Count me in

Surveying for tenure security
and urban land management

UN@HABITAT
FOR A BETTER URBAN FUTURE

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CONTENTS

FIGURES

TABLES

BOXES

FOREWORD

THE YOUNG MAN was scared. The city government had instructed him to count the shacks in the settlement. He arrived smartly dressed carrying a briefcase and clipboard with pen in hand and a list of the shacks. His job was to find any new shacks without the official number painted on the door.

But he immediately ran into problems. The local residents confronted him, asking what he was doing. Soon a small crowd had gathered. They took him into the community hall, where a meeting was under way. He explained that the city had sent him, but the local people were suspicious. The last time the shacks were counted, rumours flew that they would have to move. The young man tried to explain that the information was needed to plan for future development. The people had heard such stories before, and shouted him down. The discussion became so heated the local committee had to escort him back to his car for his own safety.

The above scenario is not uncommon in many of the world's rapidly growing cities. Decades of empty promises for better living conditions and other unfulfilled commitments in combating poverty, corruption and poor governance – not to mention forced evictions – have left many urban poor communities wary and suspicious of initiatives from any sphere of government.

This book is about involving and engaging urban poor communities in one of the first steps of any participatory planning or upgrading initiative: conducting "participatory enumerations" – a surveying method to gain better knowledge of the needs and priorities of the community.

Instead of a "how-to" manual, many of which already exist, this book looks at how participatory enumerations can contribute to increased security of tenure, more inclusive urban management, more sustainable land management and more transparent land information systems.

This initiative is part of UN-HABITAT's "living practices" approach to develop pro-poor approaches, tools and methods that contribute to improving tenure security in urban areas. This having been said, the methods described in this publication can also be used in peri-urban and rural settlements.

My thanks go to the Cities Alliance and the Governments of Sweden and Norway for their financial support. Likewise my appreciation goes to the members of the Global Land Tool Network for sharing their knowledge, expertise and experience. It is such partnerships that form the spirit of our World Urban Campaign and UN-HABITAT's efforts to leverage the resources of a wide range of public, private, governmental and non-governmental sector organizations to raise awareness of the issues related to land and secure tenure for the urban poor – one of the more contentious and complex problems facing a rapidly urbanizing world.

Anna K. Tibaijuka
Undersecretary-general of the United Nations
Executive director, UN-HABITAT

Part 1

Background to participatory enumerations

1 INTRODUCTION

Many different people and organizations want information about settlements. They include the national government, the municipality, businesses, the United Nations, donors, non-governmental organizations (NGOs), as well as organizations, groups and individuals in the settlement itself.

But as the young man in the Foreword to this book found, collecting such information is never a neutral exercise, particularly in poorer areas. People in such settlements live in very difficult conditions. There are few facilities and amenities, and life is hard. Often their right to live where they are is very uncertain, and they fear being told to move elsewhere. Many have already been forced to move – some more than once. Justifiably, many people do not trust what others are planning for them. Others are afraid that being counted means having to pay tax, or fear their landlords, who may not want illegal renting or subdivision to become known. All in all, counting and being counted, surveying and measurement, are linked with official control, so are treated with great suspicion.

Many people respond by trying to stay invisible, to keep "under the radar". Some simply avoid being surveyed. Others refuse to cooperate, provide false information, or even try to stop the survey from taking place at all. Many who cooperate do so reluctantly, in the hope that it might, somehow, bring a better life.

So it is not surprising that the more traditional, extractive information gathering methods such as the national census, the official cadastre, specialist surveys, commissioned research and official mapping projects often fail to obtain the types of information needed for successful urban management, upgrading and development purposes. The result is mistrust on one side, and frustration at the lack of usable, relevant data on the other.

This situation is not conducive to the promotion of sustainable and equitable urban development. Not only does the necessary information fail to become available; there is also an absence of meaningful involvement by the residents in the development process. The consequence of this is, often, increasing marginalization, insecurity and potential social conflict.

CHALLENGES OF URBAN DEVELOPMENT

According to the *State of the World's Cities Report 2008/9,* more than half of the world's population now lives in cities, and by 2030, this percentage will have risen to almost 60%. Most of this increase would be in the developing world, where city populations grow by an average of five million residents per month (UN-HABITAT 2008, p. iv). Informal settlements and slums are multiplying, with urban poverty levels and inequalities between rich and poor increasing at dramatic rates in the developing world, particularly in Africa and Latin America (UN-HABITAT 2008, p. xii). In consequence, increasingly large numbers of city residents live in conditions of insecurity of tenure and suffer the combined impact of

Figure 1.1   Local people may be feel threatened by the local authority's attempts to gather data about them (see the story in the *Foreword*)

poverty, social exclusion and inadequate housing, water and sanitation (Figure 1.2). There are, clearly, many challenges in the terrain of urban development, calling for innovative responses by all concerned.

The development challenges in informal settlements have social, economic and environmental and physical dimensions. The challenges are strongly related to the limited access that the poor have to serviced land and adequate housing. One of the most important key challenges is tenure insecurity. According to eviction monitoring NGOs, more than 9.9 million people were affected by forced evictions between 2003 and 2008. In 2005 the number

of people living in conditions of insecurity of tenure reached one billion. These people experience poverty, social exclusion and inadequate housing, water and sanitation on a daily basis. Unless urgent action is taken, this number is likely to rise to more than two billion by 2030.

Land and housing rights movements have tried to convince governments to take urgent action to prevent what some have called a "man-made tsunami" of tenure insecurity and evictions. The broader aim of these movements is to trigger sustainable urban development, improving the living conditions of the inhabitants of informal settlements

**Evictions reported
2003–8**
9.9 million people*

**Evictions
implemented**
?? million people

Insecure tenure
1 billion people
(2 billion by 2030?)

COHRE 2006a, p.11, and COHRE 2009, p.7.
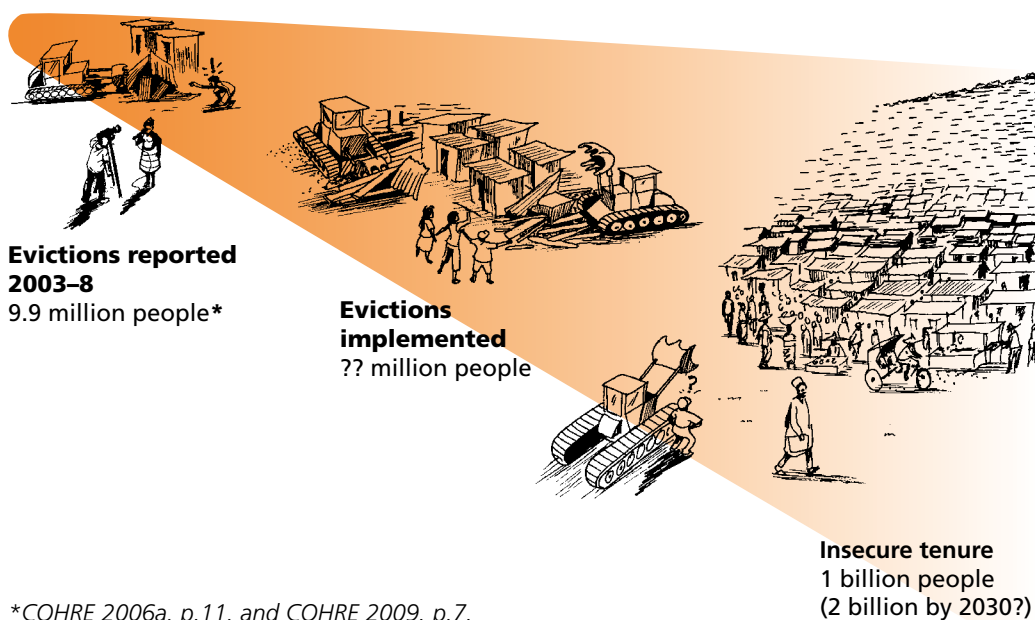
Figure 1.2   Tenure security and forced evictions

by providing them security of tenure. Some governments have implemented land-titling programmes to stem the tide. These have been slow, expensive and hard to sustain. Innovative approaches are urgently required. Many people and organizations have been developing new tools, methods and strategies. **Participatory enumeration**, the subject of this book, is one such method.

THE GLOBAL LAND TOOL NETWORK

The Global Land Tool Network (GLTN, www.gltn.net) is one of the leading initiatives in developing such innovations. The Network was formed in 2006 by UN-HABITAT and partners with the overall goal of "poverty alleviation through land reform, improved land management and security of tenure" (GLTN 2009a). Partners include international networks of civil society, international finance institutions, international research and training institutions, donors and professional bodies. As part of its agenda, the Network aims to:

- Establish a continuum of land rights, rather than just focus on individual land titling.

- Improve and develop pro-poor land management as well as land tenure tools.

- Unblock existing initiatives; assist in strengthening existing land networks;

- Improve global coordination on land; assist in the development of gendered tools which are affordable and useful to the grassroots.

- Improve the general dissemination of knowledge about how to implement security of tenure.

The Global Land Tool Network has identified 18 key land tools that are needed to deal with poverty and land issues at the country level (Box 1.1). The lack of such tools, as well as land-governance issues, are the main causes of failed implementation at scale of land policies world wide. One of the 18 tools is "enumerations for tenure security".

BOX 1.1   EIGHTEEN LAND TOOLS

The Global Land Tool Network is developing the following land tools.

Land rights, records and registration

1   Enumerations for tenure security

2   Continuum of land rights

3   Deeds or titles

4   Socially appropriate adjudication

5   Statutory and customary land rights

6   Co-management approaches

7   Land record management for transactability

8   Family and group rights

Land use planning

9   Citywide slum upgrading

10   Citywide spatial planning

11   Regional land use planning

12   Land readjustment (slum upgrading and/or post crisis)

Land management, administration and information

13   Spatial units

14   Modernizing of land agencies budget approach

Land law and enforcement

15   Regulatory framework for private sector

16   Legal allocation of the assets of a deceased person (estates administration, HIV/AIDS areas)

17   Expropriation, eviction and compensation

Land value taxation

18   Land tax for financial and land management

– *www.gltn.net/en/themes-and-issues.html*

A CONTINUUM OF LAND RIGHTS

Land rights are not restricted solely to registered rights, and especially not to individual property rights. Land tenure involves a complex set of formal and informal rights, ranging from various rights of use, to conditional or full rights to dispose of the land. This is what the Global Land Tool Network calls a "continuum of land rights". Tenure can take a variety of forms (Box 1.2). "Registered freehold" should therefore not be seen as the preferred or ultimate form of land rights, but as one of a number of forms appropriate to different situations.

Land tenure programmes should be designed with careful consideration of the local context in which they will be implemented, and should include a range of appropriate options that will best suit the needs of all residents, including the poor:

No single form of tenure can meet the different needs of all social groups. However, a range of land tenure options enables both women and men from all social groups to meet their changing needs over time. Legal recognition for different forms of tenure can also strengthen the development of dynamic land markets in highly populated areas (GLTN 2008, p.10).

TENURE SECURITY

Tenure security can be defined in various ways:

- The degree of confidence that land users will not be arbitrarily deprived of the rights they enjoy over land and the economic benefits that flow from it.

- The certainty that an individual's rights to land will be recognized by others and protected in cases of specific challenges; or, more specifically:

- The right of all individuals and groups to effective government protection against forced evictions (GLTN 2008).

Many residents of informal settlements lack security of tenure: they may actually be evicted, or may fear being evicted. Tenure security, on the other hand, gives them the peace of mind they need to invest in and use their own land, to improve their house, expand their shop, grow crops, and rent the land or property out to others. It gives people confidence to invest in their land, because they know they will not be arbitrarily dispossessed. They can trust that the house, crops, or shop will be passed on to their heirs when they die. Tenure security encourages people to preserve their land and resources, since they believe that future generations will benefit. Tenure security also gives people tranquillity to invest in and use other people's land: to rent or lease from someone they know is the legitimate owner, to purchase land from him or her, or to lend money against his or her land.

Experts usually make a difference between the level of tenure security:

- ***De jure* security:** tenure security according to the legal system

- ***De facto* security:** tenure security as it exists in practice.

A further important distinction is security against what type of threat:

- **Inside the community.** Threats by other residents of the same settlement trying to take over others' land or dwellings. Such threats are typically to individual structures or small areas of land.

- **Outside the community.** The risk of a government body or company trying to clear the land and evict people, for example to make room for a new road. Such threats tend to be to larger areas or even the whole of an informal settlement.

PARTICIPATORY ENUMERATIONS

Innovative approaches in collecting and dealing with information about informal settlements have been developed in different parts of the world.

- **By community groups.** Organized groups of residents have begun to gather their

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BOX 1.2 LEGAL SECURITY OF TENURE

Tenure takes a variety of forms, including rental (public and private) accommodation, cooperative housing, lease, owner-occupation, emergency housing and informal settlements, including occupation of land or property. Notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. States parties should consequently take immediate measures aimed at conferring legal security of tenure upon those persons and households currently lacking such protection, in genuine consultation with affected persons and groups.

– United Nations Committee on Economic, Social and Cultural Rights (CESCR 1991)

Participatory enumeration is a data-gathering process which is to a significant extent jointly designed and conducted by the people who are being surveyed.

WHAT IS "ENUMERATION"?

To enumerate means "to count", "to list down", or "to ascertain the number of". So enumeration means the process of gathering statistical information about a community. One type of enumeration is a national census, in which a government body gathers a variety of data, including demographic characteristics (sex, age, marital status, etc), health, access to services, employment, income, access to housing, etc., in geographic units called "enumeration areas".

Participatory enumerations directly, and to a significant extent, involve the people who are being enumerated. In some cases the entire process is participatory, from inception, through design, management and implementation, to analysis and use of the data. In others, participation occurs at specific points in the process, such as an initial consultation or information sharing event, a point of boundary identification, or a process of public data verification.

own data. The people to be surveyed are directly involved in the conception, design and implementation of the process. Often they are assisted by individuals, organizations or institutions from outside their settlements, who contribute technical skills and resources. Through organization, representation and transparency they try to maintain a level of control and ownership of the process, and ensure that it is aimed at issues and problems directly relevant to their rights, wellbeing and development.

- **By governments, local authorities and other outside organizations.** Parallel to this, organizations, institutions and some governments have also learned the value of participatory data-gathering and have been trying ways to use it for various purposes. The result has been the development of an array of innovative methods and techniques, the emergence of some very productive alliances, partnerships and collaborations, and easier access to information in participating settlements.

These new ways of gathering information in settlements have been called by various names, including "people's census", "self-survey" and "community mapping". In this book you will see all these and other names being used, but mostly we will refer to them as participatory enumeration (Box 1.3).

WHY PARTICIPATORY?

But why **participatory** enumerations? What special value does the direct involvement of those counted add to an enumerations process? What positive impact can it have? We can look at this from two points of view: the residents of informal settlements, and external organizations.

