EQUAL ACCESS TO SHELTER

Dialogue 3
World Urban Forum

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Provisional shelter in a garbage dump in Colombia
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INTRODUCTION

The World Urban Forum is the world's premier conference on cities. The Forum was established by the United Nations to examine some of the most pressing problems facing the world today: rapid urbanization, the urban poverty and housing crisis, the urban impact on climate change, its impact on cities and how we tackle these and myriad of other issues at the dawn of this new urban age.

As part of the Fifth Session of the World Urban Forum, taking place in Rio de Janeiro in March 2010 under the theme "The Right to the City: bridging the urban divide", UN-Habitat held an on-line internet-based dialogue (e-debate) on Equal Access to Shelter, focused on six major sub-themes of the Forum, one of which is reported herein. In the e-debates, internet users from around the world have engaged with their peers under the eye of an e-debate moderator to garner new ideas to enhance the dialogue sessions in Rio. The main idea was to give as many people as possible a chance to join in a discussion that will enhance new ideas and thinking for the Forum as a whole.

This report[1] presents a summary of the discussions held during the on-line debate which ran for four weeks from 21st September to 19th October, 2009 during which it attracted 6066 viewers from 24 countries[2] resulting in a total of 181 postings from 100 active participants who were interested in the challenge of providing equal access to shelter in our cities of today.

The concept and meaning of shelter extrapolates the notion of a roof on top of walls that provides privacy, protection and a home to individuals and households to fulfil their basic needs. This broader understanding of the term shelter sustains the title of the dialogue and the content of this report. Housing and shelter are two terms used synonymously throughout this report that bring with them an implicit set of fundamental components of tenure, materials, infrastructure, habitability, accessibility, affordability and location. This was understood throughout the internet-based discussions.

The right to the city approach undoubtedly implies the right to an adequate shelter. Adequate shelter, as defined by the Habitat Agenda, means more than a house. It encompasses the provision of land, infrastructure, affordable finance, sustainable and durable building materials, security of tenure and the right not to be forcibly evicted, in addition to basic services closely linked to housing and dwelling environments. Altogether these contribute to enhanced quality of life and an adequate standard of living. This makes evident the linkage between accessibility to decent, affordable and adequate housing and the urban setting where it is located. Thus, accessing adequate housing with all its attributes should enable individuals to achieve an adequate standard of living and quality life which consequently facilitates the realization of the right to the city.

International human rights law recognizes everyone's right to an adequate standard of living, including adequate housing. Adequate housing was already recognized as part of the right to an adequate standard of living in the 1948 Universal Declaration of Human Rights and in the 1966 International Covenant on Economic, Social and Cultural Rights.[3] The right to adequate housing is relevant to all States particularly because they have all ratified at least one international treaty

referring to this right and committed themselves to protect this same right through international declarations, plans of actions, conference outcomes. It is worth noting that several national constitutions recognize and protect the right to adequate housing. This means that it is the States' responsibility to create the conditions and ensure adequate housing and living conditions for all.

This highlights that enabling government housing policies matter. Therefore government interventions and measures at various levels are expected to be undertaken to help create an enabling environment that facilitates individuals and households to access housing opportunities of various kinds, at different locations, typologies and standards that prevent homelessness, overcrowding, exclusion and discrimination. This also includes types of interventions that provide direct assistance to most vulnerable and marginalized social groups and those who face serious difficulties in finding housing through the market,

The on-line debate revealed that there might still exist misconceptions about the right to adequate housing and the notion that such a right implies government obligation to build houses for everyone. The moderator made a parallel with the employment agenda of ILO which stresses that there should good conditions but also sufficient work so that everyone may have access to income-earning opportunities. Thus, rights, obligations and social protection should be required gradually within the ultimate goal of achieving productive employment within good working conditions. Governments play an enabling role for this to happen but not necessarily by providing a job for everyone. Society, including non-government actors do play a fundamental role in recognising, protecting and fulfilling these rights, responsibilities and obligations of both employers and employees. Similarly, the right to education does not automatically imply that governments should directly build schools and provide teachers and classrooms for everyone. Rather it creates the basic conditions for everyone to exercise the right to and have equal opportunities for education. Thereafter it should strive to translate this equal right into equality of results. This seems to be one of the most critical elements of this equation. Thus, when referring to housing and the core of the e-debate, providing equal opportunities for all to access adequate shelter entails a wide range of government interventions which includes but is certainly not limited to building social housing for everyone.

The on-line debate exposed that while making housing finance work for the poor is an obvious challenge to be addressed, there is a broad spectrum of issues related to the provision of land, infrastructure and building materials that must be resolved in order to enable equal access to shelter. The provision of serviced land at a scale required to cause meaningful impacts on housing prices and to provide affordable options competitively – in price, location and quality – to those in slums and informal settlements is needed in order to boost more opportunities for equal access. However, it remains a complex and difficult target to attain in developing countries especially where institutional capacities are insufficiently developed and financial resources are rather limited. This hinders the generation of equal opportunities to access housing which is in it a right-based approach to housing.

Introduction

However, the on-line debate demonstrated that governments alone cannot deliver this. Approaches involving the state, communities, federations, saving groups, cooperatives and housing associations are much needed and this was highlighted in support to the argument that innovative and non-orthodox approaches must be developed and implemented. What has been made clear from the e-debate is that leaving housing provision and accessibility to the market is no longer an option for large parts of the population, particularly the very poor, who depend on government assistance and/or interventions to enable them to access adequate housing.

Another important aspect that was highlighted throughout the debate was the need to bring these actions and approaches to citywide and nationwide scale should diversified housing opportunities be generated in scale, quantity and quality to offer viable alternatives to slums and informal housing supply systems. Thus, slum prevention should be seen as a direct result of the implementation of these new approaches and policies that will leverage affordable and accessible housing opportunities at a scale commensurate with the actual housing needs and demand for shelter.

The on-line internet-based dialogue presented a number of key questions under five main themes:

- A Rights Based approach to housing

- Constraints on housing supply

- Affordability and access

- Rental housing

- Roles and Responsibilities

The main objective of the Dialogue was to identify policies and practices that enable wide access to land and housing and discuss to what extent they work as slum prevention strategies. The dialogue was intended to stimulate a discussion that would include, but go beyond, the slum upgrading agenda.

The Dialogue was intended to help to disclose the different types of constraints that hinder the housing sector to work particularly for the poor, and to clarify why informal settlements and slums have often become the only shelter alternative for the poor. In this respect, the Dialogue should enhance the audience's knowledge about the deep-rooted causes of slum formation.

The debate triggered by this Dialogue was intended to help to identify policy responses geared to providing housing opportunities for different social groups and bringing such alternatives to scale. The realisation of land and housing rights was to be highlighted within the framework of the right to the city approach.

Topics to be covered were stipulated as Affordable housing policies; land and housing delivery systems; security of tenure; land and housing rights. Policy and instruments to enable access to land and housing; Slum upgrading, slum prevention, citywide land regularisation; housing finance for the poor; formal and informal housing markets; gender equality and shelter.

The introductory statement provided can be seen in Appendix 1.

Slums and inadequate housing in India

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TOPIC 1:
THE RIGHT TO ADEQUATE HOUSING
28 RESPONSES AND
1627 VIEWERS

THE KEY QUESTION FOR THE DEBATE

Within the broad framework of the "Right to the City" as defined by the World Urban Forum V, does equal access to shelter require the availability of appropriately located, serviced land, supply of basic infrastructure, the provision of housing finance, adequate building materials and technology? Will these things enable all individuals in society to have equal opportunities to access adequate housing within the city boundaries and ensure the right to adequate housing for all within the city boundary? If so, how do we ensure these things are available?

Human rights resolutions and their regulatory outcomes impose upon all governments the requirement to have in place housing policies which can reasonably ensure, over time, that all households can have equal access to adequate and affordable housing. What does this mean in reality? What experiences demonstrate the reality of equal access to shelter? How have all individuals been enabled to have equal opportunities to access adequate housing in your country or city? How can we ensure that land, infrastructure, finance, etc., are available?

THE DEBATE SUMMARISED

The debate started with doubt being voiced about the use or legitimacy of the right to adequate housing. While it is fine rhetoric, the reality is very different. In a very well-reasoned set of interventions, Solly Angel questioned the sense of the rights-based approach to housing as it is,

"Likely to suffer from asking too much and ending up with too little, instead of asking a little and ending up with enough. Declaring that the people have the right to adequate housing is not helpful because it burdens government with the responsibility of ensuring this right, namely with the responsibility of providing adequate housing for all at its expense, something we know it cannot, and will never, do".

He suggests, instead, a minimalist set of rights to housing which should be enshrined in law but people should not have a right to be adequately housed.

"Decent housing with all its accoutrements, at the right location, and at an affordable price, remains the goal we all strive towards. But it cannot be enshrined in the law with the expectations that government will tax us and then use our tax money to ensure that everyone is adequately housed as the law would require."

While society can facilitate or enable, the responsibility to house them ultimately remains with the people themselves.

He recommends formulating a Housing Bill of Rights that may be acceptable to a broad range of governments and can form a firm basis for international agreements. It would be a realistic strategy for a rights-based approach to housing, and preferable to enshrining 'Decent Housing as a Right'. In response, a topic was set up to suggest the contents of such a Bill. The suggested contents of a Housing Bill of Rights are included as Appendix 2.

In a late, but welcome intervention, Amutojo comments that, according to Black's Law Dictionary 8th Edition, "equality" means "the status or condition of being treated fairly according to regularly established norms of justice. " In this context "equal access to shelter" implies the right of every person to be treated fairly and accorded the right to enter and use shelter. It also presupposes that people are actually aware of their entitlement to shelter regardless of their socio-economic status, gender or otherwise. Thus, the question should be "whether equal access to shelter is a right in itself that is attainable and by whom?"

The issues are, therefore, what needs to be done to ensure access to shelter is realized and whether Governments can meet their International obligation with the right to shelter for its citizens? In the equal access issues, it is imperative that the various actors address a wide range of issues such as:

1. Lack of clear and easily attainable policies on shelter, urban planning, zoning, security of tenure, and resettlement frameworks;

2. Weak institutional framework;

3. Lack of political will and commitment from governments to give human settlement issues priority;

4. Limited financing and few low interest mortgages;

5. Lack of economic empowerment programmes that enable the poor to afford housing;

6. Poor infrastructure, especially ahead of development;

7.   Lack of political will and capacity to deal with corruption; and

8.   Mobilization of domestic capital and communities' ability to demand their rights to housing.

Because urban space is a highly contested arena, it is a challenge to scale up good practice and to implement well-intentioned policies of governments. Evidence shows that cities may have provided better economic opportunities even for the poor but this has not been accompanied by improvement in housing conditions so there must be a deliberate effort to include rather than to exclude.

Banashree suggests that there should be a different way of looking at access to housing. The right to the city and an inclusive development framework should provide the framework within which techniques, policies, etc., can be used as instruments to provide access to housing. It is important to establish what is negotiable and what is not in the access to housing. There should be a minimum that everyone should have, to fulfil the right to the city, but we should guard against simply planning so that the poor have to continue living in squalid housing. For those who have seen some of the resettlement areas on the edge of Delhi, re-housing squatters from the city centre and the Yumana River bank, the right to live in squalid housing are well chosen words; even in a context where relocation to a formal neighbourhood has occurred.

