable takeaways, 2021

25 – 'The Transaction Support centre: Lessons Learned'
Robey, Jessica and Illana Melzer, 'What if you bought a new home — but you don't have the papers to prove it?', Cities Alliance, 09 Mar 2020, <www.citiesalliance.org/newsroom/news/urban-news/what-if-you-bought-new-home-%E2%80%94-you-don%E2%80%99t-have-papers-prove-it>, accessed 13 February 2021

05

BUILDING COMMUNITY: PARTNERSHIPS, COMMUNITY ENGAGEMENT AND INVOLVEMENT OF LOCAL GOVERNMENTS

All of the projects were designed and implemented by **building on an already ongoing presence in communities and collaboration with different local governments or through established contacts with local governments.** In Kenya, Pamoja Trust was already working in Mashimoni and Kwa Bulo settlements and with Mombasa municipality. In South Africa, the TSC was already present in Khayelitsha neighbourhood and had a long-standing collaboration with the city of Cape Town. In Tanzania, Spatial Collective had already worked with the Government of Zanzibar in a massive building mapping project. Both Association 3535 and IRDAC already had close contacts with local governments at the start of their projects.

Clearly, the involvement of communities and local governments benefitted from these already existing collaborations. However, such involvement was also deliberately reinforced in the course of all five Cities Alliance projects through various activities, as previously discussed.

5.1
Community engagement

Communities in targeted settlements have been remarkably engaged and mobilised in Kasangulu (DRC), by means of stakeholder mapping, social cartography, and training in drone use, and in Mashimoni, Kwa Bulo, and Mathare4b (Kenya), through leaders' capacity building, training in STDM, and sensitisation on land-related issues. In Khayelitsha (South Africa), communication in the community was crucial to increase access of residents to TSC and build trust among potential and actual beneficiaries. In Zanzibar's Shakani settlement (Tanzania), field work was carefully prepared through an awareness raising campaign so to avoid frictions with the community, since land is considered a frequent source of conflicts; additionally, data collection was carried out by previously trained community members. Finally, in Cocody (Côte d'Ivoire), informal vendors were informed and mobilised through awareness raising and promotional campaigns, social media, and a demo video to download the app for licensing from the municipality's website, although they were not trained to use it.

We can find a variety of tools that have been used to engage and mobilise communities: these range from communication, awareness raising, and sensitisation, to technically oriented activities such as training and capacity-building, and to highly interactive activities such as social cartography.

In all cases, the conclusion is that the **engagement of the community – whether as a data provider, a client, or both – has been highly relevant**, as the active participation of residents and potential beneficiaries is a precondition for developing solutions to land tenure insecurity. Further, 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. Both empowerment and mutual trust are preconditions for the successful implementation of the innovations that the projects have developed.

5.2
Involvement of local governments and other stakeholders

The five case study projects have helped strengthen existing partnerships and have expanded to new collaborations:

- In South Africa, TSC reinforced the relationship with both the city of Cape Town and the National Department of Human Settlements.

- In Kenya, moving forward from the experience of STDM use in Mombasa, Pamoja Trust successfully engaged the City of Nairobi government and initiated a process of technology transfer.

- In Tanzania, Spatial Collective engaged and received support from the Zanzibar Ministry of Lands, Energy and Water to conduct the project, working directly with the Commission for Lands in all critical stages, exchanging valuable insights and practical know-how between the two teams.

- In DRC, the responsibility of the project was formally placed under local government.

- Finally, in Côte d'Ivoire, Association 3535 in the short term managed to overcome the problem of changing technical staff in the municipality by networking with the hierarchical upper levels, as well as the problem of the lack of a proactive attitude from the municipality in outreach to potential beneficiaries by dispatching its staff to the area where informal vendors are concentrated and implementing the proposed solution themselves.

Collaboration with local government is one of the conditions for the successful implementation of the proposed innovations, as certain land-related tasks are necessarily under the responsibility of the local government (e.g., management and operation of land management systems, where they exist, plus specific tasks such as land adjudication). In this regard, coordination with local governments need to call for the institutionalisation of engagements as although relying on the figure of a "champion" within decision-making positions may greatly help to advance with immediate common objectives, it may also represent

a risk for the medium and long-term strengthening of collaboration as the conditions for such success are based on individuals and not the institutional aspect of the relationship. For instance, government staff rotation can undermine collaboration efforts initiated by civil society actors if such endeavours are not well inserted within the operational and political frameworks of local governments. Similarly, establishing connections with and seeking support from different government departments or secretariats can be an effective way to identify and secure viable partnerships. In the context of the projects, the construction of collaborative processes has been absolutely relevant, as it has been seen that through them the objectives of the innovations have been successful overall, with the possible exception of the Côte d'Ivoire project (this will be further discussed below in the section on sustainability).