RESIDENTS OF INFORMAL SETTLEMENTS

- **Transparency and trust.** Participation can provide transparency and build trust in the exercise among local residents.

- **Improved data gathering and better data.** Once the purpose makes sense to them, local residents can more easily cooperate and provide the information required. They can have a say in the methods being used,

and can share their experience, expertise and knowledge about their own situation, in ways that can improve the quality of data obtained. They can ensure that local elites do not capture, exploit or block the process.

- **Empowerment.** Participatory enumerations also offer opportunities of self-empowerment. Residents can initiate and retain control of the process, to ensure that it speaks directly to their needs, aspirations and basic human rights. Through such initiatives they can grow in confidence and with a sense of ownership of the process, can begin to negotiate with the authorities. They can use the information to contest and correct inaccurate information and misconceptions about their settlement, and to meet specific challenges being faced such as threatened evictions or planned relocations. They can also use it as a platform for direct involvement by residents in the upgrading, development and servicing of their settlement.

Figure 1.3   A participatory enumeration involves the people themselves in gathering data

EXTERNAL ORGANIZATIONS

From the point of view of external organizations including progressive NGOs, foundations, institutes, agencies and those government officials or departments wishing to work in collaboration with communities, participatory approaches can avoid some of the shortcomings of the more conventional methods of data gathering.

- **Improved data gathering and better data.** Process design, data gathering and verification procedures can be greatly improved by directly involving the residents. The reliability and relevance of information gathered can be improved – which is particularly important when trying to unravel the complexities of land tenure challenges in informal settlements.

- **Including the disadvantaged.** Participatory enumerations can reveal information that governments, and even community members themselves, were not aware of. Through broad-based participation by residents, the actions of powerful elites within a settlement can be countered, and marginalized groups (women, tenants, seasonal contract workers, backyard dwellers, etc.) can be included in the upgrading and development processes that follow.

- **Data legitimacy and improved collaboration.** Overall public legitimacy of enumerations and related initiatives can be enhanced, as can the prospect of longer-term, multi-institutional partnerships and even co-governance arrangements between organized communities, support institutions and the relevant government.

- **Local buy-in and sustainability.** Participation can make activities and interventions more sustainable, a key issue in successful urban development. It can create building blocks for the next phases of development and going to scale through building trust between different stakeholders and transferring knowledge over time

– all necessary for ongoing and sustainable development. This can form a foundation for more appropriate, equitable and efficient land administration systems.

USES OF PARTICIPATORY ENUMERATIONS

Data on informal settlements and their residents are needed for a wide range of purposes: to enable residents to demand their rights, to improve land tenure, to plan the provision of infrastructure and services, to redevelop slums or plan to resettle people in new areas, to guide land allocation and adjudication, to use in land administration systems, and so on. Each of these uses requires data at different levels of detail or aggregation, on different subjects, and with different levels of reliability. A land administration system, for example, requires data on individual land parcels and relies on a significant level of proof (such as title deeds). An education authority, on the other hand, may need to know only the rough number of children in a given area.

These data are needed by an equally wide range of organizations: a plethora of agencies at local, city, and national government levels, as well as community organizations, non-government organizations, researchers, development agencies and the private sector. These organizations may ignore, collaborate or compete with each other, and their relationships may be based on trust or filled with suspicion.

Participatory enumerations can be used to obtain this information. Often, they are directed at a specific, concrete problem, challenge or crisis, such as an urgent need for development, a threatened eviction or a planned relocation. They can also be used as part of a broader process. Data collected for one purpose may become useful for other purposes too.

EXISTING AND NOVEL APPROACHES

Participatory enumeration is a growing practice in informal settlements in a number of countries around the world. By its nature, participatory enumeration is flexible and can be adapted to different needs and contexts. This is one of the reasons it is such an attractive and potentially effective tool for slum upgrading and programmes to improve tenure security.

Participatory enumerations as an approach was first developed and implemented mainly by **NGOs and community organizations** (see Chapter 2). These enumerations typically aim to help local residents get organized, empower them to campaign for rights such as improved tenure and services, or to resist eviction or projects imposed from outside without consultation.

Tailored to suit each situation and guided by local people's decisions, each of these enumerations is different. Nevertheless, common patterns and standard approaches have emerged, particularly for enumerations initiated by organizations such as Shack/Slum Dwellers International.

Governments and other organizations have also recognized the value of the participatory approach, and are adapting it for a growing range of other uses – some of which are listed in the previous section. Because these uses are newer, there is less experience with them and standard approaches have not yet emerged.

Community organizations and governments have very different goals and needs, and different requirements for the data gathered. The types of data and the accuracy required vary widely depending on their use: an enumeration that aims to find out how many people live in a particular slum needs different types of information, and a very different level of accuracy, from one that aims to formalize landholdings and resolve disputes between conflicting claimants. Often, community organizations feel that governments try to appropriate "their" tools and take control over

"their" processes. Governments often feel the same about community groups. The result is often mutual suspicion and conflict.

This book aims to help bridge this gap. It shows there is a large area of common interest between governments and community organizations: after all, a slum is not only an uncongenial place to live in, but also poses problems for a city administration struggling to fulfil their obligations to provide security, adequate housing and services to all its residents. Participatory enumerations offer governments, community organizations and other actors a set of tools they can use to work together to solve such problems. Governments, land professionals and academics have much to learn from NGOs and community groups. And community organizations can learn how to approach and negotiate with governments more successfully. All stakeholders need to learn how to cooperate with one other. The tools and approaches need to be adapted to suit each situation. This book shows how this has been done in a dozen countries across the world.

WHO IS THIS BOOK FOR?

This book is intended for a wide range of individuals and organizations interested in land issues. These fall into five main groups:

- **Policymakers** at various levels: national government and local authorities, as well as the managers and staff in these organizations, who are tasked with guiding, designing and implementing land-related programmes and projects.

- **Community organizations**, federations of slum dwellers, and civil society organizations that support them.

- **Land professionals** such as surveyors and lawyers who manage, contribute to, or use various types of land information or are involved in urban land management ac-

tivities such as city-wide planning, slum upgrading, service and tenure provision.

- **Development organizations**, international donors, United Nations agencies and relief organizations.

- **Researchers, consultants and academics** who study land-related issues, design new systems and advise governments and donor organizations on these issues.

WHAT IS IN THIS BOOK?

This book is about participatory enumerations and the role they can play in urban upgrading, planning and development – and in improving land tenure security for the residents of informal settlements around the world. The book looks at who undertakes participatory enumerations, and why they do so. It explains how participatory enumerations work and different ways of doing them. It identifies different reasons for doing participatory enumerations, providing a number of case studies as practical examples. It looks at advantages and disadvantages, successes and problems, and explores ways in which the approach can be developed and extended to new areas of use, such as for planning, evidence of first rights (adjudication), land administration, city-wide slum upgrading, tax and revenue generation.

This book describes existing and emerging methods and approaches to participatory enumerations, their potential contribution to urban management, land management and land information management, and the challenge of achieving sustainable urban development. This includes linking the use of participatory enumeration to using other land tools listed in Box 1.1. It aims to enhance the readers' understanding of the process, reflect the current state of the art in this broad and rapidly advancing field, and act as a source of information that others can use and adapt for their own purposes.

While the discussion focuses on urban areas in developing countries, participatory enumerations can also be used in rural areas and in the developed world. While there are many similarities, the situations in rural areas also pose a different set of conditions, so the use of enumerations in rural areas is not discussed in detail in this book.

This book is divided into five parts.

Part 1, Background, gives some background to participatory enumerations, their history and the various approaches to undertaking them. It also describes issues of land tenure and systems of land administration, which are directly relevant to most types of enumeration.

Parts 2 and 3 each contain various case studies illustrating how the enumeration was used, the challenges faced, and the outcomes. These cases are drawn from Ethiopia, Kenya, Namibia, Nigeria and Somalia in Africa, Indonesia, the Philippines, Thailand and Timor Leste in Asia, and Brazil, Chile and Peru in Latin America.

Part 2, Existing uses of participatory enumerations, describes relatively familiar approaches to using participatory enumerations (in the sense that there is a substantial amount of experience with them). It focuses on how NGOs and community organizations have used enumerations for community empowerment, resist evictions, and organize residents into savings groups.

- Chapter 3 focuses on participatory enumerations for community empowerment.

- Chapter 4 shows how enumerations can enable alternatives to eviction.

- Chapter 5 turns to the use of enumerations in relocation and resettlement.

- Chapter 6 discusses the recognition of informal rights and claims.

- Chapter 7 shows the various relationships between participatory enumerations and savings and credit schemes.

Part 3, Novel uses of participatory enumerations, turns to more experimental adaptations of the approach, led by or in partnership with government agencies. These involve not only working out how to get organizations with very different goals and methods to work together; they also mean finding ways to meld community-generated data with official, bureaucratic and legal systems.

- Chapter 8 discusses how enumerations can assist in the process of land administration.

- Chapter 9 discusses land adjudication.

- Chapter 10 focuses on clarifying and allocating land rights after conflicts.

- Chapter 11 looks at local planning and development.

- Chapter 12 describes how enumerations have been used to improve tax collection.

- Chapter 13 explores the use of participatory enumerations in city-wide slum upgrading programmes.

Part 4, Analysis and conclusions, takes a step back and analyses the questions and lessons from the previous chapters. It relates these to the literature and other experiences of participatory enumerations throughout the world, as well as to the field of land management.

Part 5, Resources, gives a list of references and further readings, a list of organizations and websites that focus on participatory enumerations, and the contact details of the contributors to this book.

HOW THIS BOOK WAS PRODUCED

The book is the outcome of two interrelated processes: a scoping study and a "writeshop".

Scoping study. The Global Land Tool Network commissioned a scoping study on the key issues related to enumeration for tenure security. This analysed the main challenges,

opportunities and gaps in conducting participatory enumerations and in using their results. It also identified capacity-building needs and advocacy materials. This scoping study was authored by Jean du Plessis. It forms the basis for Part 1 (the Background), Chapter 3 (on empowerment), and sections of Parts 4 (Analysis) and 5 (Resources).

Writeshop. The bulk of this book was drafted through an intensive, participatory workshop, or "writeshop", held from 28 September to 2 October 2009 in Naivasha, Kenya. Before the writeshop, a steering committee composed of Global Land Tool Network staff, land management specialists and NGO staff identified cases where participatory enumerations had been used for a range of purposes around the world. They asked people involved in these cases to write them up following a set of guidelines, and invited them to participate in the writeshop. Each contributor submitted his or her draft manuscript before the writeshop.

The writeshop participants included 17 participants from Africa, Asia and Latin America representing NGOs and community organizations working on participatory enumerations, land professionals, academics and government officials involved in enumerations in different capacities. They were supported by a professional writeshop team of facilitators, artists and editors from the International Institute of Rural Reconstruction, as well as UN-HABITAT staff. They are listed in the Acknowledgements on page ii, and their organizations are named on page 159.

During the writeshop itself, each contributor presented his or her manuscript to the plenary. After each presentation, the participants had an opportunity to ask questions, make comments, and critique the manuscript. The author, an editor and a resource person from UN-HABITAT took notes. This team then

rewrote the drafts, and an artist drew illustrations to depict the case. The authors then in turn presented their revised manuscripts to the plenary. The other participants again commented on and critiqued each case, and the author, resource person and editor again took notes, then incorporated the corrections into a third draft. A summary of the scoping study was also presented and discussed in the same way. The results of these revisions form the bulk of this book.

Also during the writeshop, participants formed small groups to discuss issues that had not been adequately covered in the prepared papers or that were cross-cutting. These included land information management, finance and savings, urban planning, gender, co-management, affordability, conflict, and the definitions of terms. These groups drafted text that was incorporated into the relevant parts of the book.

After the writeshop, it was necessary to collate, analyse and compress the large amount of material that had been generated, and edit it into the final form. The scoping study author (Jean du Plessis) and overall editor (Paul Mundy) drafted Part 1 and the Analysis section, while UN-HABITAT staff (Saskia Ruijsink and Clarissa Augustinus) drafted the Conclusions. Messrs Mundy and du Plessis were responsible for finalizing the book in consultation with UN-HABITAT.

Throughout the writeshop process, the initial manuscripts were revised substantially or were completely rewritten. Often ideas were integrated and/ or new ideas were generated during the process. Most of the ideas in this book are a result of this joint exercise. However, the individual participants remain the main authors of their cases; their names are printed at the end of each case.

2   HISTORY AND METHODS

THIS CHAPTER DISCUSSES the origins and history of participatory enumerations, as well as the steps followed and the types of data gathered.

PARTICIPATORY RURAL APPRAISAL

Many of the techniques used in participatory enumerations have their origins in a practice called participatory rural appraisal (PRA). This is not a single method, but rather "a growing family of approaches, methods, attitudes and behaviours to enable and empower people to share, analyse and enhance their knowledge of life and conditions, and to plan, act, monitor and reflect" (Chambers 2002, p. 3). Participatory rural appraisal is also sometimes referred to as PLA (participatory learning and action).

The aim of participatory rural appraisal is not to gather data in the conventional sense of building data sets for analysis and reporting. It is, rather, a facilitation approach, through which "communities are enabled to do their own appraisal, analysis, presentations, planning and action, to own the outcome, and to teach us, sharing their knowledge" (Chambers 2002, p. 3). Participatory rural appraisal has grown phenomenally since first developed and has been used in a variety of ways around the world. Although originally developed for use in rural areas, similar techniques have been increasingly applied in urban informal settlements as well (Davidson and Payne 2000).

Participatory rural appraisal is built on the assumption that the experience and knowledge of people are extremely valuable and should inform and guide development. Its outcome is shared information that is relevant to the local context, and insights and ideas about how to use that information for development. Given the strong emphasis on involvement and control by participating residents themselves, participatory rural appraisal can be very useful in exploring the complexities of land tenure security, which requires an understanding of a complex range of occupation, control and use rights. It can also be effective in developing strategies to deal with tenure security and development challenges.

Participatory rural appraisal activities include:

- **Discussions, interviews, investigations and research.** As with all participatory rural appraisal methods, local people conduct these themselves, with assistance from experienced facilitators.

- **Timelines and trend and change analysis.** Historical timelines are constructed using local knowledge to identify key events, changes and trends (both positive and negative) in the history of the settlement or area.

- **Maps and models.** Participants draw maps and build models to show landmarks, features, services, boundaries, linkages, etc., they regard as important.

- **Local analysis of secondary sources.** The analysis draws on and compares official maps, diagrams, statistics and tenure records with people's experiences and local knowledge.

- **Institutional diagramming.** Individual, group and institutional relationships are discussed, analysed and represented on diagrams. These can be very useful for representing tenure relationships.

- **Listing, matrix scoring and ranking.** These develop a shared understanding of the settlement, its residents and its priority tasks and challenges.

- **Development of locally relevant indicators.** These are used to track progress over time.

