ROUNDTABLE

Challenges and Perspectives for Tenure Security in African Cities: Lessons Learned from the Secure Tenure in African Cities projects

A Conversation between Local Innovators and Global Partners

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

8th April 2021

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

KEY TAKEAWAYS

Joint Facilitation by:

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

Overview

The Roundtable took place as a reflection inspired by the *Secure Tenure in African Cities initiative*, led by the Cities Alliance. In this context, it aimed to enrich the dialogue about tenure security within African Cities but also bring other actors on board to provide regional and global overviews about the challenges and opportunities surrounding the topic.

To guide the roundtable discussions, the following **Key Questions** were raised to expand the knowledge about pressing issues, as well as to envision what can the way forward be, taking as a basis the results of the projects contained within the initiative, and other contexts illustrated by participants.

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

The conversation took place on Zoom and it was broadcasted Live on the Cities Alliance Facebook, from where it can be watched. Moreover, twelve members of the panel took place on the event, as seen next:

Members of the Roundtable:

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

Key Takeaways

The event started with welcome remarks by Cities Alliance representatives and partners from PLACE portraying the context and the objectives of the event. This was followed by a brief overview of four projects that took place in the context of the initiative, including (i) Drones for Land Clarification and the Empowerment of Women from the Democratic Republic of Congo, led by the Initiative Régionale de Documentation & d'Accompagnement Communautaire au Développement (IRDAC Sarl); (ii) A Transaction Support Centre to Support Secure Tenure in Functioning Property Markets in Khayelitsha from South Africa, led by the Centre for Affordable Housing Finance in Africa; (iii) Upscaling the Social Tenure Domain Model (STDM) to promote Integrated and Sustainable Urban Land Use from Kenya, led by Pamoja Trust; and (iv) Secure Tenure in Zanzibar from Tanzania, led by Spatial Collective. This helped to provide some context regarding projects so that other participants and the audience could be more familiarised with them, and so they could discuss more dynamically on key issues and opportunities linked to the projects.

Making Flexible Connections to Promote Structural Integration

To start the discussion, it was emphasised the importance of connecting innovative approaches, such as the ones observed within the projects, with scaling up efforts to widen their impact and to link focused pilot projects with regulatory frameworks, allowing for structural systems to support them and help them scale-up in practice. This in turn also entails a consideration for the costs and time associated with these kinds of transformative processes. A way to attempt to link pilot projects to legal structures may be to formulate and facilitate the use of guidelines so that final users and responsible government offices can interact more simply, allowing for the integration of good practices that help smooth transformative processes.

Of course, the above mentioned approach entails a stronger component of engagement, such as in the case of South Africa, a facilitator is needed in order to effectively link the final user with authorities to formalise land tenure in a more accessible and affordable way. It is important to emphasise that in this context, South African authorities have delivered more than 3.5 million subsidised houses since 1994, but it is believed that only up to half of them may have been formally transferred, whereas the rest may have gone through informal processes of land transactions which make more difficult to track and regularise each individual case.

The use of innovative planning tools allows for the improvements of precarious areas that otherwise would not be possible to address. Such is the case of Mukuru in Nairobi, Kenya, where the County Government has declared spaces as Special Planning Areas (SPA), giving much needed flexibility to provide unique solutions to each area and their challenges. This has allowed for infrastructures such as roads and sewage to be built, ensuring better conditions for those who inhabit the territory, as well as there are provisions for mechanisms to act for land tenure recognition. These types of interventions pose a relevant territorial advancement to recognise settlements as areas that are part of cities, seeking to include them spatially within the life and opportunities of the serviced city.

Dynamic Data Collection and Update through Socio-Technological Solutions

In order to achieve such transformation, administrative hurdles need to be removed, considering that a great deal of the problem are the outdated registry and mapping systems existing within different scales of government. In this regard, it is key to acknowledge that data and information within the territory is dynamic, and this is particularly relevant in the case of settlements, where mobility and transactions may be more agile than in other areas of the city. In Tanzania, the initiative to collect data by means of using technology -in this case with tablets- and moving towards a paperless approach has resulted in the development of a methodology for data model and data collection protocols, with capacity built within locals through the implementation of a pilot project that has ultimately aimed to purpose the collected data for land adjudication processes. Although the initiative has shown great potential in the updating of collecting methods, it was emphasised that issues regarding data privacy and storage are still to be looked into for this practice to be scaled-up. Moreover, access to data is another matter to bear in mind, as expressed by a current attempt to introduce blockchain technology within land registry systems in South Africa is looking forward to unlocking data access for multiple partners, including governments and communities to be able to build more informed urban solutions. In the Democratic Republic of Congo, another technological approach was used to integrate new geographical data through the use of drones that helped mapping and inserting new information to land registry systems, which in turn helped formalise land titling in vulnerable communities. Although these projects faced some backdrops due to the COVID-19 pandemic, which has made processes that require direct engagement with communities more limited, they have managed to advance significantly in such difficult times.