This poses the question "What is the minimum everyone must have and how we can get there." Once established, these could be the non-negotiable. There must also be proposals for what is desirable and how this can be negotiated.

The moderator drew debaters' attention to the 'decent work' agenda of the ILO. According to the ILO (1999), decent work stipulates, first, that there should be sufficient work for all to have full access to income-earning opportunities. After that, it has the following characteristics:

- It generates an adequate income;

- Workers' rights are protected in it;

- It is productive, not just existing as 'work for work's sake';

- It provides adequate social protection.

However, the decent work agenda recognizes that these may have to be pursued and attained gradually, taken as a goal or an ideal to be gained rather than a minimum to be attained before legitimacy is gained. Without on-going productivity, firms cannot afford to improve; just because there are problems with some aspects of the employment, it doesn't mean the workers would rather not work there.

> *'Without productive employment, the goals of decent living standards, social and economic development and personal fulfilment remain illusory'.*[4]

So, the most important improvements on the status quo should be selected and worked on first (protection from danger, adequate wages, perhaps), then the rest may be achieved later. From a housing viewpoint,

The right to adequate housing

The issue here, I believe, is defining a minimalist set of rights to housing, rather than a maxima list one. For example, 'no eviction without due process of law' is, in my view, a legitimate housing right. 'Adverse possession or the right of squatters to remain on land they occupied if they stay there undisturbed for an agreed-upon period' is a legitimate housing right. 'No discrimination in access to housing' is a housing right. 'Everyone can own land and housing' is a housing right. In short, there could be a set of housing rights enshrined in law, and I believe there should be one.

But I do not believe that people have 'a right' to be adequately housed. Society can facilitate, society can enable, but the responsibility to house them ultimately remains with the people.

The rights-based approach to the housing problem has merit because it promises intervention at scale, not on a project-by-project basis.

Solly Angel, USA

the essentials could be pursued without the others, at least at first.

A correspondent from Uganda felt that the importance of the right to housing being enshrined in the country's constitution is to remind government of its duty to work towards achieving it 'for the fear that they sit back and do nothing at all'. On the other hand, another feels that government should just stop making unachievable promises to society about housing rights for all and make communities part of the planning process. This is similar to the suggestion made by a Nigerian correspondent arising because the wide gap between the poor and the rich is only occupied by a very small middle class. He sees government-community partnerships in housing development as a way forward. Communities would utilise available funds and local materials for building shelter while government would provide infrastructure at the site.

Another response focuses on the needs of middle income households who, in the past, could afford housing but now, owing to the competition for and high cost of land, cannot. The cost of urban land in India is so high that government must again intervene by promoting or providing the essential inputs and, especially, by involving communities in the process.

All the participants involved in this section of the debate have pinpointed one aspect that is common in all their comments: the need for intervention of governments aiming at creating the conditions and institutional frameworks for the right to adequate housing to be realised. For example, to establish mechanisms that enable people to house themselves with little or no direct government involvement; to provide instruments that help the access to fundamental inputs to housing such as land and infrastructure; to provide an inclusive framework and set of basic and non-negotiable standards that should be met so that people can be adequately housed.

A way forward may be the Brazilian approach of a right to the city rather to housing. It involves a right to 'decent urbanised land' and its provision is a government duty. The huge housing deficit in Brazil is associated with an even larger problem of inadequacy or lack of basic services and infrastructure. Over the last 40 years, only 30 per cent of the population was able to benefit from public investment and a large portion of the population does not have access to urbanized land. People cannot build their own dwelling if they do not have legal access to serviced land.

There is a side-argument about whether housing should still be provided by government as it is a market different in real ways from others. It began with Solly Angel insisting that the right to adequate housing is not like a right to food. We don't expect government to feed us 'as of right'. Both food and housing are very complex goods that are best left for households to choose and for a host of suppliers to provide.

Doris, from Albania, argues that housing cannot be compared with any other good that is provided by the market. Governments do not provide food and clothing for all because the market provides enough variety to satisfy almost all of the demand. However, there

are differences between the housing market and the market for other
goods. There are many interest groups in the housing market which
distort the smooth functioning of the market. In the food market,
there are many competitors generating competitive prices. The supply
of housing, especially in the emerging markets, is limited either by the
high start-up costs or by monopolies and bottle-necks in the market
and regulatory framework. These result in unfair competition, high
housing prices and exclusion of low and medium income households
from the market. While one food product (meat) can be substituted
with another (beans) which can provide the same nutrition factors,
there is no substitute for adequate housing. As the housing market is
less flexible than the food or clothes markets, unexpected increase in
demand cannot elicit immediate responses from the market, therefore
generating increases in prices.

Banashree agrees that housing is quite different from food and clothing
because the investment required is much higher; it is immovable and it
requires land to build on. Land in cities is highly sought-after both for
use and for investment and speculation. In contrast, one's clothes and
food may not be required by others.

In a late, but welcome, intervention, Isaac Megbolugbe suggests that

> "The right-to-the city framework must address at least four components
> of a comprehensive and integrated strategy simultaneously. First, the
> enabling market framework … needs to be reinvented to be capable of
> scaling-up housing delivery systems in most countries. Second, a safety-
> net component of any housing delivery system across the board—this is
> the debate about how to design and implement smart subsidies. Third,
> we need to cultivate a strategy [to stop] the deterioration in the living
> conditions … of urban residents today. This task should be treated as
> we treat any emergency or disaster [and] … is essential [for dealing]
> with the long-term challenge of institutional reforms … for a well-
> functioning, equitable and affordable housing delivery system. Fourth,
> there is a need [for] a methodology for managing the transition from
> … short-term solutions and realities to the long-term imperatives of
> institutional reforms and transformation."

PROGRESS AND PROBLEMS TOWARDS FULFILLING THE RIGHT TO EQUAL ACCESS TO SHELTER

Banashree cites the efforts in India to enshrine positive housing rights
through a new law. However, the Housing Rights Bill met with fatal
opposition as it replaces a negative guarantee that housing rights would
not be taken away with a positive right to housing.

There were several informative posts by Banashree concerning direct
interventions which have had more or less success. She emphasises the
importance of access to, and availability to all the people of, resources,
such as land at the right place, infrastructure, housing finance, building
materials, etc., for ensuring access to adequate housing. Measures to
assist these can include inclusive land policies, introduction of a range
of financial assistance, strategies to make basic services available to
all and making building materials available at appropriate prices and
quantities. As a complement to this, there is a need for a socio-political

framework that promotes the right to adequate shelter and the right to the city. Together, these enabling practises can form the cornerstones of sustainable and equitable access to shelter.

Banashree offers examples of interesting practice, both good and not-so-good.

- The constitution of Bangladesh guarantees the right to shelter for all citizens but there are not adequate resources and institutional mechanisms to realise the right.

- In Brazil, the constitutional right is supported by regulations and legislation which have been successful in influencing practice in recent years towards a better deal for the poor.

- India has demonstrated several approaches to increasing inclusion in development. The policy of large-scale acquisition adopted in New Delhi has created a public land bank of about 30,000 hectares for planned development of the city. In developing and disposing of it, 56 per cent was used for low-income housing, either in the form of public housing or as plots for the relocation of squatters. Surpluses raised by auctioning some of the lands for commerce, industry and high income housing have been used to cross- subsidise land and housing for the poor.

- In Navi Mumbai, the twin city of Mumbai, use has been made of differential land pricing to generate resources for building housing for industrial workers and the poor on a large scale.

- Several Indian states are using the planning and regulatory framework to generate resources for the poor whose activities contribute to the price of land. In Mumbai, as land prices are high and rising, developers will pay large amounts for the legal transfer of development rights from one site (perhaps occupied by informal settlers) to another where they build high-value developments. The money raised can be used for low-income housing and improvement of housing conditions for slum dwellers.

- In Karnataka there is a 'slum cess' tax of 1 per cent on all development to pay for slum improvement.

- Many governments demand that private developers reserve part of their development land for housing the poor. In several Indian States, it is mandatory for private developers to reserve part of the land for housing the poor. In Madhya Pradesh, private developers have to either set aside 15 per cent of the land for 'shelterless' families or contribute to a government fund for the poor.

- In the Philippines, the 'balanced socialised housing approach' requires private developers to reserve land for low income housing.

The 'Asian economic miracle' has given opportunities for new market-based approaches in several Asian cities. The rise of civil society, especially the bargaining power of the national and international federations of people living in poverty, have contributed to the development of collaborative approaches and the willingness of governments to consider more inclusive urban development. The federations have led to governments' adopting collaborative approaches. At the same

> The availability of resources such as land at the right place, infrastructure, housing finance, building materials, etc., are important for ensuring access to adequate housing. However, availability alone will not ensure equality of opportunity to access housing by all. Ensuring availability and articulating measures for their equitable use go hand in hand. Measures can include inclusive land policies, availability of a range of financial products, strategies to make basic services available to all and availability of building materials at adequate prices and quantities. At the same time, there needs to be a socio-political framework that recognises and promotes the right to adequate shelter and the right to the city. These complementary dimensions of equal access to housing form the corner stones of sustainable and equitable access to shelter by enabling practice that is within a rights framework.
>
> *Banashree , India*

time, however, access to land has become more difficult and shelter conditions have actually worsened. Nowhere is this more visible than in the developing cities of Asia.

Another correspondent from India (eSSPP) points out that, notwithstanding the efforts of slum and pavement residents organisations' participation in (and even initiation of) strategies, the state has gradually withdrawn from responsibility for the low-cost housing sector. This leaves the private builders as the major actor in the sector with some state incentives. These developer-based cross-subsidies in Mumbai have not been well 'policed'. In addition, the parties concerned have been reluctant to involve the most important stake holders, the people, in the process of policy formulation, implementation and monitoring and evaluation. He calls for more people-participation in shelter-provision policy-making and a move away from the processes in which the builders and developers make sure that their interests are paramount and the state does not promote the people's rights above them.

There was exchange in the debate concentrating on government provision as welfare. It began with a correspondent from Iran, linking the fate of housing provision to the general economy and, in Iran, to the oil price. He categorises these as "hidden powers encouraging and causing unequal access to housing, even reinforcing this inequality" (elhambt). A Nigerian correspondent bemoans the poor provision for civil servants in the capital, Abuja, criticising government there for concentrating too much on middle and high income housing. He also points out, however, that, when government builds dwellings, many recipients demolish them and build something more to their taste! Writing from Albania, a correspondent recounts how, in ECE countries, large stocks of state-provided rental housing have been transferred into occupant ownership and housing is now too expensive for new households. For the recipient of the former state housing, their new ownership status may be reluctantly borne; some may even be ignorant of the change, as they lack the resources to maintain their run-down former government flats.

The moderators started a discussion on how governments and society might help the most vulnerable and least able people, for example the elderly, children without families, and people with disabilities. 'Should governments provide housing for some and, if so, for whom and for how long? How can we prevent this housing becoming stigmatised and its occupants institutionalised? How can we ensure it does not become a drain on the public purse but does, where possible, strengthen its occupants to live independently and in property of their own in due course?'