- **Shared presentations, analysis, discussions.** Teams of participants may work on individual aspects of a participatory rural appraisal, then present their results and discuss them with the members of other teams and the community as a whole.
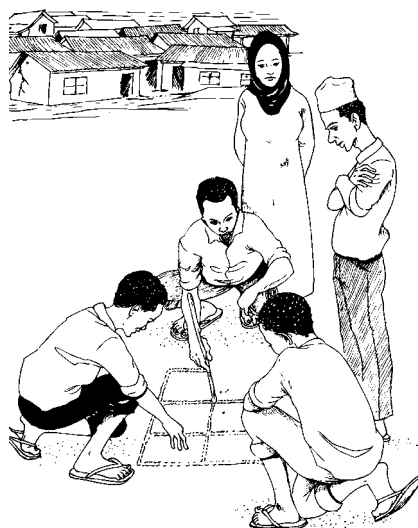
Figure 2.1   Many of the approaches in participatory enumerations are borrowed from participatory rural appraisal

COMMUNITY MAPPING

Community mapping is another technique that is directly related to and often used as part of a participatory enumeration. An outgrowth and extension of participatory rural appraisal, community mapping is an exercise undertaken by and for residents themselves. It includes a range of activities such as sketch-map projects (hand-drawn maps showing community information on specific issues or themes) to cartographic projects (accurate to-scale area, township or village maps). Community maps are compiled through participatory methods, where necessary making use of advanced technologies (Huairou Commission 2007, WaterAid 2005, Kanyara et al. 2009).

The maps produced serve as the basis for action on priority issues. For example, publicly displaying community maps is an important way to verify the results of an enumeration. Community mapping can play a crucial role in tenure security projects. In the 1990s in Phnom Penh, Cambodia, for example, city surveyors could not finish their map of a particularly poor slum called Basaac: they were

unfamiliar with the intricate maze of houses and streets. The residents, however, knew the alleys in detail and could map it with surprising accuracy. With community participation the mapping was successfully completed. Innovative mapping and verification methods produced information that would otherwise not have been readily available (MIT 2009).

The objective of community mapping is not simply to produce useful maps. The mapping process is itself transformative: knowledge is shared, viewpoints are debated, ideas and strategies for action often emerge, and people shape the mapping process itself.

In a number of cases women have played a central role in community mapping. This can have important benefits. According to the Huairou Commission:

> Community mapping places women at the centre of the process of documenting their own communities. Community mapping allows grassroots women to assess and record the community's needs and assets and to imagine new solutions to the issues they are facing (Huairou Commission 2007, p. 3).

Community mapping techniques include:

- **Community survey.** This is the most common method of community mapping. It can help reveal the conditions of the community at large.

- **Map drawing.** This shows where people in the community are affected by certain issues and can help draw conclusions about why these areas are affected.

- **Focus group discussions.** These show how a particular group understands a situation and the role that they see themselves and others playing in relation to the issue.

- **Interviews.** These reveal more details about how and why problems exist in the community based on the experiences of different residents (Huairou Commission 2007, p. 11).

ENUMERATIONS TO FIGHT EVICTIONS: *WE, THE INVISIBLE*

One of the earliest examples of an enumeration of informal settlements was the "people's census" of pavement dwellers in Bombay (Mumbai), India. A description of this was published in 1985 as *We, the invisible – a census of pavement dwellers*. This enumeration was initiated and jointly organized by the Society for Promotion of Area Resource Centres (SPARC) and the Society for Participatory Research in Asia (PRIA), in response to a striking paradox:

> It is a paradox that pavement dwellers are highly **visible** on the one hand – no one in the city of Bombay can have failed to see them – but virtually **invisible** on the other. We see them only as festering sores which ruin the appearance of this allegedly "fair" city, but they are invisible as human beings who have a history, a story to tell and a future to build, just like ourselves (SPARC and PRIA 1988, p. 4).

In the course of the enumeration process, meetings were held involving pavement dwellers to discuss and debate issues such why the

> "It is a paradox that pavement dwellers are highly **visible** on the one hand... but virtually **invisible** on the other"
>
> *– Society for Promotion of Area Resource Centres and the Society for Participatory Research in Asia (SPARC and PRIA 1988)*

census was important and how the information was to be used. People were kept informed at all stages of the process. The census questionnaires used were explained to people in order to clear up any fears and suspicions. Each area received a copy of their data and a version of the report in their own language. The aim was to use the gathered information to dispel various negative myths about the pavement dwellers and in so doing for them to achieve "legitimate" visibility. They were convinced that the information would force the hand of the authorities to recognize the pavement dwellers and "somehow stave off the demolition of their homes" (SPARC and PRIA 1988).

We, the invisible was a powerful statement against eviction and for recognition of the rights of many thousands of pavement families. It helped prevent the demolition of the homes of many thousands of people. Moreover, the process had a profound effect on the community:

> The most significant [impact] was on the communities themselves, which now began to see themselves as a group with common needs and aspirations and began to explore the possibilities of organizing themselves. They no longer saw themselves as "alone"; the empowerment that results from such an exercise needs to be stressed. They began to understand the politics of cities: if you are not counted then you are invisible and cannot ask for your entitlements (Patel 2001, p. 45).

FROM TRANSPARENT TO PARTICIPATORY

The *We, the invisible* enumeration was "transparent" rather than "participatory": all of the data were made available to the people who were surveyed, but the enumeration itself was conducted by a group of outsiders who were concerned about the situation of the pavement dwellers, rather than by the pavement dwellers themselves.

There have since been many other cases of residents "standing up to be counted" (see Box 2.1 for a description of one). They are not always comprehensive or extensive, nor do they follow any uniform procedures. But all are part of a painstaking process of building identity and cohesion on the basis of which residents can more confidently face their challenges and relate to officialdom.

These enumerations have become more and more participatory in nature. The level of participation by local residents varies from case to case. Some are internally driven, with little or no outside assistance: the initial impetus for the enumeration, mobilizing people to

support the activity, decisions on what data to collect, organizing and implementing the data gathering, data analysis, and using the data afterwards to press for change.

In other instances, there is substantial input from support organizations, which may (for example) give an initial impetus for an enumeration, provide training or help residents organize the enumeration or advocacy work using the data.

Two organizations that currently support participatory enumerations are the Committee for the Right to Housing in Mumbai, and Shack/Slum Dwellers International, a worldwide NGO. The following two sections describe their approaches.

COMMITTEE FOR THE RIGHT TO HOUSING

In response to a growing need for support to those who wish to undertake enumerations, a Mumbai-based housing rights organization, the Committee for the Right to Housing, produced a *Guide to community enumeration*

BOX 2.1 PEOPLE'S RESPONSIBLE ORGANISATION FOR A UNITED DHARAVI

Another Mumbai example is the "self-enumeration" practices of the People's Responsible Organisation for a United Dharavi (PROUD). These have been described as "a mode of self-reproduction for people in Dharavi, creating an identity that transcends the existing division of religion and caste, even if only for a limited purpose". Through self-enumerations an unrecognized, "invisible" group tries to achieve recognition and visibility:

> The population produced by means of the survey becomes the documentary proof of the existence of a collective that can speak back to the bureaucracy in its own language.

These enumerations are seen as an ongoing activity. As a PROUD community organizer put it, in 1991:

> We have to know our public, it is changing all the time. But also we have to keep reminding people that they are the public that we are working for. By conducting surveys from time to time we remind people that they must stand with us and we must work together to fight for our rights.
>
> *– Chatterji 2005*

(CRH 2009). The highlights the role of awareness and knowledge creation in the establishment of identity and common purpose in spite of difference:

> A participatory assessment by community members contributes to uncover the real situation of slum households; generates unity and identity through the discovery of common needs; and discerns group sub-divisions by the recognition of differences. Awareness leads to reflection, and consequently, to knowledge creation among slum dwellers. Discovery and understanding of who they are, and what are their problems and expectations helps them to develop mechanisms to search for solutions and alternatives to these issues (CRH 2009, p. 4).

Such growing awareness and knowledge can form the basis of action:

> Enumeration can put communities in a better position to demand their rights. The data collected by the community can help to asses the resources available in the area and identify different needs that exist. It can be used to gain accountability in negotiations over resource allocation with external actors and formal institutions. The process of enumeration can help to identify gaps and inaccuracies in previous data collections. Enumeration can also help create consensus among community members and position them as active participants instead of passive beneficiaries in the process of change (CRH 2009, p. 3).

The Committee for the Right to Housing's guide stresses the importance of community control and collective decision making in the process of planning and undertaking participatory enumerations. Similar to the Huairou Commission's community mapping handbook (Huairou Commission 2007), it also emphasizes the pivotal role played by women:

> Women are encouraged to lead to the enumeration process, although men are not excluded. Thus, while community members are enumerating, they are also mobilizing women into mutual-aid and consciousness-raising groups. These groups can be formed and networked to spread information and awareness among slum residents (CRH 2009, p. 3).

Box 2.2 lists the steps proposed by this guide for participatory enumerations.

BOX 2.2   ENUMERATION STEPS SUGGESTED BY THE COMMITTEE FOR THE RIGHT TO HOUSING, INDIA

1   **Community planning meeting.** A meeting and discussion is arranged to share the purpose and objectives of enumeration with the whole community and initiate dialogue and participation between all parties. This should be a public meeting, welcoming to everyone, and should be well advertised in advance.

2   **Community rough mapping.** To enumerate well, you will need a rough idea of what your area is like. Rough mapping is a process which records a community's, geographic, social and economic features. It can also be a useful tool to identify specific issues that affect a community.

3   **Enumeration team selection meeting.** The next step is to allocate enumeration teams for each area. Think also about the size of the area to be covered and what size team will realistically be needed to cover it. The team should be representative of the community or area that is to be enumerated. Ideally people from each area (section, street, block, etc) will volunteer.

Continued...

BOX 2.2 (CONTINUED)

4   **Planning and training.** The next stage is to plan for the enumeration. To do this the volunteer team needs to come together to think about the best way to do it discussing, what is to be enumerated and the challenges that data collection will raise. For example if you are conducting a socioeconomic survey you will need to plan to carry out your survey at a time when the main earner is present.

5   **Questionnaire/survey design.** Ideally the enumeration and area teams should come together to design the questionnaires that will be part of the enumeration process. For the socioeconomic aspects of the enumeration, questionnaires are a good tool to use as a straightforward way to gather and record information in a standardized format. After the rough mapping the working group should identify key areas where quantitative data would be useful.

6   **Launch.** Once everything is ready, the enumeration can be launched at a public meeting where the results of the rough mapping can be shared and a detailed plan and a schedule for the enumeration can be arranged. If it helps, and the community think it necessary, local community leaders (if not involved), ministers politicians, and police can be invited. Of course, they don't need to be invited.

7   **Survey.** The enumeration team(s) go house to house with the questionnaires and measuring plots and house sizes. They will need pens, booklets, questionnaires, tape measure and chalk to do this. They will also need to introduce themselves to senior members of the household and explain what they enumeration and the survey is about.

8   **Verification.** Once collected, data should be checked for standardiza-tion and any errors or omissions. The completed survey forms can be checked at an enumeration and area team meeting and community members can assess and compile the data. Incomplete or disputed information may need to be recollected.

9   **Group discussions.** Ideally the information gathered will be shared back with the areas and the whole community at public meetings and smaller group discussions which should be inclusive of all people, women, children and the elderly for example. The meetings form a platform for learning and teaching the process of enumeration. They also allow people to discuss the issues they face, considering root causes and proposing possible solutions.

10 **Creation of public awareness and public opinion.** Enumeration findings should then be shared with the wider public, NGOs, media, and policy makers in order to focus attention on issues facing the area.

11 **Report preparation.** A detailed documentation of the enumeration findings (graphs, charts and narratives) may be prepared and shared with the community. The consolidated data can be used by the settlement in future negotiations and demands for resources and recognition of rights.

12 **Analysis of lessons.** Once the enumeration process is complete it will be helpful for the team involved, and the wider community, to consider what has been learned from the process. This evaluation can be recorded and used if the process is repeated or shared with other communities. The implementation of the action plan should also be monitored and evaluated.

– Summarized from Committee for the Right to Housing (CRH 2009), pp. 5–9.

SHACK/SLUM DWELLERS INTERNATIONAL

Shack/Slum Dwellers International (SDI) is a transnational network of associations of people who live informal settlements. The newtork and its affiliated federations of slum dwellers use participatory enumerations as one of an interlinked set of procedures, which they refer to as "rituals" (Box 2.3).

Shack/Slum Dwellers International sees enumerations as a way its affiliated federations of slum dwellers can develop detailed information about their communities, which they can then use to broker deals with formal institutions. It invariably uses enumerations in combination with the other "rituals", in particular in establishing savings and credit schemes. The enumerations are usually implemented by agreement and in partnership with government institutions. With some accommodation for local variations, these enumerations contain a set of common procedures (Box 2.4).

Affiliates of the network have been involved in many enumerations worldwide for a range of purposes and sometimes on a large scale. These include enumerations conducted as part of *in-situ* slum upgrading programmes (e.g., Kisumu, Kenya: Huchzermeyer 2008 p. 54) enumerations as part of the implementation of large-scale resettlement projects (e.g., Mumbai railway settlements: Patel et al. 2002), and enumerations aimed at averting threatened eviction (e.g., Deep Sea settlement in Kenya: Weru 2004). In addition to settlement-level enumerations, scaled-up enumeration projects have also been undertaken by network affiliates, for example metropolitan informal settlement profiles. These reports list basic information on hundreds of informal settlements, about one page per settlement, and the data gathering process is presented in SDI enumeration terminology: "people-driven data gathering project", "the primary actors and data collectors in this project have been the communities themselves" and "grassroots enumerators", "participatory research" (COURC 2005 pp. 10–14, COURC 2006b p. 7). Case studies detailing some of these enumerations will be discussed in later chapters.

STEPS IN PARTICIPATORY ENUMERATIONS

There is no single methodology or procedure followed in participatory enumerations. How an enumeration is designed and implemented depends on many factors, both internal and external to the particular settlement to be enumerated. Whether the enumeration is successful, and the impact it will have, depends on taking these factors into account in the enumeration exercise.

While every participatory enumeration is unique, it **is** possible to identify a generic set of steps that are common to most. The order of these steps may vary from situation to situation, and some of them may occur simultaneously, in combination, or repeated. Some of these steps will be familiar to anyone who has done a top-down survey; others are unique to participatory enumerations.

BOX 2.3   SDI'S ORGANIZATIONAL "RITUALS"

Shack/Slum Dwellers International (SDI) uses a range of approaches that it calls "rituals":

- Enumeration
- Establishment of savings and credit schemes
- Surveying of vacant land
- Settlement planning
- House model exhibitions
- Building networks via community exchanges.