- Presenting innovation as a support to improve and speed up processes rather than as a threat to civil servants' jobs (Tanzania)
- Including local land authorities in multi-stakeholder dialogue on land governance and in capacity-building on the proposed innovation (DRC)
- Continuity in, and recurrent support to, long-standing collaboration with local authorities. This includes having a champion within the government, but also identifying opportunities for institutionalizing collaborations (Kenya and South Africa)

Box 3 – Factors that contribute to the positive engagement of local governments

The duration of projects has been too short to generate evidence on transformative shifts in the approach of local governments to land tenure management, as a possible result of the Cities Alliance grants. However, as discussed in the previous section, some projects are already influencing policy-making at the national or at the local level. Besides, successful innovations might reinforce institutional changes that are already underway, as in DRC, where the solution proposed by IRDAC might concretely support the reform of the land management legal framework, which is being discussed in government.

Finally, partnership or collaboration with other actors include the support from Cadasta, a collaborative geotechnology platform, to projects in Tanzania and DRC. In Kenya, Pamoja Trust set up contacts with universities and the Kenya Institute of Planners to mainstream the use of STDM. The implications for sustainability and replication of these collaborations are discussed in section 7.

06

GENDER MAINSTREAMING

Access to and control over land and property are key contributors to women's empowerment.[26] Studies show that women's increased tenure security can lead to improved access to economic opportunities and recognition of their status within the family and the community helping to shift social norms. Securing land tenure can also have positive impacts on women's and children's access to food and education.[27]

Mainstreaming gender across the proposed interventions was one of the requirements set by Cities Alliance and was used as a criteria to select the projects to be funded.[28] Additional activities and discussions on gender mainstreaming were carried out by Cities Alliance during project implementation.

All projects addressed gender issues, but in different ways and as appropriate for the local context. All of these different ways to prioritise women are relevant, useful, and worthy. They can be classified according to growing degrees of **intensity and inclusiveness**, as follows: (1) women are considered a priority as a numerous target group; (2) women are disproportionately affected by land tenure failures because of specific mechanisms of discrimination – they need tailor-made approaches and tools; (3) women need to be empowered in order to overcome discrimination, either individually or in groups, by means of inclusion, training and organisation; and (4) achieving land tenure security is the foundation for a development trajectory of women (usually to be based on access to credit and productive inclusion). These categories are discussed in the sections below.

26 – The role played by security of tenure in the promotion of women's empowerment is recognized in the Global Agendas, which call for gender-responsive solutions to address the issue of land, housing and property rights. See:
United Nations, 'Sustainable Development Goals', <sdgs.un.org>, accessed 15 March 2021
United Nations, New Urban Agenda, 2017

27 – Land Portal, 'Land and Gender Recounted', <landportal.org/book/thematic/land-and-gender>, accessed 08 July 2021

28 – 'Cities Alliance Innovation Programme: Call for Proposals 2019'

6.1
Women are prioritised as a numerous target group

Although not enough to address the root causes of gender inequalities and promote structural changes, acknowledging women's share in the population and translating those into actionable quantitative targets can contribute to women's inclusion.

In Kenya, 48% of the Certificates of Occupancy issued to households in Kwa Bulo settlement went to women. In South Africa, 62% of TSC clients are women (this is related mainly to the issue of deceased estates, a problem that overwhelmingly affects women, due to the high rate of mortality among men). In the Côte d'Ivoire project, 86 (61.4%) of the 140 beneficiaries are women. In the DRC project, out of 98 plot dossiers that have been prepared as a step to land tenure regularisation, 42 (42.8%) are for women.