In response, Banashree recounted several approaches that have been tried in India including night shelters, subsidised rental housing and destitute homes. They are, as might be expected, in too short supply to cater for the large numbers and have probably been assessed for their effectiveness. However, people, including women and children, who sleep on pavements have not received the kind of attention that people in slums and squatter settlements have. One seemingly successful example of interventions dates back to 1935. The Madurai

Ensuring Constitutional guarantees, effective policy frameworks and legislations invariably leads to implementation and realization of "Equal access to shelter". However, although Constitutional guarantees only provide a basis on which a demand is made, it does not comprehensively lead to the implementation of obligations on shelter unless of course it is a national priority issue.

Amutojo, Uganda

Municipal Act of 1935 provided for 'hutting grounds', a very early and rudimentary sites and services scheme, in which the municipality provided basic services in a demarcated area for migrants to erect huts for a maximum of two years. For this, they were charged a small daily fee. Though discontinued many years ago, this practice continues informally in most Indian cities. In it, powerful middle-men control areas where they allow migrants to settle in the city and give protection for a price. There might be lessons to be drawn from them.

Amutojo draws our attention to how women are marginalized in their right to adequate housing. According to a national study in Uganda in 2003. The majority of women are more likely than men to be poor because of the nature of their businesses: selling vegetables, foods and beverages, charcoal, handicrafts, second hand clothing and shoes, quarry stones, tailoring, fish mongering, poultry, zero-grazing and floriculture. They have little access to training, use low-efficiency methods of production, have limited capital, and must look after orphans as a result of the HIV and AIDS pandemic. In addition, the economic potential of women entrepreneurs is constrained by the governance environment which tends to deprive them of water and sanitation, property and land, and credit and technical support in entrepreneurship. Their high illiteracy levels, their inability to demand legal representation, and their lack of and limited access to mechanisms to enforce their rights, place women in a disadvantaged position to claim their rights. In addition, the unequal power relations between women and men increase the incidence of women's poverty.

In 2003, the UN HABITAT Gender Mainstreaming Unit in partnership with Jinja Municipal Council began a housing programme which is currently being implemented by the Uganda Women's Land Access Trust (UWLAT). Local Women's Land Access Trusts are being developed as intermediary organizations to enable women to own land and housing and to grow their businesses. The intention is to empower households not only to ensure security of tenure and housing but also to act as a catalyst to unlock potential of women and other disadvantaged groups. One activity is to mobilize Housing Co-operatives.

CONCLUSIONS

The right to equal access to shelter is by no means straightforward or without controversies especially when questions of adequacy are added. The participants in the e- debate suggested that we are far from fulfilling the right to adequate shelter. However, it was noted that the presence of the right and its recognition in statutory documents has dual effects. On the one hand it builds up people's expectations to the point of risking the creation of a supposedly state provision that is not real but on the other hand it causes positive effects on keeping governments on their toes about their roles and responsibilities.

But if there is no possibility of fulfilling the right to equal access to housing, what is to have such a right set in statutory documents, constitutions and covenants? The debate discussed the question of a minimum bundle of rights, which perhaps could be gradually introduced as in the decent work agenda of the ILO.

The nature of the housing market was also discussed and some arguments were brought forward indicating the contrast to markets for food and other commodities, and suggesting, by its inflexibility, that one cannot leave housing supply to the market. If nothing else, a socially-provided safety net is required for the poorest. And here once more is where government interventions are welcome and necessary.

Financing and particularly making housing finance work for the poor is a dominant issue in ways forward. Cross-subsidies, flexible loans and mechanisms of savings and credits, and the use of a market in transferable development rights have had varying degrees of success. Enforcement of a requirement to build so many dwellings for the poor through inclusive legislation that stipulates quotas when building higher cost developments seem to work only sporadically.

Condominium housing in Ethiopia
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TOPIC 2:
CONSTRAINTS ON HOUSING SUPPLY

58 RESPONSES, 2272 VIEWERS

THE KEY QUESTIONS FOR THE DEBATE

In general, housing supply does not keep up with demand for housing in urban areas, but why? What are the factors that are constraining the production of affordable housing options for different social groups and particularly the poor in your country/city? How have they arisen? What might clear them away? How might they be turned into advantages through different approaches? How is the regulatory framework causing or reducing constraints?

WHAT ARE THE KEY CONSTRAINTS?

In general, the participants of the e-debate were more ready to discuss the factors that are constraining supply, and how they had arisen, than solutions, probably because the solutions were elusive or not available in their countries. In any case, it does help to disclose the underlying causes of slum formation in cities and the bottlenecks people are confronted with when searching for housing.

The absence of good practices and examples in affordable housing provision might be expected in contexts in which governments have largely withdrawn from influencing housing positively as a consequence of withdrawing their direct supply function under the enabling approach. One correspondent from Mexico made the interesting observation that the enabling approach favours segregation and consumerism; an entrepreneurial approach to urban provision. It favours,

"… The promotion of the market forces as a way to reach "an equilibrium point" and for a State structure acting as an "enabler", there has been a great impulse for economic, social, cultural and urban policies, and associated actions, which tend to favour segregation and consumerism not only of goods and services but also of territory. Given this some strategic territories have been prioritized over others creating fragmented urban landscapes. Added to that the conformation of new urban agendas is based on an entrepreneurial approach and includes elements such as marketing, urban revitalization, public – private partnerships and investment in previously neglected areas, such as city centres"[5]

The high price of urban land is a common theme. It is "exorbitant" in Malawi, according to Evance, though the recent Housing Sector Profile points out that it is, in fact, a small proportion of the development cost in house building projects there. This is one of many issues where perception, even among policy-makers, is strong in one direction but actuality is different. Where it might be true is for the poor who are not being helped in Malawi. This discussion clearly confirms that there is a great need to promote well-informed decision making and the formulation and implementation of evidence-based policies that understand and respond appropriately to constraints and bottlenecks in the housing sector, which are one the underlying causes of slums and informal settlements.

Soraia, a participant from Brazil, calls for a rethinking of the division of the social and urban space to reverse the exclusion of the poor so that they can be housed in useful locations for their livelihoods.

"To think about the supply of housing for low-income families means the re-thinking of the division and allocation of the social urban space because it is a process that only tends to reinforce the social exclusion of this population".

The issue here is that social and spatial segregation is growing and has a lot to do with the way cities and governments are dealing with the land question. The composition of the costs of land in the overall housing cost and affordability equation, one common aspect in the conclusion that there is a very high land administration cost in many countries, especially for cadastral surveys and detailed survey mapping which places formally-surveyed land out of reach of the majority of the population.

Lack of institutional capacity arises several times in the discussion. There are insufficient resources for planning. So much so that local Authority activity is often a hindrance to housing the poor, especially to informal-sector developers. The omnipresence of informal development in unsuitable areas is blamed on governments for not enforcing regulations. This is often a function of institutional incapacity rather than of intent. The regulatory framework is often inappropriate too. Indeed, in many countries it inherits colonial ways of doing things rather than something generated by the independent nation. Referring to Africa, while one contributor laid the blame squarely at the colonial masters, another asserted a more self-reliant mode, "It is time for us Africans to exorcise the incubus of colonialism" (Chike F. Okolocha). In some cases, regulations in different sectors conflict and there may be overlaps in jurisdictions, ownerships and regulatory regimes.

5. *L.A. Colsa*

Further institutional capacity issues arose in contributions to signal the lack of research into **affordable technologies**. This may be a local issue raised by some participants in the e-debate which reflect the lack of contacts with international experiences and the relative degree of isolation experienced by policy makers in some countries. There has been an enormous quantity of research into most local materials especially with respect to improving their durability but somehow it is not yet mainstreamed into approaches to bring down housing and materials production costs in these countries.

Utilities providers also constrain the growth of housing opportunities by their inability or unwillingness to provide urban infrastructure at scale and therefore restricting wider access to shelter. In many countries, their inability (or unwillingness) to extend their servicing infrastructure to poorer areas of the city leads many households to provide for themselves their own water supply, sanitation, electricity, etc., sometimes by clandestine means. This has a pervasive impact on the housing sector and in particular on the quality of residential space of neighbourhoods and cities. Additionally, it affects housing prices, adds premium on prices of serviced land and adds another financial burden on poor families. The infrastructure component is critical in the equation of equal access to shelter and constraints in provision cause exclusion and social and spatial segregation in cities. Besides that, there are many cases of lack of reliability of service provision with households commonly confronted with frequent breakdowns, leakages, shortages, etc. leading to self-generated alternative supplies via electricity generators, boreholes, wells, septic tanks and other forms of solutions. This is expensive and takes resources from more developmental activities.

In Brazil, "only 30 per cent of the population is able to benefit from public investment in infra-structure and a large portion of the population do not have access to urbanized land". (Patricia Chaves). This may explain the robust public investment programme currently being implemented in this country focusing on urban infrastructure, mobility and housing which aim to boost economic growth and resolve the critical problem of informal land developments in Brazilian cities.

The migration of people from rural to urban areas is still perceived by many as a problem, and regarded as one of the underlying causes of slum formation, especially by African participants of the e-debate, rather than as an opportunity for increasing economic development. The urbanisation and concomitant industrialisation boosts their economic growth. China and India are the most recent and remarkable examples of countries with a majority rural population but promoting and experiencing rapid urbanisation going hand-in-hand with industrialisation and economic growth. The African participants point out that a lack of services and opportunities in rural areas has been leading to migration to cities for decades. This is also driven in some places by population growth in rural areas which leads to increasing subdivision of family land into sub-economic parcels. What many fail to see is that they are likely to suffer worse housing and other measures of deprivation than if they stayed in their rural home as revealed by UN-HABITAT surveys and the State of the World Cities Reports.

In some African countries, the current model of urbanisation leads to the concentration of urban population in one primate city that create a disproportional difference in economy of scale, absorption capacity and concentration of economic opportunities. This is mentioned for Kampala in Uganda and Addis Ababa in Ethiopia but it can be applied to many African countries.

The market also has capacity shortfalls. There is a **lack of market information** for those seeking accommodation, resulting in many distortions, especially in informal sector transactions. Housing finance providers and credit supply organisations do not provide low-income groups with services and finance that meet their needs, reducing their ability to afford housing that would otherwise be available and relatively accessible to them through the market.

Finance is seen as the main constraint by some participants of the e-debate. Many see the responsibility for this to rest in government and to be resolved as the subsidised provision of housing to those most needy social groups, even up to the middle income groups. Some argue that governments are not building enough housing to meet the increasing social demand. References were made to models found in Sweden, Japan and Singapore, but others argue that these are not useful comparators for developing countries, say, Kenya.

The difficulties involved in **government subsidies** arise when programmes are only focused on a single social group and packaged in one particular housing solution which end up being raided by economically higher income groups thus subsidies ending up benefiting the rich rather than the original target group. The problem is not of subsidies per se but the way they are designed and allocated since there are ample evidences that show that some groups need some kind of government assistance in order to have their housing needs satisfied.