BOX 2.4   THE ENUMERATION PROCESS OF SHACK/SLUM DWELLERS INTERNATIONAL

1   A local enumeration team is se-
lected. Ideally this is made up of
city Federation leaders, members of
the community to be surveyed, rep-
resentatives of the local authority,
members of a local college or uni-
versity and NGO support profession-
als with experience in enumeration
and mobilization.

2   National and international Federa-
tion members will be informed of
the pending enumeration and be
requested to participate at certain
key moments.

3   The enumeration team will meet
with local community leaders and
city officials to complete a slum or
settlement profile. This profile will
give a general sense of the kind of
issues that need to be tackled by the
enumeration process.

4   The enumeration team will work
with the local community organiza-
tions to divide the settlement into
manageable sections.

5   Survey forms will be prepared. Sta-
tionery will be provided.

6   A date for the launch of the enu-
meration will be set (usually on a
weekend). Dignitaries will be invited
to the launch as will delegates from
the national Federation and from
other Federations in Africa, Asia or
Latin America (if warranted).

7   A test survey will be conducted one
week before the launch in a sample
section of the settlement (about 50–
100) shacks. This will follow every
step to be taken by the bigger enu-
meration (see below) and will be
used to build the local, community-
based enumeration team.

8   A community mapping exercise will
begin 3 days before the opening cer-
emony. It will focus at the very least
on the first section of the settlement
to be enumerated.

9   A brief opening ceremony will be
prepared – normally for the Friday
evening. At such a ceremony a minis-
ter or a mayor will provide an open-
ing address. Local actors like the
community leader, the ward coun-
cillor, the local police commissioner,
etc., will also be asked to speak. En-
tertainment will be prepared – usu-
ally community performances – at a
central venue which will become the
HQ for the enumeration for its dura-
tion.

10   The local committees will mobilize
the community members to attend
the opening event. They will also
inform them about the coming enu-
meration – either verbally or with
leaflets.

11   During the evening opening event
the plans for the enumeration will
be explained publicly to the commu-
nity. The enumeration teams will re-
port back on the results of the trial
enumeration and the community
map will be displayed.

12   On Saturday morning teams of enu-
merators will take questionnaires,
chalk or paint, pencils, booklets and
tape measures. They will proceed
from shack to shack in the desig-
nated area(s). They will number and
measure every structure and get the
household heads to fill out the sur-
vey form.

Continued...

BOX 2.4 (CONTINUED)

13   Information will be conveyed to the central point where an additional team will check the forms and the measurements, begin to compile the data on a spreadsheet and return incomplete or suspect forms to the enumerators to be re-done.

14   This exercise will continue all day. In the morning the national and city based enumeration experts in the Federation will conduct the surveys but as the morning progresses, they will supervise new local members of the team as they fill in the forms, and number and measure the houses.

15   As they go along they will encourage community members to gather at the centre (or at a public open space) on Sunday afternoon.

16   On Sunday morning the enumeration, shack counting, measuring and mapping exercises will continue.

17   After lunch the people will begin to gather and Federation leaders will take the community through a cloth-house modelling exhibition (a full-size model house made of wood and cloth to show residents what a rebuilt house might look like). Community members will help design the house they would like to build. People will be encouraged to make drawings and cardboard models of their "dream houses".

18   At the same time Federation leaders will mobilize women (and men who might be interested) into a section-based savings scheme, starting the scheme there and then, electing treasurers and showing them how records are kept.

19   In the late afternoon there can be another community mass meeting to report back on the weekend's events. The guests from other parts of the country and from other international federations will depart in the evening or the following morning.

20   From the Monday onwards the local enumeration team will take over the task until all shacks have been surveyed. They will get daily support from the city Federation and from the designated professional enumeration support person, fortnightly support from the national Federation, and regular visits from international Federation members to revitalize and re-focus the process.

21   As each section is completed the crunched numbers will be computerized and detailed documentation, providing all the raw data plus graphs and charts and brief narratives will be prepared by the professional support organization and reported back to the section, the community organizations, the city officials and other relevant stakeholders.

22   The Federation leadership and the professional support organization will supplement this with in-depth interviews of community members and targeted video recordings of the process.

– Joel Bolnick, Shack/Slum Dwellers International, 2009

Various organizations that conduct participatory enumerations have their own general set of procedures, which more or less follow these steps. The steps are as follows.

Initiative

1 Decision to undertake the enumeration. This may be in response to a crisis (such as an impending eviction), or part of a longer-term activity (such as planning for slum upgrading). It is important to define clearly why the enumeration is undertaken, as this will guide all the following steps.

Preparation

2 Building of trust and laying the foundation for participation between the parties. If outside organizations are involved (NGOs, a development project or the government), they will need to build trust among the local residents, as well as among one other. If no outsiders are involved, the local initiators may still need to gain the confidence of other residents in order to include a spectrum of interest groups and constituencies.

3 Planning and establishing who will do what. Enumerations have to be systematic in order to gather credible data. It is necessary to decide on tasks and allocate responsibility to organizations and individuals.

4 Finding resources. Even the simplest enumeration costs money: for stationery, training, refreshments, analysis, compensation, reporting, and so on. Resources (including time and effort as well as money, material resources and skills) may come from individuals or organizations within the community itself, donor organizations, NGOs or the government.

5 Putting together and training an implementation team. Typically, the process is steered by a small core group, which trains and manages a larger number of enumerators who go from door to door to gather information. These enumerators need training on the purpose of the enumeration, as well as techniques such as measurement, interviewing and recording responses.

6 Informing and mobilizing the community. Residents are often suspicious of people coming round and asking questions – especially about sensitive issues such as income, family arrangements and tenure. It is necessary to ensure that they are aware that the enumeration is to take place, its purpose, how the information will be used, as well as issues such as privacy.

7 Gathering secondary information. This includes background materials, other data sources, maps, aerial photos, etc. It can be used to guide data gathering or as a basis for comparison (for example, to contrast official figures with those gathered through the enumeration).

8 Designing enumeration instruments and procedures. This involves designing and pretesting the questionnaire, developing interviewing procedures, and designing mapping exercises, while using the overall objective of the enumeration as a reference. It also means dividing the area to be surveyed up into manageable areas that one person or a small team of enumerators can cover within the time allocated.

9 Obtaining materials and equipment. These may be as simple as paper, pencils and chalk, or they may include more sophisticated items: surveying equipment, global positioning systems (GPS), personal digital assistants (PDAs), computers and printers. For the electronic equipment the right software is necessary: digital maps, geographical information systems (GIS), spreadsheets, databases, etc., and operators need to know how to use them.

Implementation

10 Conducting the enumeration. Depending on the nature and scale of the enumeration, this may take one day, several days, or a more extended period. It involves deploying the teams of enumerators to each of the designated survey areas.

Reporting and analysis

11 Capturing the data. This means transferring the data from the original paper forms (or personal digital assistants or maps) into a computer – usually into a spreadsheet program.

12 Verifying the data. In any data-collection process, errors occur. Respondents may be absent, not have the correct information at hand, decline to answer certain questions, or deliberately mislead the interviewers. Enumerators may fill in forms wrongly or mislay papers. It is necessary to check the data for validity, triangulating responses where possible to other data sources (such as other questions in the questionnaire), and where possible to go back to collect missing items. Public display, presentations and discussion of preliminary findings is often a useful verification step.

13 Analysis. Once the dataset is reasonably free of errors, analysis analysis can commence. This can take many forms. It may consist of calculating simple totals (e.g., number of residents) or averages (e.g., mean number of people per household). It may also include tabulating data to reveal relationships of interest (tenure status of female-headed households, for example), or more sophisticated statistical analysis. It may also consist of public discussion of the implications of findings.

Application

14 Reporting. Reporting means converting the analysis into a form that can be used: reports, maps, posters, graphics, and so on. Participatory enumerations typically have at least two intended audiences – the residents themselves, and the local government – so it may be necessary to prepare the information in different formats to suit each audience.

15 Using the information. Information from participatory enumerations may be used in many different ways. These range from use by community organizations to press for rights or to advocate a change in policy, to use by government to plan resettlement or upgrade infrastructure. Many of these uses are reflected in the cases later in this book.

16 Storing and accessing the information. Some participatory enumerations are one-off activities, aiming to gather data for an immediate need. Others aim to gather information that will be needed for an extended period – e.g., for land administration records. That means it is important to be able to store this information over time and access it as required. Issues such as ownership (who owns and controls the data?), security (are the data safe?) and access (who is allowed to see it?) are important at this stage.

17 Updating the information. Like food, information is perishable – it has only a limited shelf-life before it is outdated. This is especially true in informal settlements, where people move frequently, and tenure situations may change rapidly. The data may be updated either through periodic follow-up enumerations (similar to the official census approach), or through a system where records are updated as they change (e.g., when someone buys or sells a property, similar to the official land records system). Updating of data can also allow comparison over time, and trends analysis.

TYPES OF DATA GATHERED

What sorts of data should a participatory enumeration gather? This depends largely on the purpose of the enumeration and the amount of resources available.

Population or sample? Is it necessary to try to measure the whole population in the area, or will a sample suffice? In some instances it is necessary to gather information about everyone in the settlement – for example, if the purpose is to reallocate land to residents. In such a situation, omitting someone from the enumeration would mean they would not receive a parcel of land. In practice, it may be difficult, time-consuming and expensive to gather information about everyone: people are out when the enumerators call, or they may refuse to answer questions.

In other situations, it is enough to take a representative sample of residents, then to extrapolate from that to the whole population. An example of this is if approximate numbers are needed – when trying to resist a threatened eviction, for example, or to profile a settlement. It is cheaper and easier to survey a sample than the whole population, but it is important to choose the sample carefully to ensure it is representative.

Units of analysis. Should the enumeration gather infromation on individuals, households, land plots, or areas? This is in part a question of **scale**. Most enumerations gather information about **households**: number of members, income sources, tenure status, and so on. Such information can be aggregated to give a picture of the settlement as a whole.

Sometimes it is necessary to gather information about **individuals** within households. This is particularly important to ensure that the interests of women are represented (they tend to be invisible if the male head of the household answers all the questions).

Some enumerations focus on **land plots** as the unit of analysis. They attempt to delineate each of the plots of land in the area, then determine who has what ownership and other rights over it.

Finally, the **settlement as a whole** may be treated as a unit. Features such as the location of water points or the number of schools and clinics are characteristics of the settlement.

Spatial referencing. GPS equipment and GIS software have made spatial referencing cheaper and easier than it once was, but gathering and managing this information is still a major task.

Some types of data, such as land ownership claims, have to be matched against accurate maps of the area, and perhaps surveyed carefully on the ground. For a land administration system, for example, it may be necessary to mark the **boundaries** of each plot of land on a map, along with information such as ownership claims. This can be done by "vectorizing" (tracing the outline of) property from aerial photos, or by using GPS equipment to mark the boundaries on the ground.

For other purposes, less detailed spatial information is required. It is enough to identify a particular property by an **address** or as a **point on a map**, but not necessary to mark its boundaries.

For many purposes, **no spatial referencing** is necessary. In a campaign for adequate resettlement of people displaced by a new road, for example, it is not necessary to mark the existing houses on a map; it is more important to gather information on the number and ages of residents, their workplaces, etc., in order to plan the new settlement appropriately.

Data variables. The types of data gathered also depend on the purpose of the enumeration. As an example, Table 2.1 lists variables that may be useful for strengthening a community's negotiating position to improve their land tenure. Enumerations intended for other purposes will gather some of the same information, but will also select variables appropriate for their own needs.

TABLE 2.1   VARIABLES USEFUL FOR STRENGTHENING
NEGOTIATING POSITIONS ON LAND TENURE

Category	Variables
Basic household profile	Number of family members
	Age of household members
	Gender of household members
	Educational levels of school age children
	Educational attainments of adult household members
	Civil status of household heads
	Length of residency in the community
	Tenure status (house owners, renters, sharers, etc.)
	Type of structure (concrete, semi-concrete, wood, other light materials)
Physical profile	Size of plot
	Location of plot
	Size of housing
	Number of rooms
	Quality and building material of housing
	Number of persons in the house
	Connection to services and infrastructure (water and sanitation, electricity)
Social profile	Province where household comes from
	Ethnicity
	Religious affiliation
	Relatives in the community
	Access to or sources of basic services
Economic profile	Occupation, employment
	Type of work (regular, contractual, seasonal, etc.)
	Primary income source
	Other income sources
	Amount of monthly income
	Major household expenses (as percentage of monthly income)
	Access to sources of credit/lending facility or institutions (government and private)
Organizational affiliation	Membership in community organization
	Position in the organization
	Length of membership in the organization
Perceptions or positions on community issues	Knowledge/understanding of issues affecting the community
	Opinions on issues affecting the community
	Position/s on the issue/s affecting the community
	Recommendations to address community issues

Source: Adapted from original paper by Felomina Duka, DAMPA/ Huairou Commission.

WHO IMPLEMENTS?

Participatory enumerations have been instigated and implemented by a range of organizations.

- Most participatory enumerations are initiated by **non-government organizations and community groups** that operate in informal settlements (such as Shack/Slum Dwellers International). These organizations have gained a good deal of experience in managing and running enumerations, and in using the results to press for policy changes. Where they do not play a leading role, such organizations often facilitate or support enumerations carried out by others. Many of these enumerations are conducted in response to some impending problem, such as a threatened eviction.

- A number of enumerations are initiated by **development projects or international agencies** (such as UN-HABITAT). These enumerations are often done in response to a disaster (such as to allocate land after a conflict or natural disaster), or have a specific aim in mind, such as improving tax collection or redesigning the land records system. They may or may not be designed and implemented with full cooperation of the government.

- Other enumerations are initiated by **national or local governments**. These may be driven by other government-led initiatives – such as redevelopment projects or attempts to resettle residents in safer or more salubrious surroundings.

- An increasing number of participatory enumerations are implemented by **partnerships** of two or more of these groups. A development project, for example, may partner with an NGO or community organization to implement an enumeration; or an NGO may persuade a government agency to work with it.

The cases in Parts 2 and 3 of this book reflect all of these patterns.

Part 2

Existing uses of participatory enumerations

3   ENUMERATIONS FOR COMMUNITY EMPOWERMENT

EMPOWERMENT MEANS EXPANDING the capacity and capability of the poor to participate in, negotiate with, influence, control, and hold accountable institutions that affect their lives (Narayan 2002). Empowerment includes efforts by local people themselves to initiate change, as well as activities by outside organizations to enable them to do so.

Participatory enumerations foster empowerment in various ways:

- **They generate information that residents can use.** Information is power. The poor need to be able to describe their situation, tell others about it, and convince them that it needs to be changed. The poor can generally describe their own situation in qualitative terms, but governments need statistical data. Participatory enumerations give residents such data, which officials can understand and find credible. They also allow residents to glimpse the sort of information that governments need, so help them articulate their demands better.

- **They help people get organized.** Participatory enumerations help residents unite around issues, get organized, try to overcome divisions, identify leaders, build confidence, and get lots of people in the community involved. As part of an organized group with a coherent message, they have more chance of making their voices heard than as a disparate set of individuals. This is particularly important when residents organize around a particular issue, such as a threatened eviction.