The way forward to advance with this kind of initiatives that have technology as a tool to advance towards more inclusive cities was seen as through collaboration and cooperation with a variety of stakeholders, as it was emphasised that although the access to technology may be conditioned to certain availability and resources, and whilst these may be sorted in different ways, a socio-technological approach focused on building capacity at the local level is needed to ensure sustainability.

Participation for Change: Community Empowerment and Public Spaces for All

Moreover, efforts to include participatory processes that account for a sustainable involvement of the communities affected and targeted by the initiatives must be present, allowing for the establishment of governance mechanisms within local contexts that last beyond the duration of pilot projects. In this regard, Community Forums are a way to start up engagement spaces focused on small infrastructure projects locally, which may serve towards immediate needs that must be addressed with urgency, such as the construction of public toilets, small roads and others; in the case of Uganda, this has been scaled-up to a Housing Support Centre, which helps build capacity within the local community as well as to propose and negotiate solutions to tenure rights issues with the government, functioning as an established instance for community to gather and organise.

Public spaces are also key for community strengthening and women empowerment, and in many cases they also serve as centres for commerce and income generation. In this regard,

informal vendors also face challenges regarding the tenure security of the spaces that serve as sources of income. Such is the case of informal vendors in Senegal, where the privatisation of land has forced sellers to leave their stalls. Moreover, there is a need to advocate for registry systems that recognise this type of workers, as the realities of working informally may not be visible, including the costs associated with forming businesses as well as the difficult conditions in which people working informally and living in informal settlements face daily, such as poor housing conditions exacerbated by rain and flooding.

Community initiatives, such as in the case of Zimbabwe, have been key to try to alleviate the COVID-19 crisis in settlements, as the gap between the privileged and the vulnerable were made more visible, and the disadvantaged position of women as responsible for household work too were exacerbated. Through community initiatives, they got organised to train their members to produce their own hand sanitisers and make their own masks. They have emphasised the need to spread knowledge so that communities can know better what kinds of initiatives work in territory, advocating to make land available for marginalised groups so that they can work to the full of their potential. In this context, it has also been brought up that informal workers and in particular women workers do not have access to alleviating measures, and that as they do not have access to capital to maintain and push their businesses forward, they need to find ways to keep informed about opportunities for income generation.

Moreover, another challenge faced by communities worsened by the COVID-19 crisis is the deterioration of basic services for people who migrate to urban areas and live in informal settlements. In Zambia, although the constitution prohibits against any kind of discrimination, women are marginalised as is often a major challenge for them to gain access to land. This in turn affects their capacity to ensure tenure security, making them vulnerable to the threats of eviction. On this note, the need to facilitate change through access, participation and affordability is urged as a catalytic force to advocate for more contextual approaches to tenure security. In line with this, mobilisation of partnerships and women's groups in Kenya to respond to the COVID-19 emergency allowed for the organisation of the community to liaise and collaborate with institutions to provide effective responses in the territory, such as the provision of clean water and masks.

The Urgency to Advance Tenure Security Solutions

To conclude, the urgency to advance solutions for the issue of tenure security was brought to the table in order to continue with the transformation of systems based on policies that need to consider aspects of the institutional and spatial capacities of those involved in the process, but also the cultural implications of moving land tenure processes forward. To scale-up, alternative solutions such as intermediary tenure instruments that can be used as temporary alleviation strategies to increase efficacy may be considered. The financial aspect of tenure security needs also be taken into account, as this has significant implications in the processes done at institutional and community level. This in turn leads to another key matter: the need for capacity building at the local level in order to ensure implementation of inclusive and integrated urban policies. Furthermore, partnerships are at the core to unlock tenure security processes, and so more government instances need to be brought to the table, both traditional and customary; as well as other partners that help facilitate and continue a dynamic and

changing dialogue oriented towards advocating for easier, fairer and simpler ways to tenure security.