RESOURCES FOR HOUSING SUPPLY

As Banashree points out, many developing countries have good planning laws on paper but they may not filter into practice. In India, all cities fulfil the mandatory requirement for participation of inviting objections and suggestions from the public on an initial policy. Some cities have a consultative process in place which works and we should learn from their experience. Workshops and web-sites are part of the planning process. Where it has worked, as in Visakhapatnam, this has brought ownership at all levels and people see the positive side of town planning and a number of citizens groups have emerged each of which is quick to react and see that things do not happen in secret, especially in land allocation. This reinforces how governments and local authorities should work with the informal sector. Her following comment highlights the need to make access to land a transparent process and within a citywide planning framework in case we want to achieve equal access to shelter.

Evance from Malawi asserts,

> "… urban authorities should swallow their pride and try to work or engage with the informal sector to explore innovative strategies of

Constraints on housing supply

land management instead of sticking to rigid laws, rigid zoning and building standards which do not in any way benefit the majority of urban dwellers, that is the poor".

However, some fear that recognising and involving the informal housing and land supply systems will generate prosperity in this sector with a risk of having a widespread process of non-compliance with the established rules and regulations in the urban setting; thus chaos may result.

"If informal access to land and housing is … officially adopted as proposed, we shall all suffer the dire consequences, sooner rather than later. Informal means typically by-pass the authorities and, therefore, all rules and regulations. Of course more land and more housing will be available to the poor but the resulting chaotic [townscape] will be the least desirable. Soon, difficult vehicular and human circulation in the city will require a more rational approach to urban development … [necessitating] demolition of illegal structures in many cities in Africa. … The solution cannot be spontaneous or informal developments. We have to be guided by some rules".[6]

This part of the debate demonstrated the difficulties in learning and adapting from the informal land supply and housing developments which seem to be accessible, affordable and meeting the needs and requirements of the self-help solutions provided by the poor. Co-operation with civil society, however, is seen as a solution with government providing the land, services and funding and communities doing the development, with NGO and CBO assistance. There is a call to turn back to community involvement as in the rural area.

"[In] traditional or local communities/ neighbourhoods, there was hardly an 'unsheltered' individual or household … The question now is can we revisit these traditional approaches … [in which] resources, manpower, design, planning, technology, etc., were generated, supervised and undertaken by the people themselves.".

This could be adapted and transformed into a public policy approach so that more affordable housing opportunities are generated. Several participants of the e-debate voiced the need for the state to re-engage in supply as a social service, wresting the initiative from the private sector which is motivated by profit. This should be not only for the lowest income groups but also for the lower-middle incomes (seen as new graduate civil servants in Nigeria).

"A strong market cannot substitute for a weak state for the poor to access housing rights. … "Unfortunately many times financial assistance also comes with a pre-determined solution, leaving little option".

Patricia Chaves shares concerns and doubts about government's role and responsibilities in housing supply. Where governments and local authorities have responsibility to provide forward planning for the direction of city (and therefore housing) growth, they should employ participative and democratic processes. It is often not in the interests of the market (the building industry and land developers) to have a well-designed and implemented master plan and they simply ignore it. Thus, it is important to analyse what conflicting forces play a major role in the political arena affecting housing supply.

6. *Chike F. Okolocha, Nigeria*
7. *'Democracy', Nigeria*
8. *Banashree*

"By stimulating communities to build their own houses by providing urbanized land and financing building materials, government not only gives communities the chance to be part of the solution, but also [can provide] technical assistance to build their own houses and, more importantly, to qualify as working force".[9]

Finance is seen again as key, including increasing the accessibility of housing finance to lower income households, in addition to direct government subsidies in the form of lower interest rates, free land, etc., or cross-subsidies from the richer home-buyers to everyone else. There is a clear need to promote housing finance that works for the poor, to enable them to participate in the housing sector with a significant increase in their ability to pay.

Some cities have ways of generating finance through the planning system, notably the transfer of development rights (TDR) in Indian cities such as Mumbai. High land values and restrictive planning regulations (Floor Space Index (FSI), in this case) have long been major hurdles to development. Now, however, (as Banashree tells us) they are being used to advantage to leverage the gains made by private sector developers for the benefit of the poor who occupy centrally located land. Mumbai authorities allow transfer of FSI rights from one plot to another, over quite long distances. It then makes economic sense for private builders to develop multi-storey housing on slum land. These are used to accommodate all the slum dwellers and some additional commercial renters or buyers. The developer can then 'take' the FSI left over to another location in designated zones and build additional units for sale to higher-income clients there. On the part of government, this is a 'zero cost' intervention, in that it invests nothing except the effort of making a policy and creating the institutional mechanism to implement it but it results in low-income housing at scale.

Cross-subsidy is often practised in which developers wanting to build high-cost units may have to increase their price and use the extra profit to build low-cost units to be let or sold at below market prices. In several countries, the building of high-cost units is contingent upon the provision of a percentage of low-cost units. This is common practice in Indian states but also in countries as diverse as Malaysia and UK. In Indore, in Madhya Pradesh, developers must either reserve 15 per cent land for the poor or contribute to a shelter fund. The 15 per cent of land in practice amounts to 30-35 per cent of dwellings because of higher densities. Unfortunately, once the more profitable development occurs, many developers forget or acquire immunity from the other part of the bargain.

This occurs in the Philippines where there is poor enforcement of the rules to provide low-income housing as a quid pro quo of high-cost. In the law, for every medium- or high cost housing development, an equivalent number of low-cost dwellings should be provided. They can even be built on the other site. But, most developers have not complied; escaping their responsibility through the government's poor record of enforcement.

The upgrading of informal settlements is an important component in the enabling approach. Participants of the e-debate drew our attention to the importance of classification of slums into those

9. *Patricia Chaves*

suitable for upgrading and those not. In Indore, Madhya Pradesh, the Development Plan (2008- 23) classifies slums into those which can be improved or redeveloped where they are, and those in need of clearance and relocation.[10] In order to upgrade informal settlements, it must be acceptable to reject some built on vulnerable land (liable to flooding, exposed to landslip, etc.) and on land needed for planning at city and regional level. Where this need is simply on commercial grounds, however, to replace a low-income settlement with a commercial development is less easy to argue.

The ZEIS (Special Zones of Social Interest) in Brazil were referred to as a successful means of developing low-income housing. Included in the Brazilian City Statute, a national legislation enacted in 2001, the ZEIS is a special zoning instrument that establishes the boundary of the informal settlement where variable rules can be applied to the use and occupation of land. It is applied in areas that are currently informally occupied but also in new land under enacted master plans. ZEIS allows the resident population to obtain legal title more easily than elsewhere through "adverse possession" provided that the land has been occupied peacefully and undisputed for five years.

> *"Our City Statute gave local government all the tools and conditions to implement and democratize access to urban land (like Special Zones of Social Interest). It was for many years a great success and a real case of democratization of land. What happen after many years? Why are ZEIS not of interest any more?" …"If we had a path or a good example of how to democratize our cities why are we still debating around how public investment is oriented and why it is so important to discuss the proven good alternatives and practices rather than analyzing why it did not work?"[11]*

In the past, there have been pro-poor residential developments which have both made a great contribution to providing housing to the poor and provided examples others can follow. Malawi's Traditional Housing Areas (THAs) are a case in point. As Evance points out,

> *"… it managed to actually keep pace with the growing low income population in urban areas … The success was that many plots were provided cheaply and quickly … building or public health standards were kept to a minimum (so that plot holders could build in local almost free materials). … [The] incremental approach to housing or land provision is one … that other countries can learn from."*

Even in THAs, however, problems arose as these areas have been raided by middle- and upper-income earners and from many dwellings being erected on one plot.[12] One participant from Nigeria suggests it is in the authorities' interest to allow raiding.

Nigeria's Native Layouts, tried by the Owerri Capital Development Authority, (OCDA) in the late 1980s seem similar. They combine minimal formal activity with maximum informal activity, providing a total of 1,818 residential plots, 30 industrial plots, and 118 commercial plots, a civic centre, schools, etc., to give locals and non-locals chance to develop property with the planning authority exercising minimal control. In both Malawi's THAs and Nigeria's Native Layouts, the momentum disappeared in the 1990s.

10. In the recent Iraq Housing Policy, the acceptability of improving any of the squatter settlements, which grew during the turmoil post-2003, depends on making judgments about which should be upgraded rather than having a blanket acceptance of informal occupation of land.
11. Patricia Chaves
12. The last is seen as a problem but could also be a positive contribution as plots are large by international standards.

There is a call for increases in density through medium- and high-rise development. While this has much to contribute, we should be careful not to assume that high densities can only be achieved through high rise. It is well-known that, as development height increases, the benefit in increasing density may be reduced with each added storey if services and infrastructure in place do not have the capacity to absorb this growth in occupancy and population density. In parallel, the willingness of people with choice to live in high rise is very culture-specific; some cultures are happy off the ground, others are not.

CONCLUSIONS

This part of the debate clearly identified land as one of the fundamental constraints to attain equal access to shelter in our cities of today. The provision and accessibility to land, chiefly with respect to its perceived high price and cumbersome allocation, and housing finance, especially as credit providers are reluctant to deal with people outside the top few percentage points in income, are two major bottlenecks for bringing housing opportunities to scale.

In addition, institutional capacity and barriers built up by governments were mentioned by many correspondents. Some correspondents dwelt on more fundamental issues of rural-urban migration and population growth, especially where there is only one main city.

Resources for alleviating the constraints were reported from many regions. Working in partnership with the informal sector and citizens' groups figured largely in the responses; some, however, feared chaos if the informal sector received any encouragement. Some participants in the e-debate thought that the state had withdrawn too far through the enabling approach and should re-engage in low-cost housing provision. In connection with finance, solutions may be found in the sale of transferable development rights and in cross-subsidy from higher-cost developments to those for low-income groups. The latter has had only a degree of success as developers dodge their commitments for the unprofitable part of the deal!

Slum upgrading and some relaxation of standards, either across the board or in special areas, are also seen as important resources for improving housing supply to the poorest. Historical examples from Malawi, Brazil and Nigeria were offered.

The examples and contributions of the participants of the e-debate revealed that attaining equal opportunities to access housing requires a myriad of combined approaches and government interventions. Such interventions should link supply of land and infrastructure, devising and utilising legal and institutional instruments that act as inclusive land development tools, creating forms of finance that make use of land values and development rights, and adapting formal housing policies to the approaches utilised in informal land and housing development processes generated by the people themselves.

Rooms for rent in Lima's barriadas

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TOPIC 3:
RENTAL HOUSING

17 RESPONSES, 778 VIEWERS

KEY QUESTIONS FOR THE DEBATE

Although the size of the rental housing stock is not well documented in the developing world, it is known that many housing units are rented in both the formal and informal housing areas. In fact, the practice of renting and sub-renting in slums and informal settlements is rather common and regarded as the first step in the housing ladder of a poor household's housing process. In African cities, renting rooms is a widespread phenomenon. In some cases, such as in Nairobi's slums, the great majority of the housing units are rented with absentee owners. A well-structured housing sector usually has a two digit percentage of the stock as rental and it seems logical to believe that a rental housing sector can play a role in providing equal access to adequate shelter, particularly to those not willing or able to own a residential property. Rental housing undoubtedly provides housing opportunities and enables residential mobility which is essential for a buoyant job market. Additionally, the income from renting some rooms or backyard structures allows many owners to generate income that enables them to afford their home. This theme posed the initial questions:

Why is it that governments so often ignore rental housing in their shelter policies?