- **They can measure progress.** They are a good way for residents to assess the current situation, set targets, and measure progress (or lack thereof). They can provide a baseline that makes it is easier to see if the situation has improved or deteriorated.

CONTEXT

The nature and use of a participatory enumeration depend on the context. In some situations, the authorities may be **hostile** to residents of informal settlements, and empowerment efforts may be in opposition to the government. NGOs and community organizations can use the enumeration to organize residents around an issue, and use the results to press the government to listen to their opinions.

Where the government is broadly **supportive** of people's aspirations, empowerment may lead to collaboration rather than confrontation between residents and the government. It enables residents to improve their communities through active involvement in decision making and project implementation. It replaces a "do for" or "do to" approach to governing by implementing a "do with" model.

That means people and government working together to make life better. It involves more people being able to influence decisions about their communities, and more people taking responsibility for tackling local problems, rather than expecting others to do it for them. The idea is that government cannot solve everything by itself, and nor can the community: it is therefore better to work together.

STANDING UP TO BE COUNTED

Residents of informal settlements face a dilemma in how to interact with the world of officialdom. On one hand, they are often fearful of being identified, counted and numbered. This is because of their informal land tenure status, and often also because of poverty and the inability of many residents to pay rates, taxes and other service charges. This fear of being noticed is particularly prevalent in unsympathetic or openly hostile political situations, where the official position is that people living in such settlements are illegal and should be removed.

The other side of the dilemma is the residents' need to be acknowledged and recognized as dignified human beings, agents in their own development, and the holders of basic human rights. During research in Kibera, Nairobi, for his book *Shadow cities*, Robert Neuwirth observed how:

> In each dark house I visited, people were desperate to convince me that they were substantial. They showed me faded, chewed-up photo albums. They showed me their high school diplomas: papers that had been fingered and folded and unfolded so many times that they were held together by threads. They showed me things that proved they were people to be reckoned with (Neuwirth 2004 p. 70).

Documentation and records can have powerful significance in the struggle for legitimate visibility. This significance gains in impact when used together by groups of residents in their dealings with officials and government institutions. For example in Karachi, Pakistan, about 20,000 families facing eviction and relocation due to plans to upgrade and expand the Karachi Circular Railway have organized themselves as the Network of Railway Colonies. This network has, with the assistance of two NGOs (the Orangi Pilot Project–Research and Training Institute (OPP-RTI) and the Urban Resource Centre (URC)), greatly benefited from conducting surveys, recording the histories and drawing up case studies of

"In each dark house I visited, people were desperate to convince me that they were substantial"

– Neuwirth 2004

the people affected. Collection of documentation played a key role in this process:

> The leadership and individual household carefully guard all documents related to utility connections and payments made for them. They see these as security and use them in regularization negotiations (Hasan 2009 p. 340).

It was observed that:

> Communities that possess documentation for their settlements and have an understanding of laws and procedures are better placed to enter into dialogue and negotiate with government agencies. Documentation that makes a difference includes that concerning water supply and sanitation systems, schools, clinics and businesses (Hasan 2009 p. 342).

As one of the community activists involved in these processes remarked: "We are preparing the identity card of the settlement" (Hasan 2009 p. 343).

The process of conducting people's surveys brings together existing information, both oral and documentary, and in the process generates and stores new forms of documentation. This can be used by residents of informal settlements and their support organizations as part of a struggle for recognition, respect and development support. In this way, "standing up to be counted" becomes a powerful response to poverty, exclusion and chronic insecurity of tenure.

CASES IN THIS CHAPTER

The cases in this chapter each describe situations where NGOs and community organizations have used participatory enumerations to empower residents of informal settlements. They increased the ability of the community to make their views heard, strengthened their negotiating position vis-à-vis the government or wealthier neighbours, persuaded the government to change a policy or plans, prevented or reversed evictions, or found compromises acceptable to all sides in a dispute.

- In the first case, an NGO and a community organization in Abuja, **Nigeria**, organized an enumeration to combat the threat of evictions, to gain a voice in the city planning process, and to organize residents to take initiatives to overcome their problems.

- The second case, from Bulacan in the **Philippines**, describes how residents in an informal settlement used an enumeration to oppose attempts by a nearby middle-class neighbourhood to evict them.

- In many countries, land laws do not offer the necessary protections, or if they do they are not enforced fully. The poor are often vulnerable as they are not in the position to claim their land rights, or are not aware of them. Local customs may disadvantage the poor – especially widows and orphans, whose numbers are rising as a result of HIV and AIDS. The third case, from **Kenya**, describes how local "watchdog groups" use information from enumerations to prevent widows and orphans being evicted from their homes by unscrupulous relatives, so ensuring that the law is enforced. They use participatory enumeration to gather data on who is vulnerable to eviction and to strengthen their legal arguments.

> "Enumeration can put communities in a better position to demand their rights"
>
> *– Committee for the Right to Housing (CRH 2009)*

ENUMERATIONS FOR COMMUNITY EMPOWERMENT IN ABUJA, NIGERIA

The Women Environmental Programme (WEP) had been working on community empowerment in several communities in Abuja, the Nigerian capital, since 2003. It had trained local residents on organizational management, financial management, bookkeeping, leadership, and networking, and helped them set up a savings scheme. But in 2005, the Federal Capital Development Authority started a massive programme to evict thousands of residents of informal settlements that did not conform to the Abuja master plan. The residents were given 24 hours' notice of eviction: the next day, the bulldozers rolled in. The Women Environmental Programme estimated that 800,000 people were evicted (of an estimated 6 million people in the city). Many of the displaced people fled to churches and other places in the city; the Programme office was overwhelmed by homeless people.

Beginning in the same year, several Programme staff and people from six of the communities (Dutse, Gosa, Karu, Lugbe, Mpape, Sabon-Lugbe, Sauka) visited Shack/Slum Dwellers International in South Africa, India and Ghana with support from Misereor, a German funding agency, to learn how to engage with the government. As a result, the Programme and a coalition of other organizations began

campaigning to stop evictions in Abuja. This included writing letters to government departments, an internet-based campaign to gather international support, street protests, lobbying of government officials from the President down, and a media campaign.

In 2007, people from the six communities formed an organization called the Federation of Urban Poor, or FEDUP for short. This organization enables community members to work out how to improve their lives and engage with the government.

One of the things that the Women Environmental Programme and the Federation learned from the visits to other countries was the value of information about where they lived. They decided that they needed to gather information about the community for a variety of reasons:

- **In case of future evictions.** They wanted information on landowners and tenants to use in resisting evictions or to demand compensation.

- **To have a say in planning.** They wanted information to integrate in implementing the Abuja master plan so they could work with the government and the private sector in developing the communities in the interests of local people.

- **To empower the community.** They knew that gathering information about the community in itself would be an empowering process: it would make local people aware of their strengths, realize their weaknesses, and mobilize to overcome them.

In May 2009, members of the Women Environmental Programme and the Federation of Urban Poor met with community leaders and other residents to decide how to do the enumeration. They decided to sample every third house in each of the six communities. With assistance from UN-HABITAT, they designed a questionnaire and pretested it with 20 households in each community. This questionnaire

was then revised. The result was a three-page questionnaire with about 40 questions on personal details (the number of people in each household, the names, tribe, marital status and number of wives and children), employment and income, land ownership or rental status (whether the occupiers had been evicted previously, and whether they owned or rented the house, the level of rent per year, whether the occupier has a legal right or certificate of occupancy), the house itself (number of rooms, type of building), infrastructure (electricity, water, sanitation) and services such as schooling and health facilities. The questionnaire also included qualitative questions about issues such as why people were living where they were.

The Women Environmental Programme trained ten educated residents in each of the six communities on how to administer the survey. The survey was announced through local meetings, via the chiefs and their councillors, and through churches and mosques. The enumerators then gathered the data, either by interviewing residents of every third house, or by leaving the questionnaire with the resident and picking it up later. Data gathering took seven days. One thousand households in each community were surveyed.

The enumerators brought the completed questionnaires back to the Programme office, where they coded the data and entered it into a computer using the SPSS statistical analysis program. Six of the enumerators, who had received special training, then analysed the data. They calculated statistics such as the total numbers of residents, men, women and children, the number of households, the percentage with various types of occupancy rights, and so on.

The Federation of Urban Poor presented the results of the survey to other community residents and gave printouts to representatives of the six communities and their traditional leaders.
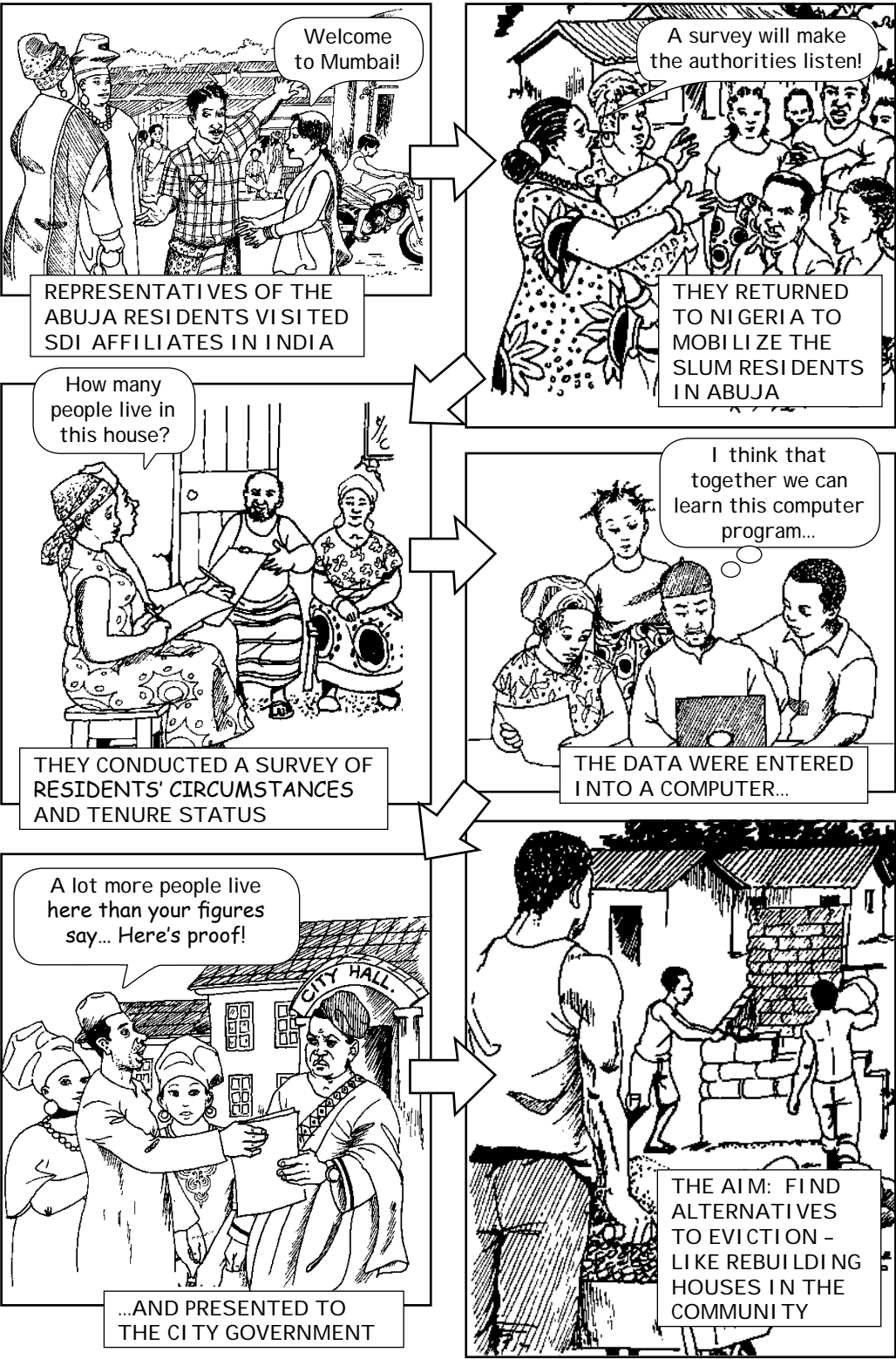
Figure 3.1   The enumeration procedure in Abuja

Problems in implementing the enumeration

The enumeration process was new for the Women Environmental Programme, so staff and the Federation of Urban Poor had to learn how to manage it, develop questionnaires, and use the software. They originally wanted to map the communities using GIS and bought the necessary hardware, but could not get the software maps needed.

The two organizations learned how to do enumerations from Shack/Slum Dwellers International, but discovered that they had to adapt the process to suit the situation in Nigeria. For example, because of the number of languages spoken in Abuja, the questionnaires were printed in English, and the enumerators asked questions in a language the residents could understand. Many Muslim women in Nigeria are not allowed to leave their houses or speak to strangers without their husbands' permission, so women enumerators were needed to sensitize and interview them.

The government was initially suspicious of the enumeration initiative because it had completed a census only 3 years before. Officials did not see the need to collect new data, or suspected the Women Environmental Programme of trying to undermine the government, so did not support the process at first.

Local people, too, were suspicious of providing information to the survey. They feared that the data might be used against them, for example to enable further evictions. The Women Environmental Programme and the Federation of Urban Poor allayed these fears by holding community meetings beforehand to discuss the purpose of the enumeration. Videos of Shack/Slum Dwellers International initiatives in India and South Africa were especially helpful in persuading people that the enumeration was a good idea. One of the community chiefs had visited South Africa and became a strong supporter of the process. As a result, only 200 of the 6,000 questionnaires were returned incomplete – a response rate of 97%. Many respondents also volunteered additional information – for example about deaths or divorces that resulted from the evictions.

Many traditional chiefs are reluctant to speak out in the interests of their constituents because the chiefs are appointed by the government, so can be sacked at any time. This means that people have to find other ways of expressing their views other than through the system of chiefs.

Outcomes

By September 2009, the analysis was complete, but the results were not yet printed. But the six communities have already begun to use the information to lobby the government to improve infrastructure such as water supplies, electricity and roads, and to upgrade the slum. Many people have been involved in these negotiations: Federation of Urban Poor members, young people, women, motorcycle taxi drivers (*okada* riders), local water vendors, market women, evicted people, people living with HIV/AIDS and Women Environmental Programme staff.

The Federation has started a savings scheme for cooperative housing and demanding that the government provide collective land where people can build houses. Young people are coming together to discuss the future of their communities.

Getting to meet policymakers is difficult. The fact that the Women Environmental Programme and Federation of Urban Poor now have reliable information – data, photos and maps – opens government doors. Officials are very interested in using the data as they are far more detailed and reliable than the census information. The Programme frequently acts as a facilitator to ensure that community members are able to meet with policymakers and ensure that their voices are heard. Because Abuja is the federal capital, the Programme and Federation have access not only to the local authority but also the national government.

