



PHOTO: UNESCAP

The pressures of rapid urbanization and economic growth in Asia and the Pacific have resulted in growing numbers of evictions of urban poor from their neighbourhoods. In most cases they are relocated to peripheral areas far from centres of employment and economic opportunities. At the same time over 500 million people now live in slums and squatter settlements in Asia and the Pacific region and this figure is rising.

Local governments need policy instruments to protect the housing rights of the urban poor as a critical first step towards attaining the Millennium Development Goal on significant improvement in the lives of slum-dwellers by 2020. The objective of these Quick Guides is to improve the understanding by policy makers at national and local levels on pro-poor housing and urban development within the framework of urban poverty reduction.

The Quick Guides are presented in an easy-to-read format structured to include an overview of trends and conditions, concepts, policies, tools and recommendations in dealing with the following housing-related issues:

(1) **Urbanization:** The role the poor play in urban development (2) **Low-income housing:** Approaches to help the urban poor find adequate accommodation (3) **Land:** A crucial element in housing the urban poor (4) **Eviction:** Alternatives to the whole-scale destruction of urban poor communities (5) **Housing finance:** Ways to help the poor pay for housing (6) **Community-based organizations:** The poor as agents of development (7) **Rental housing:** A much neglected housing option for the poor.

This Quick Guide No. 3 examines how formal and informal land markets in Asian cities work, how they have succeeded or failed to make decent, secure, affordable land accessible to the urban poor, and how community organizations, support institutions and government agencies are finding innovative ways to improve the poor's access to land for their housing.

QUICK GUIDES FOR POLICY MAKERS



PHOTO: HOMELESS INTERNATIONAL

housing the poor in Asian cities



UN-HABITAT



United Nations
ESCAP

More information can be found on the website www.housing-the-urban-poor.net

United Nations Human Settlements
Programme (UN-HABITAT)
P.O.Box 30030 GPO 00100
Nairobi, Kenya
Fax: (254-20) 7623092 (TCBB Office)
E-mail: tcbb@unhabitat.org
Web site: www.unhabitat.org

United Nations Economic and Social Commission
for Asia and the Pacific (UNESCAP)
Rajdamnern Nok Avenue
Bangkok 10200, Thailand
Fax: (66-2) 288 1056/1097
Email: escap-esdd-oc@un.org
Web site: www.unescap.org

3

LAND: A crucial element in housing
the urban poor

Copyright © United Nations Human Settlements Programme and
United Nations Economic and Social Commission for Asia and the Pacific, 2008

ISBN: 978-92-113-1948-4
HS/961/084E Housing the Poor in Asian Cities, Quick Guide 3

DISCLAIMER

The designations employed and the presentation of material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or its authorities, or concerning the delimitation of its frontiers or boundaries regarding its economic system or degree of development. The analysis, conclusions and recommendations of this publication do not necessarily reflect the views of United Nations or its member States. Excerpts may be reproduced without authorization, on condition that the source is indicated.

Cover design by Tom Kerr, ACHR and printed in Nairobi by the United Nations Office at Nairobi

Cover photo by Homeless International

The publication of the Housing the Poor in Asian Cities series was made possible through the financial support of the Dutch Government and the Development Account of the United Nations.

Published by:

United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP)
Rajdamnern Nok Avenue
Bangkok 10200, Thailand
Fax: (66-2) 288 1056/1097
E-mail: escap-esdd-oc@un.org
Web: www.unescap.org

and

United Nations Human Settlements Programme (UN-HABITAT)
P.O.Box 30030 GPO 00100
Nairobi, Kenya
Fax: (254-20) 7623092
E-mail: tcbb@un-habitat.org
Web: www.un-habitat.org

Acknowledgements

This set of seven Quick Guides has been prepared as a result of an expert group meeting on capacity-building for housing the urban poor, organized by UNESCAP in Thailand in July 2005. They were prepared jointly by the Poverty and Development Division of UNESCAP and the Training and Capacity Building Branch (TCBB) of UN-HABITAT, with funding from the Development Account of the United Nations and the Dutch Government under the projects “Housing the Poor in Urban Economies” and “Strengthening National Training Capabilities for Better Local Governance and Urban Development” respectively. An accompanying set of posters highlighting the key messages from each of the Quick Guides and a set of self-administered on-line training modules are also being developed under this collaboration.