Why do some impose such penalties on landlords that prevent them from earning profits from renting out rooms?

There was considerable agreement about the importance of rental housing, especially for young people, recently married couples, early-stage households and the poorest. It allows them a foothold in the city which they can enter generally without high front-end costs. Although rents can be high, as highlighted by a contributor from Brazil, they can also be low in many cases, as noted by Graham in the case of Ghana. One contributor pointed to Sunil Kumar's research highlighting the significant contribution of rental housing for all sections of society in Indian cities, including the poor.[13]

However, there was less clarity about the value of rental control policies. Some of the participants in the e-debate argued that, without government intervention, landlords take advantage of tenants. This was identified as a problem in South Africa and in Brazil, where it was noted that rents can be up to 70 per cent of a tenant's income for poor, un-serviced and unhealthy rooms.

However, the moderator cautioned against too rigorous interventions which might interfere with their real intentions of providing affordable accommodation for poor households. Rent control measures that are imposed on behalf of tenants tend to cause fierce landlords' opposition and result in either less residential space in the rental sector or high premiums to be paid by tenants in the form of up-front payments and key money such as reported in Egypt and Ghana. In Egypt, homeowners have withdrawn their properties out of the rental market and kept them closed and unoccupied because of their fear for not being able to repossess the properties when needed. This has even created an artificial housing shortage and propelled the informal housing processes.

This was echoed by Banashree from India who noted that rent control legislation to protect tenants against rapacious landlords has been a major deterrent for landlords to rent their premises and make them available in the housing market.

A number of exchanges highlighted some of the barriers to the use of rental housing to increase access to adequate shelter. As discussed above, there was a belief that landlords would, and do, take advantage of tenants, charging high rents for inadequate accommodation. A contributor from the Philippines noted that rents can be equal to the cost of buying or building.

As the size of the rental housing stock grows, the questions of property management, allocation, maintenance and contractual administration arise. This is evident in some countries of the European Union where a significant part of the stock is rented, and some are managed by special entities such as housing associations, housing corporation and housing cooperatives such as in the Netherlands and Sweden. However, difficulties with the management of rental housing were highlighted as a deterrent to its development by some of the participants of the e-debate. For example, as one contributor noted:

"The Indian state has produced a huge volume of rental housing for its employees and made it mandatory for industries to provide employees rental housing as well. The management of this housing stock is problematic and in recent years the trend has been to encourage

Rental Housing

employees to [access] housing loans to own their homes or to provide house rent allowance for renting in the market."

As the incomes of the poor are insecure, rent recovery was highlighted as a problem. This was the experience of Indian public organisations providing rental housing. It was suggested that flexible rental schemes might address this. Moreover, it was argued that private developers would not easily be encouraged to build rental housing because they seek rapid returns and would not wish to wait for their investment to pay off while they were paying high interest on loans. Additional deterrents included lack of maintenance and subletting. This argument falls short in realising that developers are usually acquiring short-term loans with interest rates rather different and commonly lower than those applied to long-term loans purchased by households. This should not be an impediment in investing in rental housing. The transaction costs of maintaining and managing a sizeable stock may indeed become a disincentive.

In spite of these difficulties, social rental housing is still seen, in India, at least, as one solution to the lack of adequate affordable shelter. The example given by Banashree from India is worth consideration by others:

> *"… in 2008 the Government of Maharashtra announced a rental housing scheme with a target of 200,000 houses to be built in Mumbai city alone by 2011. It is estimated that in Mumbai 60 per cent slum dwellers live in rental housing and these houses will cater to that demand. 88,000 single-roomed rental units in 8 to14 storey blocks are already under construction. These houses are being constructed by private developers and will be handed over to the government free of cost in lieu of additional and transferable development rights. The management of the rental housing will be done by NGOs, who will utilise a part of the rent for this purpose. Tripartite agreements have been signed for the rental housing complexes under construction between the developer, the NGO and Maharashtra Housing and Area Development Authority. This arrangement is expected to work effectively as well as take away the burden of the government in providing public rental housing for the poor.*

> *The national programme for urban renewal is providing grant [plus] loan funding for building rental housing in 63 large cities where it is being implemented under a similar tripartite arrangement. It is expected that this initiative will respond to the requirements of the segment of the poor with steady jobs and with a requirement to be in that specific place. Typically the families are expected to be young and mobile. But it is also expected that informal housing areas will continue to provide the wide variety of flexible rental options for the poor. Recent surveys have shown that the number of the poor living as renters in informal settlements, have increased."*

In most cases, there is an emphasis given by governments to promote homeownership which induces housing demand to a single tenure option that takes away the many advantages of a well established rental housing policy. Additionally, cultural preference for home ownership can also act as a barrier to the development of rental housing as an option for the poor. For example, in Brazil, the Government initiated the Residential Renting Program, in which the government is the landlord. It was introduced to increase renting as an option for those

unable to buy their own house. However, the cultural distaste for renting meant that the programme was not attractive and has been changed so that houses can be bought from the government after five years of renting. This is in a similar vein to the UK's Right to Buy policy, where government-produced social rental housing could be bought at a reduced price by tenants. The problems with this Right to Buy scheme is that it has effectively removed a vast amount of perfectly adequate and affordable housing from the rental market and transferred in to private ownership, to be sold on to people who can afford to purchase on the open market. Many of those who bought made considerable profits when they resold.

CONCLUSIONS

The participants of this part of the e-debate showed divergent opinions about the value of rental housing as an option to generate equal access to housing opportunities. The majority were concerned with the affluent landlord taking advantage of poor renters by charging high prices for housing that is inadequate. Nevertheless, others noted that rental housing can provide housing for low-income households, for whom owning a house is not a feasible option, in addition to provide income generation opportunities for low income homeowners who earn money from renting and sub-renting rooms.

It was clear that there is an aversion to renting in many cultures. This is exacerbated by governments' preference for homeownership and the promotion of international agencies, such as the World Bank, that place greater emphasis on ownership as a preferred tenure for the poor on the basis of achieving benefits from capital assets. However, as noted by the e-moderator, the work of Alain Gilbert in Latin America found that many owners of peripheral informal housing would rather rent a centrally located room, but can't. Thus, these owners are "failed renters", rather than renters being failed owners as so many governments assume, to the detriment of their housing policies.

If, as highlighted by other aspects of the E-Dialogue, poverty and social exclusion is at the core of unequal access to adequate housing, then different types of interventions should be designed to prevent more affluent landlords from exacerbating the poverty of others by exploiting housing shortages in the sector by demanding high rents for inadequate accommodation. That brings to the forefront some issues of the supply side of the housing sector. The provision of affordable and adequate housing options at scale is paramount to deter these types of discrepancies, bring more competition for housing supply and bring housing and rental prices down. This would take away the premium paid by the poor when forced to take what is available anywhere. However, as noted during the e-dialogue, the design and enforcement of regulations in the rental sector must be made with extreme caution. Lessons already learned from other countries give sufficient evidence that pro-poor rent control measures end up creating more obstacles for them since there is reduction in supply of rented accommodation, increases in housing prices and practices of charging premium and/or up-front payments outside the formal contractual agreements. The question whether the rental sector can play a role in enabling equal access to shelter remained only partly answered during the dialogue.

Rental Housing

Formal and Informal Housing in Caracas

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TOPIC 4:
AFFORDABILITY AND MECHANISMS TO ENABLE ACCESS TO HOUSING

28 RESPONSES, 955 VIEWERS

THE KEY QUESTIONS FOR THE DEBATE

This topic sought to identify mechanisms to make housing more affordable and accessible and to discuss measures and strategies to cope with the profound problem of insufficient housing production in developing countries, including the lack of alternatives besides those offered by a growing informal land and housing supply systems. What is produced formally is generally not affordable for the poorest in society or is raided by more affluent people for whom it was not intended. It is noticeable that economically stronger groups are hijacking housing solutions addressed to lower income groups in a context characterised by everlasting housing shortage and absence of a diversified housing opportunities for all. The key questions were:

- What are the policies, programme and technical instruments to bring housing prices down and increase the ability of low income people to pay for different housing options?

- Are there any measures, e.g., institutional, legal, financial, technical, etc., that can be established in order to prevent housing solutions addressed to low income households to from being hijacked by economically stronger groups? What mechanisms to reduce the cost of housing appear to be working in different places?

Although the e-dialogue did not generate answers to these important questions it did cover other important issues which help to further address these issues.

Three main reasons for why housing remains generally unaffordable for a large part of the population were identified. The first reason relates to the constraints of regulatory frameworks with their strict norms and inflexible standards and implicit costs that remain unattainable by low-income households. The requirement imposed for large minimum plot sizes derive in costly land development; bylaws that promote single family houses further increases development costs; additionally the obligation for complete service infrastructure and the use of 'modern' construction materials and methods as basic requisite for development approval tend to become a critical disincentive for low-income households. These requirements altogether increase housing costs and become major impediments for low income housing developments besides the fact that it puts "official and legal housing" out of the reach of most people. It is important to note that slum formation and the proliferation of informal land development schemes are closely associated with this regulatory framework-affordability nexus. Informal land and housing supply seems to provide the flexibility and affordability that meets the needs of the poor.

The second reason cited was low wages and the third was lack of affordable credit. It is important to remember that a fundamental reason why housing is not affordable is because people do not earn enough to afford paying for its price or not enough to become eligible for formal housing finance. The issue of poverty links to an important observation made by a Ghanaian contributor who noted the importance of understanding the relationship between affordability and the way the poor live. The predominant system of living in Ghana, as in many African countries, is "multi-habitation", where a number of households share common space and facilities such as the central courtyard, toilets, kitchen, verandas and utility bills. In Ghana, this has resulted in 'compound housing', a housing typology that has a central courtyard with rooms aligned along it in a rectangular form. Livelihoods are made more secure in cities by the support exchanged between members of the compound house.

Nevertheless, housing providers have sought to provide low cost housing based on single family dwellings for low income groups. It was argued that, apart from this housing being unaffordable and frequently raided by higher income groups, its typology and layout also contributes to the breaking down of social safety nets and livelihood supports. However, people are converting the single family houses provided through government programmes into multifamily housing. This helps to address the loss of livelihood means and the impact of lifestyle changes while creating new rental units. This petty landlordism in the urban centres is an efficient system of providing low cost rental units while offering income generation opportunities for landlords.

One could argue that the absence of housing options at scale in urban centres pushes individuals and households to crowd in the existing stock and generate their own housing solutions in the absence of any other alternatives. People have no other choice available. Although this responds to an immediate housing need, fits into a survival strategy of households and it may even provide affordable accommodation, it

Affordability and mechanisms to enable access to housing

is likely to be inadequate in terms of availability of sufficient space, adequate water and sanitation and insufficient security of tenure. People are clearly pushed to housing solutions that are not necessarily adequate as defined by UN-HABITAT.[14] It should be noted that, for example, the Ghanaian compound is (strictly) illegal under the urban building regulations and is becoming less common in some cities.