The Federation of Urban Poor is spreading its activities to other communities in Abuja and other cities in Nigeria. They are doing this through visits, inviting residents of other settlements to Abuja, and training them on land issues and rights. This work is in collaboration with the Centre for Housing Rights and Evictions (COHRE), Misereor and Cordaid (a Dutch donor).

Unfortunately the enumeration process has not yet resulted in a halt to the evictions. This may be because the results are only recently available and have not yet been distributed widely. Forces leading to evictions are powerful; they include politics, market forces and land speculation. But the enumeration has given the Programme and the communities ammunition they can use to press the government to end evictions and find other solutions to residents' problems. See the Analysis (Part 4) for further discussion on this.

For example, using data from the survey, the Programme and local people drew up a proposal to upgrade one of the communities rather than evicting the residents. The Federal Capital Development Authority has funded this proposal – but contracted it out to a contractor without Programme involvement. This has led to some misunderstanding and opposition among local people, so Programme has helped negotiate between the contractor, the Authority and local people to overcome these difficulties.

More information

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THE BULACAN CAMPAIGN FOR LAND SHARING, PHILIPPINES

The homeowners of Norzagaray, a municipality in Bulacan province, to the north of Manila, had seen the slum of Bigte grow before their eyes. At first, a few poor people built shacks on open land in a middle-class part of town. The slum grew quickly, attracting migrants from all over the country.

The middle-class residents' Homeowners Association filed a complaint with the authorities against the people of Bigte. Initial attempts to mediate failed because both sides took a hard line: the Homeowners Association wanted to summarily evict the poor residents of Bigte, who in turn insisted that if this happened, they should be provided with alternative accommodation and compensation, as required by law. With no agreement in sight, the Homeowners Association filed a court case against the Bigte residents.

That prompted the Bigte community organization to get better organized and to gather the data they would need to support their position in court. They conducted a survey to gather personal information on local residents, how relocation would affect them, and their opinions on the demolition issue. Volunteer enumerators gathered and summarized the data and prepared a report.

The results of the survey were checked at further community meetings. Participants debated what the data meant and resolved arguments on how to interpret them. One hot topic was tenure status and ownership, as this would determine who would be considered a beneficiary of housing assistance. The community organization's "official" position on this issue was the subject of heated debate.

In support of the survey, the community organization also approached local government departments and the Housing and Land Use Regulatory Board to find out the status of the land that the slum occupied. The organization
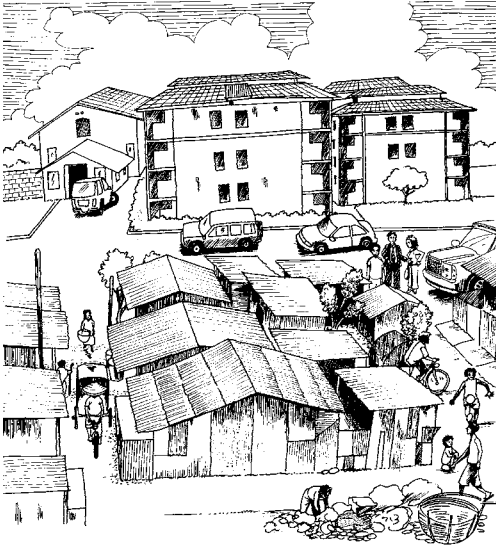
Figure 3.2   The Bigte settlement was close to a middle-class area

discovered that there was no record that the Board had approved the land-use plans that the Homeowners Association said showed how the slum should be used. Furthermore, the Homeowners Association had failed to pay taxes for the land. That meant that the local government was not generating any income from the land, and gave it the right to confiscate the property and put it to more productive use – with the current occupants (the slum dwellers) given the right of first refusal. Based on this information, the local government sided with the Bigte residents.

Two organizations of legal professionals that provide free legal assistance acted as counsels during the court hearings. The court reviewed all this information and considered the effect the proposed relocation would have on Bigte residents. It dismissed the case.

The Homeowners Association appealed to a higher court. But it realized it faced a long process of litigation given the weight of the evidence and the support the Bigte residents enjoyed from the local government. It would in any case have to compensate the Bigte residents if it won the case (Philippine law pro-

tects the rights of squatters and other "illegal" residents). That prompted the Homeowners Association to settle out of court. It agreed to legally transfer the land occupied by Bigte, and the Bigte organization is now arranging for the formal survey and planning process to establish formal security of tenure. The Bigte residents and Homeowners Association now live together peacefully, and the Bigte organization has even been accepted as part of the Association

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COMMUNITY WATCHDOG GROUPS PROTECTING LAND TENURE RIGHTS OF WOMEN AND ORPHANS IN KENYA

A man's death in Kenya can mean a double disaster for his wife and children. Not only do they lose a husband, father and breadwinner. They may also lose their source of livelihood, land and home. In some Kenyan cultures, the property is often taken over by one of the man's relatives, who may evict the grieving family from their home. If the man had HIV/AIDS, people may blame his wife for his death, and anyway expect her also to die soon afterwards.

Widows and orphans often lack the documents, legal knowledge or money to challenge an eviction in court. And even if an evicted person wins a court case, recovering the property may be difficult as powerful people often ignore the court's decisions.

It is not always straightforward to decide who the rightful owner of a property is. For exam-

"[It] is encouraging that communities all over the world are... trying to open up spaces to be heard, and to be directly involved in the formulation and implementation of strategies to achieve their security and well-being. And some governments have, to their credit, reciprocated"

– Du Plessis 2006

ple, someone may illegally acquire the title deeds, so be recognized as the legal owner.

GROOTS Kenya, a local NGO, helps local communities, often in rural areas, fight against such abuses. GROOTS facilitate them to form "community land and property watchdog groups" to safeguard the rights of the vulnerable who have lost their land and property through disinheritance and asset striping. The watchdog group members gather information about the more vulnerable members of the community, and use this information to protect and preserve the vulnerable members' rights.

A watchdog group consists of community members (mostly women) who work together to preserve, monitor and guard against violations of property and inheritance rights in their communities. The watchdog groups evolved from the work of home-based care providers (mostly local women) who took care of ill people, many with HIV-related illnesses. From 2003 onwards, they began to realize that when community members they cared for died, their dependents were often thrown out of their homes and became destitute. Many such vulnerable disinherited families had nowhere to go but into the slums in the cities.

The watchdog groups are based on the idea that concerned community members (both men and women) and local leaders must work together to prevent property rights violations within the community. Below is how the

watchdog groups are formed and how they operate.

1 **Enumeration, needs assessment and documentation.** GROOTS guides a core group of local grassroots residents to gather information about their community. Local people use a structured questionnaire to identify how many people in identified vulnerable households are experiencing tenure problems, and to document the factors contributing to violations of property and inheritance rights. They then validate the violations and corresponding needs through community feedback sessions, where local people analyse the problems further, decide on an approach to solving them, and make recommendations.

2 **Mobilization.** The community members identify and mobilize the key stakeholders (village elders, human rights organizations, provincial administrators, etc). They share the results of the survey and explain how the violations affect individuals and the community. Gaining the support of key individuals is important to open up multiple avenues to address violations. The mobilization process also allows the core group to start planning how to address violations they encounter and to agree on how to engage the stakeholders.

3 **Dialogue.** Community leaders bring together the key stakeholders to discuss the issues and recommendations, and to build

relationships between the community members and other stakeholders.

4   **Formation of groups.** The watchdog group is formed at this stage. A group usually has 15–25 volunteer members from the community, both women and men. Because women face more land-rights violations than men, GROOTS encourages the watchdog groups to have a majority of women.

The watchdog groups meet regularly to discuss land disputes, report on the progress of cases, and explore opportunities to collaborate with officials who are not aware of the initiative. The groups also plan how to raise or create awareness on land rights through *barazas* (meetings led by the village chief), open forums, church events and funerals. Each group keeps simple records of their meetings and interventions.

5   **Handling cases.** Based on the information gathered in the initial survey, group members know about actual and potential instances of land rights violations. With their detailed knowledge of needy people, the home-based care providers also keep the group informed about problems. If a violation occurs – for example, if a greedy relative evicts a widow or orphans from their home, the watchdog group steps in. It determines the facts of the case, alerts other people in the community to the problem, and mediates to ensure that the perpetrator returns the property to the dispossessed individuals. Various mediation methods are used, involving community leaders, local government officials, chiefs and elders. If necessary, the watchdog group arranges for the case to be filed in court and ensures that the ruling is executed.

6   **Community feedback.** It is important that a broad section of the community supports and owns the process of safeguarding

> A man's death in Kenya can mean a double disaster for his wife and children. Not only do they lose a husband, father and breadwinner. They may also lose their source of livelihood, land and home

rights. The watchdog groups conduct community evaluations and reviews to gauge their effectiveness and assess challenges.

7   **Replication.** GROOTS encourages successful watchdog groups to share their progress and practices through peer exchanges or visits to other communities that face similar problems. As a result, many communities have formed their own watchdog groups to safeguard the rights of vulnerable people in their midst. Watchdog groups already exist in Kakamega, Kendu Bay, Kisii, Limuru and Gatundu, and will soon be replicated in Budalangi and Kitui, as well as in Mathare (a slum in Nairobi).

Since the first watchdog groups were formed in 2005, they have become an important way to help vulnerable members of the community access both the informal and formal justice systems. They advocate for vulnerable people's property rights, both within the community and with the authorities. They also organize communities and facilitate negotiations to help vulnerable people realize other needs, such as support for schooling.

Gatundu Community Land and Property Watchdog Group

The first watchdog group was formed in Kiamworia in 2005, a location in Gatundu District in Central Province. It was formed by the Gatundu Mwirutiri Women's Initiative, with assistance from GROOTS Kenya. There are now 17 watchdog groups in the district, which have handled 95 cases of property and inheritance rights violations. They have referred about half of these cases to the courts or other institutions, and resolved 12 through mediation. Another 28 cases await further investigation by the groups.

The case of Catherine Wainaina (not her real name) is typical. Together with her husband and two children, she lived on 5 acres land where they grew tea, food crops and vegetables. In 2003, her husband died of AIDS-related complications. Two days after the funeral, her late husband's mother and brother, a rich farmer, drove Catherine out of her house. She rented a room at the nearby trading centre, where her children joined her after their grandmother drove them out.

Catherine turned to the village elders, the chief and church leaders for help, but her brother-in-law was a rich, influential man, and her appeals fell on deaf ears. Catherine had no money to hire a lawyer; her husband's account with the Kenya Tea Development Authority (where they sold their tea) had been closed; and her in-laws would not let her grow crops on her land. Desperate, she fell ill with pneumonia, and died.

Shortly before she passed away, Catherine had approached the Kiamworia watchdog group for help. It was too late to help Catherine, but group took up the case on behalf of her children. It alerted the provincial administration and lodged a complaint with the district land tribunal. The only documents the children had were their birth certificates, which showed their father's name. That proved vital. After several meetings with elders, clan leaders and

> "We [the watchdog group] are known. We interact with community members in different functions and we recognize this is a great privilege and a great responsibility"
>
> *– Mercy Amunya, assistant chief, former head of home-based care programme and member of watchdog group in Kakamega East (quoted in GROOTS Kenya 2008)*

stakeholders at the tribunal, the local magistrate ruled that the house and land should be returned to the children.

But the children's uncle ignored the court order. The watchdog group went back to the local government through the provincial administration. The district officer gave permission to the watchdog group to reclaim the property on the children's behalf, with support of the local chief.

All the members of the watchdog group gathered for a meeting with the rich uncle. Under this concerted pressure, he returned the title deeds for the land to the children in the presence of provincial administrators, community and watchdog group members. He even marked the boundaries of the land with stakes. The watchdog group forwarded these documents to the public trustee to have them registered in the children's names, to be held in trust for them. The group has also helped reconcile the family and continues to counsel them to look after the orphans.
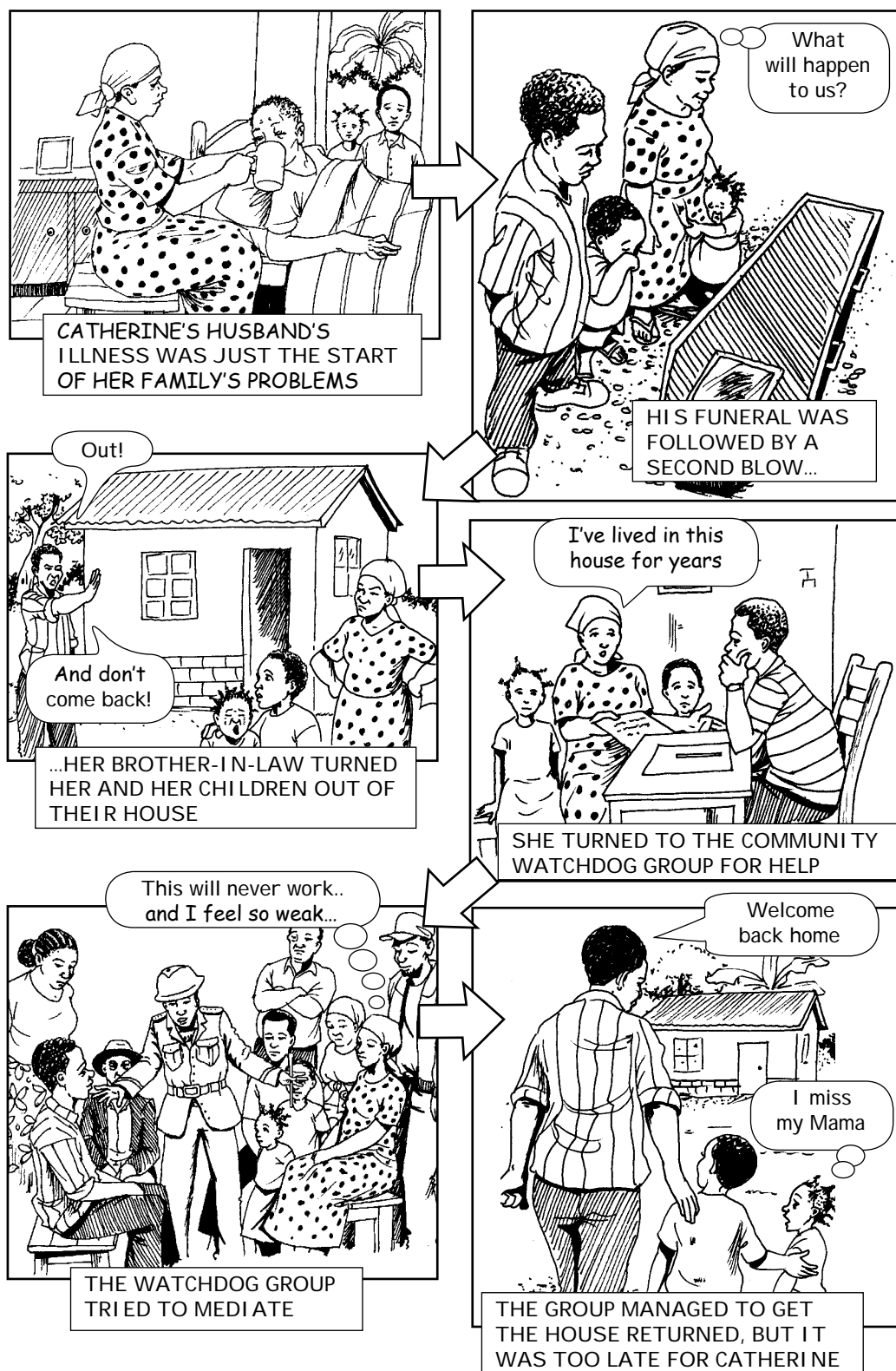
Figure 3.3   Catherine's story

Advantages of community land and property watchdogs

The watchdog groups have improved the security of tenure for widows and orphans, and increased the number of women and their level of involvement in decision-making to reduce tenure problems.