6.2
Women are disproportionately affected and need a tailor-made approach or tools

Social norms and practices, customary laws, women's awareness of their legal rights and national legal systems are some of the variables contributing to strengthening or hindering women's access to secure land and property.[29]

The Pamoja Trust project in Kenya considered STDM as gender responsive because it allows the identification of household members and the head of household, and it also allows land co-ownership between husband and wife. With the South Africa CAHF project, the presence of the local TSC office can be proportionately more beneficial for women than for men, as it can be more difficult for women to go to municipal offices downtown because of domestic duties. In the Côte d'Ivoire project, the fact that the solution is user-friendly and intuitive benefits women, as functional illiteracy is higher among women than among men; furthermore, insofar as the solution increases transparency in licensing, it can also serve as a defence for women against harassment from municipal agents.

In Tanzania, patriarchal structures in Zanzibar generate challenges for women, as land is mostly inherited, and it can be complicated for widows to have land documents. Because women are the most disadvantaged with regard to land tenure regularisation, the project should benefit women proportionally more than men by speeding up the documentation process and making it more efficient, objective, and transparent. In DRC, as the IRDAC project illustrates, women are clearly disadvantaged in terms of the ability to pay the fees for their titles: among the 72 who could pay, only 26 were women, while women were over-represented among the 24 households who could not pay (14 women, 10 men). This demonstrates the importance of economic empowerment of women and how economic inclusion and land ownership intersect, which is discussed below.

6.3
Women are empowered by means of inclusion, training, and (group) organisation

Lack of information about the importance of securing tenure and how to formalize their claims can inhibit women's full enjoyment of their rights. Raising awareness of both women and men, and promoting women's participation in decision-making processes can help change this scenario.[30]

Activities to empower women were carried out through the Pamoja Trust project in Kenya. In the community organising sessions in the Nairobi settlements, Pamoja Trust identified the need to inform women about their land rights, despite the obstacles from customary rules and day-to-day societal norms. The project team began organising and training women: overall, approximately 200 women from different settlements in Nairobi were trained and helped to organise a women's network. Women were engaged too by coordinating with another program on Land and Women, with a focus on awareness raising on women's rights on land, plus studies on dispossession.

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29 – Organisation for Economic Co-operation and Development, SIGI 2019 Global Report: Transforming challenges into opportunities, 2019

30 – SIGI 2019 Global Report: Transforming challenges into opportunities
Women's perceptions of tenure security: Evidence from 33 Countries

6.4
A development trajectory built upon achieved land tenure security is designed for women

The DRC project exemplifies how securing land rights can be a starting point to address further structural gender inequalities and create new livelihood opportunities. In addition to seeking women's equal participation in all other components of the project, IRDAC has planned specific activities to support women's access to finance for income-generating activities using land title as collateral.

The global pandemic, however, hindered some of the inclusive development activities to be carried out through the DRC project. Before the COVID-19 crisis, IRDAC had contracted with a female consultant to help women with microcredit and had also contacted banks, with one bank in Kinshasa agreeing to provide microcredits to women turning regularised land into an asset. The negotiation of microcredits with local banks would be done in parallel with support for the identification of sustainable activities to be carried out by women and aimed at supporting their economic empowerment. But with the COVID-19 quarantine, travel between the women's homes in Kasangulu and the bank in Kinshasa (35 km away) was not allowed and the activity could not be fully implemented.

An alternative plan was developed with Cities Alliance, whereby IRDAC implemented communication activities with the women instead. This was disappointing, given the expectations for this component in terms of women's empowerment. Nevertheless, the project was able to emphasise the importance of empowering women by creating videos that shared women's stories about the impacts of the COVID-19 crisis on precarious household livelihoods. In this way, the IRDAC raised awareness on the need to empower women through facilitating secure land tenure, enabling access to microcredit, and building resiliency.

The brief review above suggests that **gender mainstreaming in projects (a) supports** *impact*, **mainly through empowerment**, by means of women's capacity-building and organisation, thereby giving voice and visibility to their specific challenges and enabling them to push for their rights; and that it aims at **(b) supporting** *sustainability* **by means of land tenure-based development activities** aimed at raising women's income and productive opportunities.