This discussion clearly exemplifies how the absence of housing options coupled with regulatory and policy constraints have direct impacts on cities and neighbourhoods. A response could be to deregulate and/or make planning and building regulations more flexible and also create supporting systems to enable self-generation of housing but with quality and adequacy. A policy intervention could be to make more land for housing available in order to enable people to house themselves and create support systems to sustain this. Another aspect to consider is the need to change attitude of planners and development control culture of officials that tend to look self-help housing solutions in a discriminatory manner. Similarly it can be said about the Traditional Housing Areas (THA's) in Malawi. It is officially designated neighbourhoods that provide serviced plots and also allow traditional construction techniques in the city, but are held in low-esteem by the City Assemblies which now administer them. As noted by the e-debate moderator,

> "While African economies benefit from the low wages they pay, they should allow genuinely low-cost housing solutions even though they don't look aesthetically good or fail to present a modern image to the rest of the world. The adequate housing of the people may result more important than the look of the city."

A contributor from Sierra Leone introduced the subject of why people might choose to live in slums even when they are being threatened by hazards such as flooding and with people and properties being lost every rainy season. People are neither given any other choice nor provided with any government support to access better housing conditions. Housing in slums becomes the only affordable and accessible alternative available.

WHAT IS AFFORDABLE?

There was some discussion about the definition of 'affordable' and the importance of understanding this in different contexts. Irene from Ghana noted,

> "I still believe that low income housing provision can be addressed if policy makers are ready to identify the resources that the low income households have at their disposal."

What is 'at their disposal' was evidenced by one contributor from Uganda who noted that more than half of city dwellers live on less than $1 a day and the minimum wage has remained at UShs60 (3 cents US) since 1970. Clearly this puts the cost of constructing a full formal house prescribed in local legislation beyond the reach of most people. This is exacerbated by the fact that the poor are not eligible to get mortgage loans and could not afford them with annual interest rates at 16 per cent in the banks and financial system in Uganda.

While considering these financial and income impediments, as highlighted by the Ugandan contribution, one should not disregard the fact that low income households have shown the ability and willingness to pay for housing in the informal sector. This supports the statement of the contribution from Ghana. Poor households are already paying a lot for not being served by basic infrastructure. Beside the intangible costs, services by water vendors, public toilets and/or neighbour's facilities are commonly much more costly than when they are provided by public utility companies.

The popularity of savings groups and urban poor federations, also present in Uganda, show a viable avenue to make the poor "bankable". These savings groups are proliferating in African and Asian countries as an alternative way found by the poor – with support from NGO's – to acquire basic finance. The critical issue here is to bring the formal housing finance sector to match this saving capacity with flexible loans and credit products and different forms of financial service provision.

WHAT NEEDS TO BE DONE?

It was clear that many people felt that the key issue was actually one of poverty and low wages. Thus, increasing employment and ensuring that housing was available close to employment were seen as the ways forward. However, it should be noted that many better-off households are increasingly resorting to housing themselves in slums and informal settlements, particularly in settlements situated on prime locations in the city, near commercial and business centres. This gives evidences that not only the poor live in slums helping, to deny the misapprehension about slums being only the result of poverty. It is actually the physical evidence that the housing sector is not providing sufficient and adequate housing opportunities to families and individuals who in principle are capable of affording better and more costly housing than those available in slums. This explains why housing that is addressed to low income families tends to be raided by economically stronger groups. Another aspect to consider is that location may play a much more important role than quality and adequacy in people's housing decision, often resulting in a gradual process of gentrification in some slums and informal settlements that pushes away poor families from locations close to sources of employment and public services.

There was clear consensus amongst the participants of this section of the e-debate on how to improve affordability. Relaxing building regulations and infrastructure standards in addition to make land supply and allocation of land for housing less cumbersome and costly are some of the measures to bring housing costs to affordable levels. One contributor from Malawi highlighted the fact that legally acceptable housing can be produced affordably by citing the example of traditional villages outside of planning area boundaries at the urban periphery where legally-conforming housing can be affordable. However, there was also a need for both the authorities and households to accept lower infrastructure standards and to seek innovative solutions.

The excessive cost of the cadastral system of land survey and registration where they exist in countries of Africa, coupled with a cumbersome and

institutionally complex land administration and allocation systems, which seem common in the entire continent, result in unequal access to land. Apart from not resolving the problem of record keeping, genesis and coexistence with customary land indirectly spur informal land markets. For example, in Malawi, traditional land allocation systems operating alongside the cadastral system in cities, document just the names of the whole occupying family. This privileges the rights of the weaker members of the family over the rights of any occupant to a few square metres of boundary land.

There was surprisingly little discussion on the need for improved housing finance. However, several respondents noted the need for governments to subsidise loans and for governments and financial institutions, including the World Bank, to intervene, to reduce interest rates and to provide flexible finance.

CONCLUSIONS

There is strong consensus that the real problem is not that housing is unaffordable but that people do not earn enough income either to pay for current housing prices or to become eligible for formal housing finance services which is needed to add onto household savings. It is important to highlight that housing is the most important single and costly investment in a typical household life cycle. Therefore, the availability of and accessibility to housing finance plays a fundamental role in the housing affordability equation. Through loans, credits, mortgages and other formal financial services, individuals and households are capable of purchasing housing and accessing housing opportunities according to their income, location, size and standard. So, making housing finance work for the poor should be addressed if we wish to provide equal access to shelter in cities.

It should also be noted that, unfortunately, as revealed throughout the e-debate, in most countries formal housing finance does not reach the needs of a large part of the population. The e-debate on this aspect revealed that other variables of this equation can make great impact in widening the housing affordability spectrum. This is true even for much of the housing provided specifically for low income households. Moreover, the types of mechanisms and approaches which would make available more affordable housing opportunities are not encouraged. What has become clear from the e-debate is that making more land available for housing and making regulations flexible and appropriate to local conditions will already break part of the vicious cycle of informal housing developments while making formal housing more affordable and attainable.

However, there is a lot more to be done. There is a need for authorities to rethink policies which make housing too expensive. This includes:

• Understanding what is actually affordable to low income people in a local context;

• Allowing different and diversified plot sizes and the use of traditional housing styles and technologies but keeping in mind the principles of adequate housing;

- Relaxing infrastructure requirements so that incremental land development schemes and sites without services approaches can be implemented and help to supply more variety and quantity of housing opportunities;

- Allowing traditional technology and construction materials and methods to be used in guided self-help processes of housing production;

- Reforming land allocation systems to speed up land development that include but are not limited to review of statutory planning, building and land sub-division obligations;

- Creating support systems to strengthen community-based solutions for housing finance so the micro-financing for housing and land acquisition can be made available to low income households;

- Promoting flexibility and accessibility of formal housing finance so that it can work for the poor;

- Promoting public-private partnership to enable multiple housing finance schemes and bring this to scale.

- Designing government housing assistance so that equal access to shelter can also be made available to the most vulnerable groups in society which include women, youth, indigenous peoples, elderly;

- As discussed during this part of the e-debate, housing professionals such as architects, engineers, planners, land surveyors, policy makers must become actors of change and trigger innovative procedures, designs and technologies that will result in more accessibility, adequacy and affordability in dwellings and housing estates. This may include a review of curriculum and basic education of these professions and even the design of special training programmes.

Public Consultation of the Condominium Housing Programme at Lideta, Addis Ababa

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TOPIC 5:
ROLES AND RESPONSIBILITIES

14 RESPONSES, 435 VIEWERS

THE KEY QUESTIONS FOR THE DEBATE

The final theme in the on-line internet-based dialogue focused on roles and responsibilities of the various social and economic actors for ensuring equal access to adequate housing. It posed the following three main questions:

- How can community and non-governmental organisations be supported and mainstreamed into public policies to facilitate increased scale?

- Which roles are best played by governments, NGOs, private institutions, financing and micro-financing institutions and other?

- Is there a role for the private sector in providing housing for low income people and how should they get involved?

THE DEBATE SUMMARISED

There was a strong consensus amongst the participants of this segment of the e-debate that the delivery of adequate housing at scale can only be achieved through multi-stakeholder cooperation, involving governments, NGOs, community groups and the private sector. Banashree from India noted the remarkable rise in grass-roots organisations in the last decade. She puts this down to three main factors;

- strength in numbers;

- the increase in organised savings giving some sustainability to such organisations; and

- that they understand their own situation and needs better than the authorities do.

This last point underpins the emphasis that participants of the debate placed on communities being involved in the planning stage of housing development in order to sensitize the development to their social and financial needs which reflects a clear option towards bottom-up rather than top-down process. There was strong agreement that this required strong and active NGOs and community organisations. This implies that there should exist capacity to participate and be actively engage throughout the entire process.

Some dialogue was held about good case study examples of successful NGO intervention. Banashree from India pointed readers to the web sites of several successful organisations whose experiences might be valuable - Asian Coalition for Housing Rights, Slum and Shack Dwellers International, and the Community-led Infrastructure Finance Facility (CLIFF) of the Cities Alliance. The moderators supported this by reporting that during a recent housing sector profiling exercise for Malawi, one of the smaller African countries, senior public-sector professionals seemed to admit that public-only approaches could not keep pace with the need for new housing.

> "They agreed that the only real progress was being made by a local affiliate of Slum/Shack Dwellers' affiliate, and Habitat for Humanity. So much so that they pointed to their contributions as the way forward for the new housing policy in that country. Out of hopelessness came forth sense!"

As several contributors to this debate agreed, however, there is a danger in assuming 'one size fits all' in relations to NGO and community group practice. There was some caution that what works in one context might not necessarily translate to another and that solutions must be considered in respect of the local social, cultural, economic and, above all, political context. Moreover, it was noted that many governments place too much responsibility on the shoulders of grass-roots organisations without offering adequate support.

This means that equal access to shelter in its broadest term requires concerted actions of various stakeholders even if considering a bottom-up approach in housing delivery. Primarily, the community must be organised under an active community-based organisation (CBO) to ensure social cohesion and true grassroots participation. This should be strengthened and complemented by support provided by Non-Governmental Organisations (NGO's). The NGO support takes various forms that include technical assistance in carving adequate solutions but also socio-political support to guarantee social mobilisation at scale. Financial assistance from NGOs is increasingly becoming part of this equation as part of their development agendas and their ability to mobilise financial resources from national and international funding and development agencies. However, for the CBO-NGO partnership to work it is necessary to establish the clear mechanisms of government

support particularly if one wishes to bring these bottom-up initiatives to a scale needed to address the critical housing problems in cities in a meaningful way. Thus, one can speak of a CBO-NGO-Government partnership with well defined roles and responsibilities. There are already sufficient evidences in Brazil, India, South Africa, Philippines, Thailand and Kenya, just to mention a few, that this partnership can result in innovative solutions and approaches. The challenge is (1) to have governments recognise the win-win situation and fully endorse it as public policy and (2) bring it to city and national scales which demands funding and large scale programming.