Engaging women. The watchdog groups involve women in two ways. Because women are more subject to rights violations, most of the cases the groups handle support vulnerable women in the community. Because many of the group members are themselves women, they are perhaps better placed to support and relate to the vulnerable women.

Alternative to the formal system. The watchdog group approach is cheaper, easier, quicker, and more effective than relying the formal legal system to resolve cases. That means it is more accessible for the poor, who could not otherwise afford to reclaim their land.

Accountability. The watchdog groups create checks and balances to ensure that the authorities deal with cases in an appropriate way. They bring cases to the attention of the authorities, and counterbalance any undue influence that rich and powerful people may have in influencing their decisions. The groups collaborate closely with provincial administration and other government officials, and have raised the accountability of local leaders and enhanced their role in safeguarding the rights of vulnerable members of the community.

Replication. Because the watchdog groups are composed of community members rather than outsiders, they are easy to replicate in other locations. One group can learn from another, with relatively little input from outsiders. The watchdog groups can readily be adapted, replicated and scaled up. This approach has been noted as a best practice by Women Land Link Africa, a continent-wide initiative to improve women's land and housing rights.

> "To sustain a watchdog group does not only require sacrifice and commitment. It also demands leadership and accountability to the community at large"
>
> *– Margaret Ngina, women's leader and watchdog group member in Gatundu (quoted in GROOTS Kenya 2008)*

Appropriate level of resolving problems. The watchdog groups try to resolve cases amicably, within the community itself. It draws on outsiders or the formal legal system only if attempts to solve the problem locally fail. This both strengthens the capabilities of the community dispute-resolution mechanisms, and avoids burdening outside authorities and courts with cases that can be resolved more simply.

Community-based. Before a watchdog group is formed, the needs assessment, mobilization and dialogue involve a large number of people in the community. This means that the watchdog group is not seen as an isolated set of individuals, but as representing the interests of the community as a whole.

Provision of information. The watchdog groups meet regularly and frequently engage local leaders. That provides an avenue to disseminate information to local people on land ownership policies – information that communities would not normally be able to get.

Leadership and empowerment. Members of the watchdog group have developed their leadership skills. Several have been chosen by their communities to represent them in various decision-making bodies. For example, two

very active women group members now sit on the Land Dispute Tribunal in Rachuonyo district and the Poverty Eradication Committee in Gatundu District.

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USING ENUMERATIONS FOR EMPOWERMENT

The cases above describe how participatory enumerations were stimulated by a specific problem: a threatened eviction, a lack of tenure rights, the need for services, and so on. Communities responded by getting organized (or by strengthening existing organizations) and undertaking action research. This approach is different from academic research: communities do not start with a hypothesis, but with a concrete problem. They already know what needs to be done, and design the research with a clear agenda in mind – to stop a demolition or secure resettlement. This helps focus the data that the communities need to gather. This is very important for organizations that have very little resources and very little time to respond.

The direct participation of community leaders and members played a key role in the design and implementation of the research. Community leaders and volunteers led in identifying the needed information, designing the questionnaires, gathering data, and validating the information through community meetings.

Because the residents themselves designed and implemented the enumerations, they were able to collect data that official sources might have missed – such as the existence of households led by women, the opinions of local residents, and subtle but important features of the tenure system. Once gathered, this information can be useful to challenge official figures.

LESSONS

Below are some lessons from these three cases.

Learning and adapting. When designing an enumeration, it is possible to learn from experience in other countries, but it is necessary to adjust the approach to take local cultural and political considerations into account – such as officials' suspicions that the enumeration was an effort to take over or undermine the government's roles.

Raising expectations. Enumerations are likely to raise residents' expectations – in terms of improved services, better tenure security, and so on. If these expectations are not fulfilled, residents may come to see the exercise itself as a waste of time.

Different interests in the communities. Communities are not homogenous. Many informal settlements are extremely diverse, with residents from many different backgrounds, socio-cultural background, religion, political, class, tribal and ideological biases, competing with each other from scarce resources. Even families may not hold together. Enumerations can help identify this diversity and raise understanding of the issues that bring people together or divide them. But it is difficult to work with fragmented communities, and enumerations may exacerbate or even cause existing divisions. It is particularly important to ensure that vulnerable groups are fully included, and the lower classes are able to contribute positively and are not made to feel inferior.

Trust in leaders. Residents may not trust their traditional leaders or people appointed by the government to represent them. Where traditional leaders are appointed by the government, they may not truly represent their constituents' views for fear of losing their appointment.

Problems with feedback. Residents may be reluctant to criticize the NGO or project that facilitates the enumeration for fear of losing its support. That makes it difficult for exter-

nal groups to know what strategies to use in empowering the residents. Residents should be able to participate and provide feedback without fear of consequences.

Qualitative and quantitative data. Enumerations not only generate quantitative data to support residents' claims to informal land rights (for example, the length of occupancy of a vacant, un-used property). They can also generate qualitative information (for example, people's opinions on threats to their tenure security, or on a prospective relocation).

Data verifiability. Because much of the information is quantitative, it can easily lend itself to validation by others. The data can also be used to check and correct more formal, official data which are often outdated and replete with errors.

Value of data. Enumerations gather data that can be used to make informal settlements visible and convince government bodies and opposing groups of the facts in a particular situation. When they realize the potential costs of a course of action, such as a planned eviction or relocation, they may be persuaded to change their minds. Data about living conditions and lack of services and amenities can also result in remedial measures.

Using the law. The enumeration process can lead to the use of legal processes to the advantage of local residents. This is especially true where the law, and government policy, are broadly supportive of the rights of residents in informal settlements – as in the Philippines. Assistance from organizations with legal skills may be invaluable in helping residents assure their legal rights.

Strengthening community confidence and resolve. The community's confidence and resolve to take, and stick to, specific courses of action is increased when they are armed with information they know is real, as they have gathered it. In addition, confusion on how to interpret the data is minimized because of the spontaneous triangulation that occurs during the survey, and when they are presented to the community through validation meetings. Consensus within the community makes it easy for government to deal directly with the organization and its leaders.

Useful within the community. Enumerations generate information that is useful not only for communities in dealing with outside threats, but also for tackling threats to more vulnerable community members from within. They can identify who is vulnerable to what types of threats, and can help concerned residents mobilize to support them.

Conferring legitimacy. By generating credible data, enumerations confer legitimacy on the organizations that implement them in the eyes of local residents and of the formal authorities. This legitimacy is important in negotiating with authorities or with community members who are exploiting more vulnerable residents.

Basis for many types of community action. Enumerations can generate information that may be useful for many purposes: to defend tenure security, to correct injustices, to identify where various types of assistance are needed, and to act as a platform for further organization and self-generated development efforts.

Enumerations do not solve all the problems. Even if enumerations result in an improvement, they do not solve all the problems in a community. For example, if residents are granted titles to their property, they may sell them immediately to raise much-needed cash.

Limitations in local skills and capability to do surveys. Local organizations may have limited capacity to undertake an enumeration. The logistics may be daunting, and the difficulty increases if the enumeration is to cover larger areas or more people. Community organizations may lack the ability to design the survey, develop a questionnaire, undertake the research, and consolidate and analyse the data. Building the organization's capacity to do so is an important area of intervention.

However, whatever shortcomings exist, such capacity issues can be addressed along the way, rather than having to be dealt with beforehand. The enumeration is a learning exercise in itself; it may not be perfect, but may still result in both usable data and a strengthened community capacity.

Enumerations take time. That makes them difficult to undertake if an immediate threat exists, such as an impending demolition. Ideally, enumerations should be part of a long-term strategy for securing land tenure, and the information should be revalidated on a regular basis. However, it is precisely an immediate threat that often triggers the need for a survey. How mature the organization is will be a major factor determining whether it can effectively use the enumeration to support strategic, long term action.

4 ENUMERATION AND ALTERNATIVES TO EVICTIONS

ADEQUATE HOUSING IS recognized as a basic human right. But every year, hundreds of thousands of families are uprooted from their homes to make way for development activities, often with catastrophic consequences for the affected individuals, families and communities (Du Plessis 2006). Millions of others remain in fear of eviction because they do not have security of tenure. Forced eviction are removals of settlers against their will and without a transparent process for negotiation for alternatives to eviction, including compensation and relocation. Despite the existing of internationally agreed procedures, many residents are still being forcefully evicted.

A major reason so many people are forced to stay in informal settlements is the state's fail-ure to put an appropriate regulatory framework in place for providing low-cost housing or access to secure and serviced land. With no-where to go, people encroach on unoccupied land, including areas that have been set aside for roads, railways and other public uses. For example, in Nairobi, about 2 million people, or 55% of the city's total population, live in the 200 informal settlements on only 5% of the city's total land.

The threat of forced eviction by private land-lords and government officials is the single most important threat to the safety and liveli-hoods of displaced populations. Private land-lords may decide to increase rent, forcing resi-dents out of settlements. Where there are no anti-eviction legal restrictions, private land-

Figure 4.1   Evictions are often accompanied by the use of force

lords and government agencies may demolish structures with or without notice if they intend to put settlement land to other uses.

Many residents pay fees to the local authorities, village elders, politicians, the police, private landowners or gangs who are control the land in exchange for "official permission" to occupy the area they live on. They have no titles or long-term security. Within the informal settlements, the government allows the construction of schools, health centres, churches, mosques and other basic facilities. Residents also create strong social networks for survival. Yet forced evictions are commonplace.

Enumerations can help find alternatives to evictions in several ways:

- **They can help residents get organized to press for their rights.** It is much easier for an oppressive government body to evict people from their houses if they are disorganized than if the people present a united front.

- **They generate persuasive evidence.** An enumeration produces figures that have legitimacy in litigation and negotiations. They can be very persuasive in averting an eviction. The alternative – using figures without stating how you arrived at them – has much less credibility.

- **They can gather evidence of tenure rights.** The law in many countries recognizes various informal rights. Information such as evidence of length of residence and the payment of utility and tax bills may carry weight in a court, or may be recognized by the government in lieu of formal land titles.

- **They can demonstrate the scale of the problem that would be created.** Enumerations can demonstrate the extent of loss and suffering that an eviction will cause.

> "Forced evictions constitute gross violations of a range of internationally recognized human rights, including the human rights to adequate housing"
>
> *– United Nations Human Rights Council 2007*

They can also reveal the true number of people to be affected. A government agency may be willing to make 100 families homeless, but may balk at 1,000 – as this means much greater problems for resettlement and potential civil unrest.

- **They can generate publicity.** An enumeration itself may attract media coverage. Reports that quote figures are more credible than those that rely on anecdotes alone. Armed with the results of an enumeration, articulate community representatives can make a convincing case in the media against evictions.

- **They can help identify alternatives.** An enumeration may provide information that community groups and governments can use to plan alternatives for evictions – such as voluntary resettlement or in-situ upgrading.

The case below describes how community-driven enumeration was used to prevent eviction of the residents of an informal settlement in Kibera, Nairobi.

BOX 4.1   FORCED EVICTIONS: PROTECTIONS UNDER INTERNATIONAL LAW

"Forced evictions constitute gross violations of a range of internationally recognized human rights, including the human rights to adequate housing, food, water, health, education, work, security of the person, security of the home, freedom from cruel, inhuman and degrading treatment, and freedom of movement"

– United Nations Human Rights Council 2007

"[I]nstances of forced eviction are prima facie incompatible with the requirements of the Covenant [International Covenant on Economic, Social and Cultural Rights] and can only be justified in the most exceptional circumstances, and in accordance with the relevant principles of international law."

– United Nations Committee on Economic, Social and Cultural Rights (CESCR) 1991

In those "most exceptional circumstances" where evictions are unavoidable, States are obliged to:

- Provide information on the proposed eviction in reasonable time to the affected persons.
- Ensure that all feasible alternatives are explored in meaningful consultation with the affected persons
- Provide legal remedies or procedures to those who are affected by eviction orders
- Provide prior, adequate and reasonable notice of the eviction to all affected persons
- Ensure that all the individuals concerned have a right to adequate compensation for any property that is affected
- Evictions should not result in any individuals being rendered homeless or vulnerable to the violation of other human rights.

– United Nations Committee on Economic, Social and Cultural Rights (CESCR) 1997

A COMMUNITY UNITES TO PREVENT EVICTION IN KIBERA, KENYA

Kibera is said to be the largest informal settlement in Nairobi, and probably in all of Africa. Conservative estimates put its population at 700,000–800,000. The Kenya–Uganda railway line passes through the settlement and acts as a major pedestrian thoroughfare. Thousands of petty traders sell their wares along the tracks, and many people live next to the line. Safety concerns force trains to travel at walking pace so people can get out of the way in time. The encroachment makes maintenance of the line difficult. Thousands of people pounding the track daily undermine its stability. The

disposal of garbage, littering and dumping of latrine contents along the line cause further hazards. In 2009, a goods train derailed in Kibera, killing several people. The passage of every train means further danger.

On 29 January 2004, the Kenya Railways Corporation issued a notice in daily newspapers announcing that it would demolish all structures within 100 feet (30 m) on either side of the railway line from 2 March of that year.

Rapid enumeration

People doing business and living near the line immediately mobilized with support from a church located within the settlement. They approached Kituo Cha Sheria (Legal Aid Centre) to file a court case for an injunction to halt

BOX 4.2   KENYAN LAW AND INFORMAL SETTLEMENTS

According to a study of Kenyan policy and law on informal settlements, 17 of the country's laws are "outrightly hostile and unaccommodating" in relation to such settlements. This applies in the areas of tenure security, building standards (now partially amended), access to services, and ability to conduct economic and cultural life. Furthermore, as residents fit the statutory definition of a "vagrant", they are susceptible to harassment and summary arrest by law-enforcement agencies.