07

SUSTAINABILITY, REPLICATION AND UPSCALING

Promoting the continuation and expansion of the benefits brought by a project beyond its initial implementation phase can be a challenge. Achieving sustainability depends on a number of interconnected factors including elements linked to social, political and economic dimensions beyond the control of project leaders.[31]

The five projects have been successful in implementation and achievements. In some cases, replication is already underway. In Kenya, Pamoja Trust is implementing STDM in 12 additional counties beyond the initial project funded by Cities Alliance, while also trying to extend its use to semi-arid lands in the northern part of the country, where communities' land rights are under threat by companies interested in the exploitation of natural resources. In South Africa, CAHF has a pilot project in Gauteng to test the application of the Land Titles Adjustment Act in urban areas to resolve ownership disputes.

Even so, team members involved with the five projects have expressed **concern about project continuity and sustainability, or replication and upscaling**. From the analysis of the trajectory of the projects, a number of factors that are influential in this respect can be identified and discussed.

7.1
Demand

Genuine demand and consequent buy-in from the government are key to institutionalisation and thus continuity and possibly upscaling. Demand, in turn, tends to originate from needs and pressures. Three cases are illustrative here: projects from Zanzibar in Tanzania and in DRC in a positive way and from Côte d'Ivoire in a negative way.

In Zanzibar, the demand from government for tools to speed up land tenure regularisation was at a peak because of a World Bank infrastructure/urban development project that included resettlement, demolition, and compensation – hence requiring land tenure regularisation – and because the government wanted to use building mapping for implementing

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31 – Australian Agency for International Development, 'Promoting Practical Sustainability', 33rd Meeting of the DAC Working Party on Aid Evaluation, 22-23 November 2000

land and property taxation. This led to remarkable government adhesion to the project.

In DRC, the project builds upon a concrete and urgent need, as the national government currently is reviewing the whole of land tenure law and procedures. As a consequence, IRDAC worked closely with the General Secretary of the Ministry for Land Tenure Affairs and with the National Commission for Land Reform (CONAREF). Projects results were presented to different sectors and levels of government at several opportunities and received positive feedback, with statements that its approach really attends to the government's needs.

Conversely, in Côte d'Ivoire there has been no further use of the tech solution in Cocody municipality since the project's closure. There were some problems in the operation of the platform, but the municipality has not requested maintenance to fix the problems, even though a free maintenance period was included in the proposal. It seems that improving informal vendor licensing is not a priority demand of the municipality at present. It is not clear if this is due to a lack of incentives for the municipality or some other reason. At the project start, Association 3535 spent nearly six weeks of full immersion within the municipal sectors responsible for issuing vendor licenses both to fully understand the permitting process and to develop communications. Despite these early efforts, however, attempts to convince the Municipal Council to take ownership of the solution, or to propose it to other municipalities, were interrupted by the Covid19 pandemic.

7.2
Gathering evidence to promote buy-in

Even when demand was in place governments needed to be convinced of the validity of the proposed solutions.

The importance of **convincing, data-based and technology-driven evidence** has been discussed already for the case of South Africa. Further illustrative cases are those of the Zanzibar Archipelago in Tanzania and in the DRC. In the former, the government of Zanzibar was initially sceptical about the use of non-professional tools and community-based data. This attitude changed, however, when the first project of Spatial Collective showed 500,000 buildings in a map for the islands, after which the technology solution came to be considered as part of the official processes. Creating large sets of data gave Spatial Collective clout, which helped legitimise the Cities Alliance-funded project with the government.

Equally, in DRC the project was a learning process for the public administration, which was hesitant at the beginning. After seeing the results, attitudes changed and the project was accelerated.

7.3
Adaptability of technology

Replicability is eased by the **variety of possible combinations offered by available technologies today,** rather than merely by customisation. This facilitates **adaptability to specific needs** and contexts. Knowing what technologies are available, whether they can be upscaled, and how processes work are key to replicability. In DRC, for example, drones with average capacity were used in the initial project, but greater capacity drones would be needed for replicability and upscaling.

In Zanzibar, however, the existing technology was robust and mature enough at the right time (when government demand was at its peak). Additionally, the approach to the implementation of the technology involved a smooth, consensual process in the field and collaboration with the government. **The combination of technology, demand/adhesion, and a smooth process in the field** created optimal conditions for the possible institutionalisation of this solution in the Zanzibar Archipelago, offering lessons for future replication and upscaling.

7.4
Influencing policy design

The proposed innovations can be i**nstitutionalised, replicated, and upscaled by influencing policy design** so as to include them or parts of them among the tools to be used nationwide or citywide (depending on the scope) in policy implementation.