SUPPORTING AND MAINSTREAMING NGOS INTO PUBLIC POLICIES

There is a need for governments officially to identify and recognise the importance of NGOs and other groups. However, there was also recognition of the need for governments to set a more supportive environment for such groups to flourish in. A contributor from Uganda commented,

> "[It is] common also for governments not to support these groups in terms of resources, capacity building, and also not to recognise their practices and efforts and not view them as partners and important contributors to the development of these communities….it is very important for grassroots groups to be very aware of this, [and to] engage with their governments, for instance through a grassroots governance tool called local to local dialogues (Huairou Commission grassroots tool) as ways in which they can effectively influence government decision making, planning, resource allocation, etc. Grassroots women especially have adopted this tool in their communities and this has helped more women to get support from local governments in accessing shelter"[15]

Government support should include capacity building through training and information, sharing best-practice and providing and allocating funds. Governments should set clear agendas and identify clear tasks for such groups, ensuring that there is no confusion over roles or duplication or overlap between them. Government policy should be made more understandable and accessible to NGOs and community groups. One respondent noted that 60 per cent of the population in Burkina Faso is illiterate. Thus, public policies and information about services should be clearly written, without jargon so that they are accessible and understandable by all and most important be made available to all in various forms and languages if so required.

WHICH ROLES ARE BEST PLAYED BY GOVERNMENTS, NGOS, PRIVATE INSTITUTIONS, FINANCING AND MICRO-FINANCING INSTITUTIONS AND OTHER?

There was recognition from all participants involved in this part of the e-debate that NGOs should play a role of coordinating at community level, engaging the community and ensuring that their voices are heard and that they have input into housing development and planning from the outset. NGOs should bridge the community level of organisation with the government level of policy making and

public policy implementation. Governments should be prepared to outsource some functions and tasks, for example land development, surveys and planning to NGOs but local governments should monitor their effectiveness. Thus, contracting out some activities to NGOs, for example, implies that governments should be equipped to exercise quality control, quantity control and other inspection roles.

Several participants of the e-debate expressed their opinion that the primary role of governments should be to ensure land is available for housing. The 'fast tracking' of land was seen as an important if not vital role to be played by governments particularly when one considers that constraints in availability of land and the cumbersome process of land allocation are one of the underlying causes of housing shortage and informality of various kinds. Thus, the supply of land and particularly serviced land is a primary responsibility of governments. Only then we can reach scale and have equal access to shelter working for the poor as well,

However, it was noted that not all governments have the capacity to develop land and infrastructure. For example, in Burkina Faso, it was noted that municipalities simply do not have the means to prepare land for development. Thus, it lacks appropriate infrastructure. However, communities are strongly involved in local housing policy at a large scale in this African country. They take part in land allocations by local governments and receive repayable loans for housing development. The provision and allocation of seed funding to key NGOs and community organisations is seen as a major government role.

A ROLE FOR THE PRIVATE SECTOR IN PROVIDING HOUSING FOR LOW INCOME PEOPLE

There was consensus amongst the participants of the e-debate that the public sector could not adequately provide housing alone and that there was a role for private organisations. One participant from South Africa noted that:

> *"Private and Finance institutions should re-prioritise their corporate social responsibility to fit the needs of communities. They should ensure that a consultative process with the community has taken place during planning and the community is well informed of what is going to take place"[16]*

In particular, several participants of the e-debate mentioned the need for private finance organisations to reconsider their social responsibilities into a broader society needs and match their goals with the needs of the poor. One way in which they could do this is by re-assessing interest rates in favour of low income people and community groups. A participant from South Africa pointed to programmes such as the Kuyasa Foundation in which the Government and private sector got together to provide grants / loans to low income households of between R3,000 - R10,000 in order for them to buy houses in low income developments. Private banking institutions played a major role in this programme by providing financial resources.

In addition, many participants of the e-debate expressed their opinion that many made their services too complicated and inaccessible. There

was a call for less jargon in their policies and applications processes so that people fully understood what was available.

It is clear that governments have limited funding for innovation in affordable construction methods. A participant from Ethiopia considered that the private sector has

> 'a significant role for the action of providing housing for low income groups by way of coming up with low and affordable technologies'.[17]

Thus, private sector participation is shaped around the provision of knowledge, technology and finance within a framework of social corporate responsibility for ensuring that people live in adequate housing. Governments can facilitate this in terms of creating a framework for public-private partnerships. What is increasingly becoming popular is the community-private-public partnership like the slum networking approaches widespread in Indian cities where clearly defined roles and responsibilities are critical to its success in providing housing opportunities for the poor.

CONCLUSIONS

Government have a fundamental role in bringing the agenda of equal access to shelter to city and nation-wide scales. Governments can best support community-based processes by first acknowledging and valuing the inputs from CBOs and NGOs and their capacities to ensure social cohesion, mobilisation and organisation, and provision of forms of community finance which after all helps to build bridges between these processes and public policy making and implementation.

Outsource of public functions or tasks in the housing delivery systems from government to community levels is certainly a way to move forward. This may get the form of contracts which includes but not limited to the broad task of community engagement and participation to ensure legitimacy and community support to housing development processes since the very early stage of planning and needs assessments.

However, this should not be seen as a retreat of governments from its key responsibilities but actually to enable the emerge of a different kind of community participation, with rights but also responsibilities, which then can be translated into a framework of government-CBO-NGO partnership for the generation of diversified housing opportunities at scale. Governments should establish an enabling institutional environment and a financial framework to enable NGO support to be funded by the public sector. This will help ensure the sustainability of participatory processes in housing development in addition to create a similar sustainability basis to NGOs and grassroots organisations.
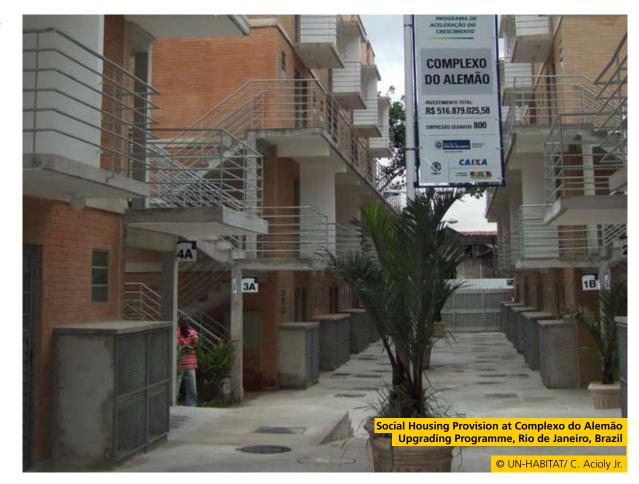
Another aspect to consider is public information and communication. Governments and the private sector can also support grassroots organisations by ensuring that their policies and services are easily accessible and understandable to all. The more people are informed about policies the more they will understand what services and facilities are available to them, what role they are expected to play and the more support they will provide. Without this level of support and awareness

17. *Solomon Tsehai Adall*

at the grassroots level, partnerships will not be able to be set-up.

Grassroots organisations can best work to engage communities in early stages of planning and development and to mediate between communities and authorities and to coordinate and encourage community action around housing provision. Government's role is seen mainly as providing the basic infrastructure, land and, in conjunction with the private sector finance institutions, ensuring financial subsidy or loans are available for housing development.

Although it was agreed that the private sector should play a role in affordable housing provision, it was seen as a long way off. The role of the private sector was seen as being largely in ensuring financial support at a reasonable interest rate and in developing and promoting new low cost construction technologies.

Social Housing Provision at Complexo do Alemão Upgrading Programme, Rio de Janeiro, Brazil

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6: SUMMARY AND CONCLUSIONS

At the beginning of the debate, participants confronted the right to equal access to shelter. They expressed opinions about definitions of equality, adequacy and other terms along the way. The discussions revealed that countries are still very far from fulfilling the right to equal access to shelter. Arguments brought forward by some participants endorsed the eventual negative effect on people's expectations. In other words, the existence of this right could translate into false expectations amongst the population, inducing the idea that housing provision is the sole responsibility of the State. But arguments also revealed the positive effect on governments' attention by the idea that rights enshrined into national constitutions and the like would create more commitment to fulfilling the perceived and statutory right to adequate housing.

There seemed to be consensus that there is little possibility of fulfilling the right as expressed in international instruments owing to lack of financial resources, weak institutional capacities and inadequate frameworks for land delivery, cumbersome regulatory environments and lack of political commitment. Therefore, some, instead, argued for a minimum bundle of rights, set out in a Bill of Rights, which could be gradually introduced as in the decent work agenda of the ILO. Thus it suggests the creation of a framework to enable the implementation of measures geared to the incremental realization of the right to adequate housing which also takes into account responsibilities and obligations of various social actors. If so, it is perfectly in line with the Habitat Agenda that promotes the full and progressive realization of this right. There was also some agreement that the housing market is different from markets for food and other commodities, because of its inflexibility and

lack of other alternatives to replace that commodity, so governments should not leave housing supply solely to the market, especially for the poorest. They should rather intervene positively through policies and measures to overcome institutional, legal, technical and financial constraints.

As might have been expected, the main constraints to successful supply of affordable housing opportunities for all were seen to be the high price of urban land and the reluctance of credit providers to finance housing for people outside the richest few. Institutional capacity and different institutional and regulatory barriers built up by governments were mentioned by many participants from around the world. Many participants of the debate also perceive that rural-urban migration and rapid population growth, especially where there is only one main primate city, overpowers the capacity and ability of governments and policies to deliver serviced land and housing opportunities to accommodate the demand and demographic pressure derived from it. These are some of the major issues which should be tackled head-on if equal access to shelter is to become attainable.

It is surprising to read that such basic arguments as whether urban development is 'a good thing' or not still dominate the thoughts of many housing experts and urban policy-makers. Particularly at the dawn of an urban age when so many countries experience an irreversible trend of rapid urbanization.

Some useful resources and interventions for alleviating the constraints mentioned above were reported. Working out partnership amongst various stakeholders and promoting the active participation of citizens' groups figured largely in the debate. There were concerns expressed about the growth and scale of informal housing delivery and the rate of slum formation throughout the developing world. Some feared chaos if the informal housing delivery systems are encouraged in any form even though it is effective in providing for affordable and accessible housing opportunities for low income households. The critical issue is to learn from and build an understanding of the informal housing sector and adjust its methods and approaches to government policies and enabling strategies. There were concerns, though, that, through the enabling strategy the state had retreated and withdrawn from basic tasks that can only best be performed by the public sector such as housing assistance to low income households, partnerships with CBOs and NGOs and the creation of financial frameworks for funding housing for the poor. Participants argued that the state should re-engage in low-cost housing provision and promote provision of land at scale as a fundamental component of a slum prevention strategy. The same type of re-engagement was suggested about employers and the corporate sector that should partner with governments, communities and NGOs and fulfil their corporate social responsibility. Equal access to adequate housing opportunities should also be the concern of employers and the corporate sector as well. Participants of the e-debate highlighted many experiences such as those from India, Brazil, Philippines, Uganda and South Africa.