The Quick Guides were produced under the overall coordination of Mr. Adnan Aliani, Poverty and Development Division, UNESCAP and Ms. Åsa Jonsson, Training and Capacity Building Branch, UN-HABITAT with vital support and inputs from Mr. Yap Kioe Sheng, Mr. Raf Tuts and Ms. Natalja Wehmer. Internal reviews and contributions were also provided by Mr. Claudio Acioly, Ms. Clarissa Augustinus, Mr. Jean-Yves Barcelo, Mr. Selman Erguden, Mr. Solomon Haile, Mr. Jan Meeuwissen, Mr. Rasmus Precht, Ms. Lowie Rosales, and Mr. Xing Zhang.

The Guides were prepared by Mr. Thomas A. Kerr, Asian Coalition for Housing Rights (ACHR) based on documents prepared by Mr. Babar Mumtaz, Mr. Michael Mattingly and Mr. Patrick Wakely, formerly of the Development Planning Unit (DPU), University College of London; Mr. Yap Kioe Sheng, UNESCAP; Mr. Aman Mehta, Sinclair Knight Merz Consulting; Mr. Peter Swan, Asian Coalition for Housing Rights; and Mr. Koen Dewandeler, King Mongkut Institute of Technology, Thailand.

The original documents and other materials can be accessed at: www.housing-the-urban-poor.net.

The above contributions have all shaped the Quick Guide series, which we hope will contribute to the daily work of policy makers in Asia in their quest to improve housing for the urban poor.

Contents

CONDITIONS

The importance of accessing land.....	2
Few land options left for the urban poor.....	3
Land: The key to upgrading existing slums today and to preventing new slums tomorrow	4
Women and land rights	5

CONCEPTS

What is tenure security?.....	6
How the rights to land are like a “bundle of sticks”	7
What kind of land tenure options do poor people have?	8
Land rights: individual or collective?	10
How land markets work	12
Informal land markets.....	14
How cities can make land available for housing.....	16
Land governance.....	17

APPROACHES

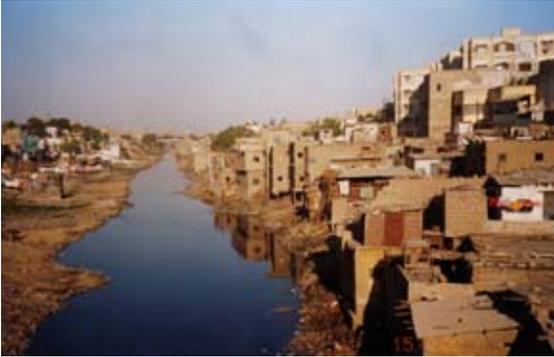
10 strategies to make land more accessible to the poor	18
Strategy 1: Planning more efficiently	19
Strategy 2: Better land information	22
Strategy 3: Better land taxation systems	24
Strategy 4: Land sharing	26
Strategy 5: Land readjustment	28
Strategy 6: Cross-subsidy schemes	30
Strategy 7: Regularizing existing slums.....	32
Strategy 8: Using public land for housing.....	34
Strategy 9: Learning from informal land developers.....	37
Strategy 10: Supporting community initiatives.....	38

TOOLS & GUIDELINES

Benefits and limitations of different tenure policies	40
7 policy measures that can help make land more available to the poor.....	42

RESOURCES

Books, articles, publications and websites	44
--	----



Land is central to solving housing:

“More than anything else, access to secure land is the thing that separates the poor from the non-poor in Asian cities.”

Somsook Boonyabancha, ACHR

Land: A crucial element in housing the urban poor

QUICK GUIDE FOR POLICY MAKERS NUMBER 3

Without land, there can be no housing. And without looking at the issue of land, there can be no meaningful discussion about how to solve the problems of housing for the poor in our cities. The inaccessibility of decent, secure, affordable land is the major reason why there are so many slums in Asian cities and a contributing factor to urban poverty.

This guide looks at the different forms of land tenure which operate in Asian cities and examines some of the problems and benefits of these different land tenure systems. The guide then looks at how land is supplied, valued, financed and sold in the formal market, how this formal market is failing to make secure, appropriate land available to their city’s low-income populations and why the majority of Asia’s urban poor are being forced to obtain land for their housing through informal land markets.