In Kenya, the discussion of STDM has contributed to including the tool of enumeration of those who have gained entitlement to land tenure regularisation in the national Slum Upgrading and Prevention Policy. It has also contributed to including demographic and socioeconomic data collection in the Community Land Bill, thereby empowering community members to ask for a regularisation process from the National Land Commission and for the implementation of settlement schemes with associated benefits.

The discussion has also influenced policy at the county level in Mombasa (Housing Bill) and Nairobi (Urban Renewal and Regeneration Policy), whereby STDM is meant to support beneficiaries' allocation to upgrading projects and housing units, and by addressing informality and special planning areas.

In South Africa, CAHF, based on experience from the TSC, has prepared a paper suggesting the use of the Land Title Adjust Act (LTAA) for title deeds restoration. Through this measure, a "Title Adjustment Commissioner" would be appointed who had the authority to allocate property to a claimant and transfer property directly in order to simplify the time-consuming and resource-intensive rectification of cases where ownership is disputed.

7.5
Mobilising other partners

Building **partnerships with other actors from civil society, the private sector, and academia** can be a fruitful strategy to foster the sustainability and replication of the proposed solutions. Kenya's Pamoja Trust STDM work was showcased in the annual Kenya Institute of Planners Conference to mainstream it into conventional planning, and some universities expressed interest in adopting the conceptual framework of STDM in curricula. In both cases, the use of STDM on a wider scale would be boosted.

7.6
A conscious and consistent strategy for growth

As long as delivery is successful, innovations can be replicated and upscaled by means of a conscious and consistent step-by-step growth strategy. An example of such a strategy is provided by the CAHF project in South Africa. The starting point is the systematisation of the TSC project implementation and experiences in the final report, which proves what has been accomplished, extracts lessons learned, creates visibility, provides sensible and actionable suggestions that are compatible with what the city already does, and is supported by a solid communication strategy.[32] As **replication depends on government's agreement and trust, insofar as evidence is built up, trust is reinforced,** and officers are convinced that innovations that are being proposed are valid. The TSC project

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32 – Lessons learned from the TSC project experience and the final report were shared and discussed in a webinar with almost 200 participants in October 2020. The archived material is available at http://housingfinanceafrica.org/documents/

report includes a four-step, multi-level strategy developed for upscaling and replication:

1. Propose changes at the policy and legislative level.

2. Improve the processes administration through the automation of certain tasks, maintaining an immutable record of client documents and transactions.

3. Expand at the local scale by proactively identifying properties in need of regularisation and piloting new front-end formats to enable client on-boarding and document collection.

4. Based on the achievements above, move to national replication by leveraging the TSC experience in Cape Town and engaging with national government stakeholders.[33]

7.7
Additional funding for magnifying results

Even when favourable combinations of factors are in place, interviewed project staff expressed the need for further funding support. More investment is reported to be necessary for follow up and diffusion, even if

the solution is open source and free, or even in the presence of buy-in by government. In Zanzibar, Spatial Collective received complementary funds from Cadasta to conclude the project due to additional requirements identified during project implementation. In DRC, IRDAC stated that they need additional resources to be able to participate in future meetings for capitalisation and upscaling, prepare an action plan, print reports, even if CONAREF and the land tenure administration validated the products and expressed interest in following up.

The challenges around finding a continuous source of funding for local and community-based interventions is not a new issue and should be considered as one of the key factors contributing to long-term sustainability of the solution implemented, and its replication or upscaling. Support from Cities Alliance reportedly adds credibility and prestige and contributes to diffusion globally which, in turn, can help attract further investments. This could be magnified by allocating small sums of extra funds for a potential 'capitalization phase', conditional to proven need and high potential for replicability and upscaling.

33 – Melzer, I., and Robey, J. , *The Transaction Support centre: Lessons Learned*, Centre for Affordable Housing Finance in Africa and 71point4, June 2020, <housingfinanceafrica.org/app/uploads/9th_transaction-support-centre_june2020.pdf>, accessed 01 July 2020

08
CONCLUSIONS

The causes and consequences of land tenure insecurity in Africa were identified and discussed in earlier sections, together with the challenges to be faced in order to overcome land tenure failures in the continent. This concluding section touches on the potential of small-scale, incremental initiatives, such as those implemented in the five projects presented, for addressing, and possibly solving, such challenges.