In connection with finance, innovative solutions and approaches for making housing finance work for the poor should be pursued. Some

Summary and Conclusions

financing tools may be found in the sale of transferable development rights or in cross-subsidy and inclusive mechanisms, such as quotas for low income groups in high-cost housing and real estate developments. This practice requires developers to build and allocate a certain percentage of dwellings for the poor when building higher cost developments. However, it was noted that enabling legislation that exists in various countries is not enough. Law enforcement has been poor, allowing developers to dodge their commitments for the unprofitable part of the deal!

Citywide and nationwide slum upgrading and settlement improvement programmes were mentioned as appropriate government interventions to increase housing opportunities and better living conditions for those living in inadequate housing. Another suggested policy intervention pointed at the relaxation of norms and standards, either across the board or in special areas as part of a broad agenda to generate housing opportunities at scale to low income households and also to the poorest. Experience from the Traditional Housing Areas in Malawi, the ZEIS (Special Zones of Social Interest) in Brazil and the Native Layouts from Nigeria were offered as examples.

Opinion on the value of rental housing was split and scarcely elaborated on as policy options. The majority were concerned with the problem of affluent landlords exploiting poor tenants while others noted that rental housing can provide the only good option for low-income households, for whom homeownership is too expensive and out of reach. At the same time renting and sub-renting is a practice found in informal and formal settlements that provides income for low income landlords. Some participants expressed concerns and suggested that governments must undertake measures to discourage affluent landlords to exploit the context of housing scarcity by demanding high rents for inadequate accommodation and increasing poverty of others. On the other hand, at the current scale and scope of housing problems, we cannot afford to reduce the amount of accommodation available in cities still further or deter people from developing rooms and housing opportunities for rent as a business activity.

The debate made clear that many cultures are averse to renting. Promotion of homeownership by governments as well as international funding and international development agencies has over-emphasised ownership as a preferred tenure for the poor and a means of their benefiting from capital accumulation and participation in housing markets. Neo-liberal theories and ideas have given further emphasis to this approach particularly through land regularisation and informal settlement upgrading programmes focused on individual titling as their basic strategy for providing security of tenure, including formalising informal properties and bringing them to formal markets.

A debate occurred on poverty as an impediment to accessing formal housing and as an underlying cause of slum formation. Participants argued that poverty is at the core of unequal access to housing.

There was strong consensus amongst the participants of the debate that the real problem of housing affordability in the developing world is not that housing is unaffordable per se but that people do not earn sufficient

income to be able to purchase housing at current market prices nor are they able to acquire formal housing finance. On one hand, the lack of housing finance for the poor seems to be chronic and on the other hand there are insufficient mechanisms and instruments in place to make affordable housing opportunities available for all different social-economic groups. The approaches which would produce more affordable housing are not embraced fully by governments or formal financial institutions. Such approaches would have to generate tailored-services, more flexible loan terms and maturity with a variety of mortgage services with similar approaches to those of micro-financing institutions. This should be combined with reforms in the regulatory and institutional environments and in the overall governance of the housing sector.

Policies which make housing too expensive and therefore inaccessible for the great majority of the population must be critically assessed. Policy makers must understand what is affordable in a local context and promote changes in standards, and norms for land sub-division, housing typology, and building technology that facilitate differentiated housing provision in terms of size, location, price, density, morphology and basic infrastructure requirements. This means the enactment of legislation that allows smaller plots, traditional building technologies such as earth construction and sun dried adobe and other locally available building materials, different standards in infrastructure provision such as on-site and off-site sanitation options, in addition to less burdensome allocation of land for housing.

The e-debate clearly indicated the need to change the mind set of housing professionals so that they can become agents of change in the housing sector promoting systemic land and housing reforms that will help the delivery of housing opportunities at a scale commensurate with the critical housing needs in the developing world. Only then may innovation and multiple interventions find a way through local and national governments' conservative practices to promote interventions that cater for multi-stakeholders' participation.

This type of participatory approach makes evident the need to define roles and responsibilities within an institutional environment that enables greater community and private sector involvement as well as NGO participation in housing policy formulation and implementation. Government must start by acknowledging and valuing the role which grassroots organisations can play. Community organisations are capable of participating in early stage planning or needs assessments, implementing infrastructure supply and management activities, etc., when governments establish an enabling environment and supporting mechanisms. Governments should not evade their responsibilities or expect communities or other stakeholders to provide services for free. Governments should establish contractual agreements and partnership covenants that include but are not limited to paying for services and technical assistance needed to enable full participation of communities and other actors. This will particularly help to improve the sustainability of grassroots organisations and NGOs, in addition to mobilising savings and community resources in housing improvement. This will have positive impacts in broadening equal access to shelter.

NGOs and grassroots organisations can work together to engage communities in the early stages of planning and development, and strengthen the liaison between communities and authorities and the private sector in order to design and implement coordinated actions that encourage community action for housing supply. In order for this to work and achieve the required scale, governments should focus on their prerogatives and key development responsibilities where it can best contribute to generating a diversity of housing opportunities for all sectors of society. This means governments must focus on the provision of land and basic infrastructure and ensure that private sector organisations and housing finance institutions provide the appropriate and accessible funding for housing development.

The private sector's role in affordable housing provision may be a long way in the future. Its current role was seen largely as ensuring financial support at a reasonable interest rate and developing and promoting new low cost construction technologies. But what has become clear is that, without concerted action involving local and national governments, private sector institutions, NGOs and CBOs, there will be little progress to bring the affordable housing agenda and the equal access to shelter to the forefront of housing policies in the developing world.

APPENDIX 1:
OPENING STATEMENT OF E-DIALOGUE 3 ON EQUAL ACCESS TO SHELTER, SEPTEMBER 21ST – OCTOBER 19TH 2009

The provision of affordable, well located and adequate housing is one of the greatest challenges of the 21st century. Data from UN-HABITAT reveal that the number of people living in inadequate housing and subject to conditions of inequality is worrisome and is on the increase. Despite the fact that the right to adequate housing has been recognised and provided by in international instruments, including the Habitat Agenda, it remains cumbersome and a difficult right to fulfil by governments. This has serious implications. By not prioritising equal access to housing, government misses unique opportunities to strengthen backwards and forward linkages of the housing sector with other sectors of the economy which may lead to wider economic opportunities. In addition to this, the role of housing in poverty reduction and employment generation is not fully and optimally realised.

For the last 15 years or so, international organisations and

Governments in developing countries alike have retreated from the housing sector resulting into housing provision being virtually and entirely left to the market. Data from UN-HABITAT clearly indicates that the rate of slum formation in various cities around the globe during this period is just unequivocal evidence that this approach did not result in making available a wide range of affordable housing opportunities for the poor.

Fundamentally, there is a need of policies that make the access to land and housing financially affordable as well as physically adequate and accessible. Formal housing markets do not provide for that. Conventional housing finance and formal mortgage services exclude the poor and those who earn seasonal incomes leaving little options but to resort to slums, informal settlements and sub-rented and overcrowded accommodations. The urban divide has a clear housing and physical/spatial dimension. The need to provide a wide range of housing opportunities in terms of price, location, size, level of completeness and incrementally developed is critical to bridge the urban divide. This dialogue will explore this dimension and discuss the impact of policies in making housing finance and supply of serviced land affordable and available at scale.

In addition to that, it has become evident that the malfunctioning of the housing sector and particularly of housing markets has pervasive impacts on the poor, on the structure and function of cities and in the overall economy. Never before has this linkage become as evident as revealed by the global economic turmoil. While unregulated and irresponsible housing finance institutions lie at the heart of the present global financial problem, the revival of housing and a holistic approach to it seem to indicate the road map to overcome the problems it has created. Thus housing is an important vehicle to tackle the urban divide.

An equal city offers all its inhabitants, without discrimination of any kind, access to decent housing, infrastructure, health services, sufficient food and water, education, and open spaces. The access to safe and healthy shelter and basic services is essential to a person's physical, psychological, social and economic well-being. However, in this new

urban age, it is generally recognized that the provision of adequate shelter to rapidly growing urban populations poses one of the greatest social challenges for humanity.

The Dialogue will discuss regional and country trends on the progress made in improving the lives of slum dwellers. Focus will be given to the analysis of countries that are successful in improving the living conditions of the slum population and preventing slums before they even are formed. The Dialogue will also discuss which countries are lagging far behind.

Slums are the urban face of deprivation and poverty. Yet not all slum dwellers around the world suffer the same fate. The dialogue will discuss global averages hide different degrees or magnitudes of deprivation: some slum dwellers suffer multiple shelter deprivations, including lack of access to improved water and sanitation, overcrowding, non-durable housing, and insecure tenure; other slum dwellers tend to suffer only one or two shelter deprivations. Slums can be therefore a "miserable living place" or a "neighbourhood that is gradually integrating into the city"; in both cases most of the time they are not a marginal occurrence, nor a passing one, and the provision of municipal services, such as water, sanitation, waste collection and storm drainage, and the improvement of their environmental conditions, requires well-coordinated policies and actions, and above all the recognition of slum dwellers as urban citizens. The participants in the Dialogue will review the different deprivations that are prevalent in slums in different countries, and by doing this they can discuss clear policy directions, indicating what kind of actions can improve the living conditions of slum dwellers in different locations.

Discussions on the Dialogue will expand to show that slums are not just "housing deprivations". Some families in slum areas are not only affected by poor housing and lack of services due to low incomes; they can suffer from other externalities such as land, housing and labour market failures. A number of households living in slums can lack the basic access to nutrition, health services, power and transport; they need to resort to survival strategies, and their levels of productivity are rather low. Other households suffer from exclusion and discrimination— political, cultural or economic—either because of who they are, or where they live, and often they are denied access to public services or face several obstacles in their work. In order to avoid generalizations on slums, which are actually very diverse, the Dialogue will discuss relationships among slums, poverty and marginalization, considering that in some cities and countries slums and poverty can be the result of poor economic institutions, weak governance mechanisms, human rights abuses and incapacity to cope with rapid population growth rates. Policy responses can therefore be directed to the different causes of poverty such as improving tenure security, creating income generation opportunities, developing participatory community processes in government tools, etc.

APPENDIX 2: SUGGESTED CONTENTS OF A HOUSING BILL OF RIGHTS

Solly Angel suggested that we might formulate together a fairly minimalist Housing Bill of Rights. Following a call for suggestions for what it might contain, the following were provided suggestions.

Solly Angel, Manuel97 and Babalo variously suggested the following:

- No eviction without due process of law;

- The right of squatters to remain on land they occupied if they stay there undisturbed for an agreed-upon period;

- No discrimination in access to housing;

- Everyone can own land and housing;

- Everyone has a right to compensation if they lose their homes under eminent domain actions.

- In the case of eviction/ demolition, the safety of residents should be ensured, especially for women and children;

- Any relocation site should be within 25km of the area of they came from to ensure continuing livelihoods, and be provided with basic services, i.e., clean water, sanitation, etc.;

- Residential areas (including relocation areas) should have basic facilities such as community centre, community clinic, school;

- Provide livelihood project to ensure economic incomes;

- Prompt provision of compensation in the case of an eviction.

Roles and responsibilities