It may not be possible to stop the wheels of urbanization or market forces which are driving up the cost of urban land and making it inaccessible to most city dwellers — and to the poor especially. But there are things that governments, community organizations of the poor and civil society organizations that support them can do to help make more land available for the poor both now and in the future. This guide introduces some of the conventional and more innovative strategies being successfully used to do this.

This guide is not aimed at specialists, but aims to help build the capacities of national and local government officials and policy makers who need to quickly enhance their understanding of low-income housing issues.

The importance of accessing land

For the urban poor there is probably no more fundamental problem than their inability to access decent, secure land for even the most minimum housing needs. Access to land is an inseparable ingredient in a poor household's ability to survive, earn, thrive and lift itself out of poverty. Aside from being a basis for shelter and access to services, secure land rights can act as a safety net in times of hardship, and provide financial security. It is an important transferable asset that may be sold, rented or loaned. Secure rights to land also encourage people to invest in improved housing and the land itself.

At the same time, there are few urban issues that are more complex or conflict-ridden than land and how it is used. As our cities grow in size, population and prosperity, the demand for land by every sector of society is bringing never-

before imagined pressures on scarce urban land and increasing its commercial value.

These days, you hear a lot less about using public assets like land for social purposes. You hear a lot more about maximizing returns on assets. This is because land has become a commodity to be bought and sold to the highest bidder in the market.

The increasing pressures on land are being dealt with in different ways and on several different levels within Asian cities. National and municipal governments in Asia have developed laws and policies which govern land use and land tenure to deal with the conflicting needs for land for various purposes. At the same time, deep-rooted religious and cultural practices and traditions dictate how land is used and passed on by individuals and communities.

Land use is political

In many places and in many ways, the urban poor continue to be treated like blocks of color on a development map, to be lifted up here and pasted down there — not like human beings with real needs, real families and real aspirations, living in real communities.

Development plans which decide what is going to happen where in a city and land-use policies that determine how land is to be used are often billed as technical documents which only technical people can understand and whose preparation is a purely technical exercise of arranging roads, zones, drainage and access with the greatest efficiency.

Of course planning a city's growth does have a big technical dimension, but the fact is that development plans and land use policies are highly political, and should be treated as such. They are not engraved in stone, and every aspect of them is negotiable. If cities can find ways which allow poor communities to be part of the planning which affects their lives and settlements, it is possible for cities to grow in ways that don't cause displacement, misery and impoverishment for such large portions of the urban population.

Source: ACHR, 2005

PHOTO: UN-HABITAT



Eviction can be violent or silent:

Eviction can happen in different ways. Private landowners and government agencies have their ways of pushing out the poor who have no legal right to the land they occupy. But there are also quieter and more efficient forms of eviction, where the poor are gradually pushed out of the city by market forces, one tiny parcel of land at a time, so hardly anybody notices, until one day, all the poor people are gone.

Few land options left for the urban poor

Estimates suggest that between 30% and 50% of Asia's urban residents lack any kind of legal tenure document which entitles them to occupy that land. In cities like Mumbai, Karachi, Manila and Dhaka, the proportion of people living without any form of tenure security in informal settlements is already much higher than the proportion of those living on formally-accessed land.

At the same time, opportunities for the poor to settle on unused public land and build informal settlements are declining, as more and more leftover pieces of land in Asian cities get occupied. Many private landowners and government agencies continue to evict poor people from large areas of our cities in order to free up the land they occupy for commercial development or urban infrastructure projects. In some cases, people are offered a little cash compensation or alternative housing in remote resettlement sites, but the majority of evictees are offered nothing.

Evicting households might be an effective way of clearing land for other uses, but in almost any evic-

tion, the poor are the greatest losers: they lose the houses that they have invested in, they often lose their jobs, their belongings, their building materials and their social support systems. Plus, evicting informal settlements reduces the city's stock of affordable housing and instead of solving the problem simply moves it elsewhere, at very high social, economic and political costs.

Increased poverty is almost inevitably the result of eviction, and this is a serious problem for governments trying to achieve economic development and reduce poverty. Excluding a significant portion of urban households from legal shelter reduces the prospects of a city's economic development. People living in fear of eviction are less likely to realize their full potential as workers or as citizens, and people living in fear of eviction are unlikely to invest in improving their homes and neighbourhoods. Uncertainty about tenure can also hinder external investment and improvement of other services such as water and sanitation. (See *Quick Guide 4 on Eviction*)