The main challenge for overcoming land tenure insecurity in Africa has been identified in the need to drive a diversity of actions towards the common purpose of simplifying, modernising, and making land tenure management more accessible, transparent, and accountable, especially for the urban poor, as well as more efficient and effective. This, in turn, would involve actions for the revision of legal and policy frameworks, administrative reforms, the introduction of new technologies, standardisation of procedures, simplification in data handling, capacity building, and awareness raising.

These actions are meant to illustrate the causes and consequences of land tenure insecurity in Africa, which include

- Outdated and paperwork-based processes

- Inadequate urban/land planning tools

- Lack of integration between modern and traditional land management norms

- Absent dialogue frameworks, resulting in lack of recognition of the rights of the urban poor to land, housing, and services

- Discrimination against women

- Disincentives to investments in businesses dependent on the use of public space

- Disincentives to public and private investment in informal settlements, loss in property value and "dead capital" for the residents of these settlements.

The development of technologies can be a key driver for developing more equitable and responsive land management systems. Although caring out a broad spectrum of activities, all projects that have been analysed in this publication have integrated modern technologies and aimed for at least at modernising land tenure management processes; and all have eliminated or reduced paperwork-based and analogic processes. This has been supported by the standardisation of procedures, either internally to government administrative systems (mainly Tanzania, South Africa, and Côte d'Ivoire

projects), leading to the simplification in data handling (Tanzania), or between modern, official government procedures and customary rules (mainly Kenya and DRC projects).

The effective adoption of technologies, however, is strengthened when coupled with strong social dialogue and stakeholder engagement. Close collaboration with local and/or national governments and community involvement have proven to be highly relevant. The introduction of new technologies has been coupled to awareness raising and capacity building in all five projects. Support to administrative reform is explicit in the DRC project, and influence on the revision of legal and policy frameworks is apparent in Kenya, South Africa and DRC projects.

Clearly, all projects aimed at making land tenure management more efficient and effective. We have indications that efficiency has increased in the Côte d'Ivoire and Tanzania projects, where time for processing, respectively, vendor licensing and land titling has been reduced significantly. With regard to effectiveness, actual title deeds have been delivered in the Kenya and South Africa projects and are ready to be delivered, as all necessary data have been collected and processed, in the DRC and Tanzania projects, whilst licenses have been issued to street vendors in the Côte d'Ivoire projects. These are very preliminary and partial indicators respectively of efficiency and effectiveness in land tenure management, but they are useful as far as they indicate potential trends.

The goal of making land tenure management more accessible, transparent and accountable, especially to the urban poor, is more complex to assess. This goal appears **more likely to be achieved when tools and capacities are provided to empower community members.** This seems to be the case of Kenya project with the use of STDM and the DRC project with drones, and, to some extent, in the Côte d'Ivoire project, where street vendors hardly are empowered but have access to technology that makes the licensing process more accessible and transparent to them.

The adoption of STDM also explicitly aims at updating or substituting planning tools that are not adequate to the dynamics of informal settlements; it is helpful too in supporting communities in negotiating for better services and infrastructure, but there is no evidence yet that this has generated increased public or private investment and rising property value. Another way to make land tenure management more accessible, transparent and accountable, is by improving and making easily available related services and support (of different types: social, legal, architectural, etc.): this has been the case in the South Africa and Tanzania projects.

Interventions aiming at improving tenure security need to consider existing gender inequalities and create tailored approaches and specific actions to address them. Women as a group have been a special focus and have received tailor-made assistance in all projects, with special emphasis on empowerment and self-organisation in Pamoja Trust project in Kenya. Unfortunately, in DRC the COVID-19 pandemic has slowed progress toward the goal of including women into a development trajectory by turning regularised land into an asset that allows access to credit could not be pursued as the pandemic started.

Overall, the Cities Alliance grants have shown the potential capacity of small-scale, incremental interventions to successfully address many of the challenges of land tenure insecurity in Africa, mitigating its underlying causes as well as consequences. Consolidating and replicating or scaling up this initially positive trend depend on the projects' sustainability, which is likely to rely on their capacity to mobilise a multiplicity of partners, institutionalise innovations in government structures and functions, and access extra funding, by means of solid and evidence-based strategies of systematisation and communication of results aimed at increasing visibility and legitimacy.

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