



Shelter Report 2008:

## **EXECUTIVE SUMMARY**

**Building a secure future through effective land policies**



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# Executive summary



# Insecure tenure locks millions in poverty

**I**nsecure tenure often lies at the heart of poverty housing, depriving the poor of even the most basic physical, economic and psychological security of adequate shelter. More than 20 percent of the world's population struggles, on a daily basis, to stay in houses or on land where they live and more than 80 percent of the world's population does not have legal documentation of their property rights.

Security of tenure, or the ability to live in a place without fear of eviction, can increase economic growth, address inequalities, and reduce poverty in developing countries. Security of tenure can provide opportunities for investment and the accumulation of wealth and in some cases can encourage business development. Furthermore, security of tenure is about more than just economic assets. Secure tenure can provide a source of identity, status and political power and serve as a basis for the pursuit and acquisition of other rights.

Still, barriers to tenure security remain in many countries. These barriers include insufficient legal and regulatory systems, excessive land regulation, gender discrimination, corruption, inefficient or inadequate land registration systems, the disintegration of customary and traditional protections and the lack of political will around the issue. In addition, millions of people are displaced each year by natural disasters and violent conflicts.

While the poor are disproportionately affected by tenure insecurity, some groups are more vulnerable than others. For example, women and children are greatly affected. Written laws and customs often fail to protect them. Even if protections are available, women and children are more likely to lack the education or resources necessary to assert their rights. Urban dwellers are also seriously hindered by lack of tenure security. As land values in cities continue to increase and affordable land becomes scarce, more poor urban dwellers choose to locate in informal settlements without secure tenure. This leaves them vulnerable to potential disputes and conflict over land, forcible eviction by local government and natural disaster.

## Solutions come slowly

Tenure security for the poor is flexible and varied. It includes a politician with the will to issue a proclamation against eviction, a city or government extending basic infrastructure and services to informal settlements, and issuing state-backed titles to every individual homeowner in an informal settlement.

Legal literacy training and writing wills, a program currently of Habitat for Humanity Argentina, can be an effective means of improving tenure security.

While all of these solutions are viable and realistic, change will not come easily or quickly. An incremental strategy focusing first on increasing the perception of tenure security (*de facto* tenure security) and moving slowly toward formal, legally protected tenure security (*de jure* tenure security) should be most effective. This gradual process would channel initial benefits to current residents while giving the market time to fully mature so current low-income residents who decide to sell their rights might receive greater compensation.

Without international support, the poor in many developing countries will never come close to realizing the degree of tenure security enjoyed in the developed world. It's imperative the United States government, through development assistance funding and other appropriate channels, sets measurable goals and increases resources to support the poor's access to secure tenure around the world. Nowhere is this issue more pressing than in informal and slum communities where secure tenure will not only strip away a key barrier to better housing, but would be the catalyst for other key social and economic benefits for the world's poor.



## Habitat for Humanity on secure tenure

Tenure security is a vital part of a multi-prong approach to improve housing conditions for the poor. It more effectively fights poverty when implemented gradually in tandem with basic services such as water and sanitation.

- Efforts to improve tenure security should prioritize the most vulnerable populations—the urban poor, women and children, and those affected by disasters.
- Education, advocacy and awareness of individual rights are key to improving tenure security for the poor, especially for these populations most at risk.

National and local laws that create a framework for granting tenure security, including an accessible, transparent and accountable land administration system to combat corruption and inefficiency in government, are vital to increasing tenure security. Tenure security also is important to rehabilitation and reconstruction after a disaster and should be a top priority in disaster response.

## Habitat for Humanity urges the U.S. government to help ensure tenure security for people around the world by:

*Increasing awareness in the U.S. Congress of the urgent need for tenure security, which could include:*

- Holding House and Senate hearings with panels of experts on tenure security, with a specific focus on urban areas and slums, to increase awareness of members of Congress and to highlight ways the U.S. Congress can address this issue.
- Creating a congressional commission to research tenure security, and make recommendations on how Congress can and should address the issue.
- Passing a resolution affirming the importance of tenure security in countries around the world.
- Passing authorizing language to focus on the issue of tenure security within U.S. foreign assistance programs.

*Increasing focus within U.S. foreign assistance on tenure security, which could include:*

- Increasing staff at the U.S. Agency for International Development (USAID), the State Department, and the Millennium Challenge Corporation who are dedicated to the issue of secure tenure, with a specific focus on land, housing and slums.
- Increasing the capacity of the Urban Programs office at USAID.
- Creating or designating a high-level position to coordinate issues within and across agencies relating to tenure security.
- Allowing local NGOs working on tenure security to design and implement innovative approaches.
- Creating an index to measure national housing policies in an effort to create an incentive and framework for improved housing policies.
- Developing an annual report to document the U.S. government's progress on addressing tenure security.
- Allowing for flexibility in programming that recognizes the importance of secure tenure and how it can directly impact other development efforts such as health and education programs.

*Increasing diplomatic pressure on other countries to address the issue of tenure security, which could include:*

- Using the U.S. government's leverage with national governments to promote tenure security as a crucial ingredient for good governance and democratic practices, to improve protection for residents of their countries against forced eviction, and to put clear systems and processes in place.

Until the issue of secure tenure is successfully addressed, millions around the world will continue to be displaced, unable to secure adequate shelter or claim land and housing that is rightfully theirs. Breaking the cycle of poverty can be done. Strengthening tenure security is an enormous step in the right direction.





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