Long-term occupiers of private land are legally entitled to claim adverse possession if they can prove that they have used the land continuously for 12 years in a way that is consistent with their being the registered owner. This right accrues to the adverse possessor only when a motion is brought in court, and it is generally not easy to prove. With the high cost and inaccessibility of court processes in Kenya, the utility of this remedy to the poor is dubious. Settlers on government land – the majority – cannot acquire any such prescriptive rights over land. This is often justified by asserting that the state should continue to hold government land in trust for the general public. However, this approach is increasingly being questioned.

In 2006 a task force was initiated by the Ministry of Lands to develop draft eviction guidelines in Kenya. This process has, however, been subject to a number of delays and has not yet been finalized.

– COHRE 2006b, www.hakijamii.net

the demolitions. Kituo Cha Sheria asked the Urban Housing Rights Coalition, an NGO, for help in getting the information needed to file the case and in identifying other possible advocacy actions.

The NGO decided to undertake a rapid count of the number of people and other community assets (the settlement's "social capital") that would be affected by the evictions. A group of community organizers were given the responsibility of linking with the community representatives to do this.

Because of the limited time, it was not practical to count everyone likely to be affected. Instead, it was decided to count the residential structures within the 30 metre limit, and to multiply this by the average number of people known to stay in such houses. The second target was to count the schools, health centres, churches and mosques in the affected area. The business community was asked to do a rapid head count of the traders in the area. Finally, random inquiries were made to find out if any residents had an official document from Kenya Railways recognizing their right to be where they were.

Findings

From this rapid exercise, it was estimated that 20,000 structures would be demolished and 108,000 people would be rendered homeless. Additionally, 13 primary schools, one church and one AIDS testing clinic would be affected. Armed with these alarming figures, Kituo Cha Sheria drafted papers and rushed them to the court. It argued that the intended eviction was in breach of the official leases that some local people had from the Railways, and would be a humanitarian disaster. It also argued that the eviction would disregard Kenya's obligations under the International Covenant on Economic, Social and Cultural Rights, to which Kenya had been a party since 1971 (Box 4.1). However the court dismissed this argument because the covenant was not part of domestic law (Box 4.2).

> "Forced evictions can have catastrophic consequences for the affected individuals, families and communities, including physical and mental trauma, homelessness, loss of wealth and assets, loss of jobs, loss of access to health, education and other services, and destruction of survival networks"
>
> *– Du Plessis 2006*

Despite the rather shaky legal grounds, the judge granted an injunction for ten days and instructed the Kenya Railways to start negotiations immediately with the residents on the best way to handle the matter. He said he was granting the injunction on "humanitarian" and not legal grounds. Even though he did not say so, it is obvious that the size of the figures influenced his decision.

Outcome

The injunction was granted on just one day before the eviction was due to begin. In the meantime, pressure was mounting on the government as the figures had been shared with national and international organizations and the media. The Centre on Housing Rights and Evictions (COHRE, an international human rights NGO) and other international organizations sent petitions to the Kenyan president. The media publicized the plight of the communities. Through the Catholic parish in Kibera, the matter reached the Pope, who sent a personal emissary to the President. In face of this pressure, the government cancelled the notice.

As a result of the initial enumeration, the residents formed a community organization known as Ngazi ya Chini to negotiate on their behalf. There had never been a community organization of such size in Kibera. When Kenya Railways was privatized in 2005, the new management immediately recognized the community organization and started negotiations with community representatives. Although no concrete resolution was reached, there were no further eviction threats.

Pamoja Trust later helped the residents conduct a more comprehensive enumeration. This led to the development of a voluntary relocation scheme that is currently being implemented. There is no further threat of forced eviction, and it is clear that the initial enumeration had significantly contributed to this. See Chapter 6 for details of this initiative.

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LESSONS

Emergency problem = rapid enumeration. In an emergency, it is not possible to undertake a comprehensive collection and analysis of data. But a limited enumeration may still be possible and can win time to allow the residents to organize themselves, and for negotiations with the authorities on possible alternatives. Enumeration is thus a starting point, creating an opportunity to find better solutions for the future. Eviction is not a good solution, but nor is living very close to the railway.
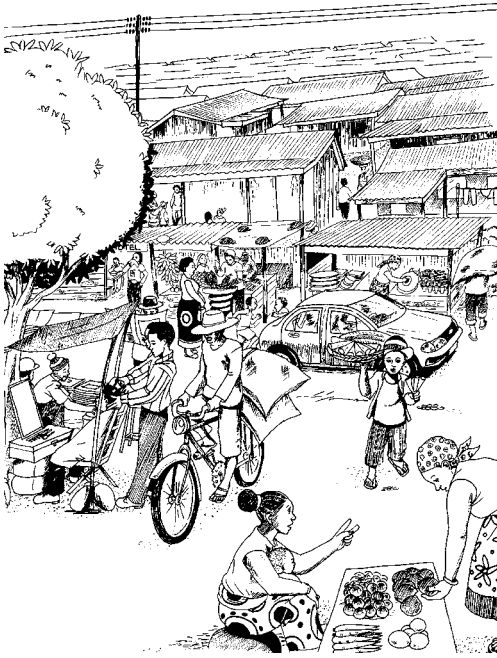
Figure 4.2   The people in informal settlements may be poor, but they often have large amounts of social capital. Eviction and relocation risk destroying this

Need for advocacy. Enumeration as a tool for stopping eviction should be accompanied by other support and advocacy actions, including using the media and drawing on partnerships with strategic national and international actors.

Powerful players make a difference. The actors who support enumeration can make a big difference: whether a judge is open to public pressure, whether the media takes an issue up and is in the position to do so, and whether there is support from international organizations.

5 ENUMERATIONS IN CASES OF RELOCATION AND RESETTLEMENT

Natural disasters, disputes, violent conflict and forced evictions often result in mass displacement of people. Individuals and groups of people may cross international borders as refugees, or relocate within the borders of their own country as "internally displaced persons". People may also migrate voluntarily, for example in search of better economic opportunities. These are all examples of **relocation** (Box 5.1).

National or local authorities may decide to move people from their current homes for a variety of reasons – to clear land for redevelopment, to provide them with a safer place to live (free of floods or at a safer distance from railway tracks), improved living conditions (with services such as water and sewerage), with better access to livelihood opportunities, or to enable them to return home after a disaster or conflict. In such cases, the authorities may provide various types of assistance: shelter, infrastructure, transport, employment, and so on. These are examples of **resettlement**.

In these situations, land is required for shelter, livelihood activities and associated infrastructure for the displaced people. But how much land is required? Where should it be located? What types of housing and other facilities should be provided?

Unfortunately, even the best-intentioned authorities make mistakes: the resettlement area may be a long way from residents' jobs, it may lack infrastructure and services, the type of housing may be inappropriate, or insufficient attention may be paid to the costs and difficulty of moving (Box 5.2). Residents may be poorly informed about their options, and about the impending removals. Where authorities are less benign, residents are confronted with even greater problems.

HOW ENUMERATIONS ARE USED FOR RELOCATION AND RESETTLEMENT

Enumerations for relocation and resettlement may be done:

- **To help local people oppose an impending removal.** The enumeration can help them gather data and organize themselves to resist the move and to propose alternatives (see Chapter 4). The data could be used to assess the impact of the planned

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BOX 5.1 RELOCATION AND RESETTLEMENT

Relocation is the physical transfer of individuals or groups of people from their usual home (place of origin) to another location (place of relocation). This may be voluntary (as when people move in search of work) or involuntary (as a result of a natural disaster or conflict). Relocations may be temporary or permanent.

Resettlement is the provision of shelter, basic services and infrastructure, livelihood opportunities and security of tenure to displaced households in the place of relocation, or, on return, in their places of origin.

Moving informal settlement dwellers to new, often peripheral, locations creates new challenges. In the early 2000s, Chilean housing policy promoted the resettlement of residents of Peñalolén, part of the Santiago metropolitan area. People were allocated housing on the outskirts of the city.

People complained that their new houses were too far from the city centre, making it hard for them to commute. Many said they were "better off in the slums!". Most residents were willing to live in smaller houses if they could live close to the city.

A proper survey in advance could have provided a profile of the location, type, size and cost of the new housing units and might have led to other, more acceptable solutions.

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removal on the residents and formulate arguments against the plan.

- **To help residents prepare for relocation.** An enumeration can help local people prepare for negotiations, or to compare community-gathered data with information that the authorities has. It can identify vulnerable groups not "visible" in the formal statistics and so ensure that no community members are left out of the relocation plan. Household interviews can be combined with focus group discussions to discover what the community feels about the relocation.

- **To assist in selecting beneficiaries.** Where displaced communities are to be resettled, community surveys (often supervised by authorities or humanitarian agencies) may

assist the beneficiary selection process. Household-level interviews are generally used for this purpose.

- **To ensure that people can return to their homes, or receive appropriate compensation for their property.** Enumerations can record and update basic information about households that have been displaced. Such information may include a description of abandoned land and property, the duration and available evidence of property use and/or ownership, the extent of losses incurred as a result of the displacement, the circumstances of the displacement, vulnerability and livelihood information, etc. This information can be used for a variety of purposes:

  o Resettlement planning

  o Facilitating people's return to their places of origin

  o Repatriation and compensation for land and property

  o Assessment of options for temporary and durable solutions for shelter, livelihoods training, food assistance, etc.

  o Resolution of conflicting claims in cases of possible return or repatriation.

Table 5.1 lists some types of enumeration data that may be needed for relocation and resettlement.

CASES IN THIS CHAPTER

The two cases in this chapter describe how enumerations were used to facilitate the resettlement of residents of informal settlements.

- The case from Magallanes, in the **Philippines**, describes how residents of an informal settlement used an enumeration to gather data that they used to negotiate better terms for their resettlement. Gains included ensuring that residents who had been missed by an official survey would

also benefit, and improvements in the services provided in the new location.

- The case from **Somalia** describes how government agencies and international organizations used an enumeration to gather data on internally displaced persons living in informal settlements in the city of Bossaso. These data were used to guide

the resettlement of some of these people in a new area. Although the enumeration was conducted by outsiders rather than by residents themselves, it incorporated many features of participation, so resulted in a resettlement process that was accepted by the residents.

TABLE 5.1   TYPES OF ENUMERATION INFORMATION NEEDED
FOR RELOCATION AND RESETTLEMENT

Type of information	Examples	Uses
Household information	Gender and marital status of heads of household, gender distribution, household composition per age group, number of family members per household	To determine shelter type, design and size as well as the amount and location of social services required.
Land and property information	Land and property ownership or rental information, landlord/tenant relations, tenant/tenant relations	To determine the siting and tenure type for resettlement, and also to make property claims in case of return.
Vulnerability information	Female-headed households, pregnant members of households, number of children and elderly members of household, disabilities, serious illnesses, safety at current location, experience of abuse, threat of eviction	To determine protection strategies and location of facilities and amenities in the new settlement
Displacement information	Place of origin, dates of departure from place of origin or arrival at current location, reasons for displacement, frequency of displacement, land ownership before displacement, property claims, choice of return/stay/resettlement	To determine the provision of legal assistance for return or repatriation, and to determine restitution of land and property or appropriate compensation levels
Livelihoods information	Main source of food, average number of meals per day, amount of water per member of household, access to water, latrines, schooling, health facility, main source of revenue currently and before displacement	To determine the vulnerability of households and the most important asset for the community, to determine the provision of skills training on relocation

CAMPAIGNING FOR JUST RESETTLEMENT IN MAGALLANES, PHILIPPINES

The Philippines government is planning to build and rehabilitate nearly 150 km of railways. This is an important national project: it will connect provinces in the north and south of the island of Luzon with Metro Manila, the capital. But over the course of many years, thousands of people have settled along the existing railway tracks. The project will affect some 90,000 poor urban families, including many in Magallanes, part of the capital area. Some 1,500 of these families belong to the Philippine National Railways–Magallanes Neighborhood Association, a member organization of Damayan ng Maralitang Pilipinong Api (Solidarity of Poor Filipinos, or DAMPA).

The neighbourhood association anticipated the need to negotiate with the government over the relocation. It knew that it would need reliable information about the people who would be affected so it could negotiate for adequate relocation or alternatives to eviction. It decided to do a survey to collect this information. It held community meetings to discuss the need for a survey, and to determine what information to collect. Community enumerators went from house to house to gather the information and to draw up a master list of local residents.

After the community had gathered these data, the government undertook its own survey and identified people who would be included in the relocation programme. When the two sides met to negotiate, the community's master list was an invaluable source of information to check against the government's list of names. There were many inconsistencies between the two lists: around one-third of the people on the association's list were nowhere to be found in the government's list: households headed by women, seasonal labourers or older people,

and women who had separated from their husbands. Urban poor communities have many unwed couples, and the practice of listing only the man's name posed a significant risk to their unmarried partners.

As a result of these negotiations, the government agreed to include people omitted from its list if the association could provide documents supporting their claims. The association effectively became part of the process of selecting beneficiaries. This role was formalized when the association and DAMPA were recognized as grassroots representatives in the project's awards and arbitration committee. This committee was created to hear complaints and award land in the relocation site to the right people.

The association also negotiated for the government to provide a range of other benefits to people:

- Involving residents in planning and building their new homes to suit their individual preferences.

- Ensuring that new houses would be built and basic services (water, electricity, etc.) would be ready before the people arrived at the relocation site.

- Providing 25-year loans to support their livelihoods and enable them to build their new houses.

- Subsidized transport for resettled workers employed in the city.

- Assurances that schoolchildren would be accepted in schools in the relocation area, and would go into the next grade automatically despite any disruption to their performance.

- Minimizing the danger of health and security problems during the relocation.

The residents were relocated to Cabuyao, to the south of Manila. The new location gives residents more tenure security, but it has been difficult to make sure that all the relocation

provisions guaranteed by law are actually adhered to. Efforts to consolidate the gains and develop the community continue. The association and its women leaders are recognized as the official grassroots representatives in the official resettlement committee responsible for preparing, planning and resolving development projects and issues in the resettlement site.

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RESETTLING INTERNALLY DISPLACED PERSONS AND UPGRADING SETTLEMENTS IN BOSSASO, SOMALIA

The city of Bossaso, in northeastern Somalia, has grown rapidly since the 1990s, especially because of an influx of people fleeing instability in other parts of the country. Many of these have settled in informal settlements in and around the city.

In 2006, a pilot initiative was launched in Bossaso and four other cities in Somalia to profile internally displaced persons. This project aimed to test various profiling methods, generate information for monitoring the situation and preparing for humanitarian assistance to internally displaced persons. It was implemented by a group of UN, international and Somali organizations.

City-wide profiling

This part of the project was carried out between November 2006 and February 2007 and was based on guidelines for profiling of internally displaced persons, developed by the

Norwegian Refugee Council. Field implementation was led by the Danish Refugee Council and the Association for Integration and Development (AID), a local NGO. The project randomly selected a sample from 19 well-defined settlements of internally displaced persons in Bossaso city, based on population estimates developed by various agencies working in the area, as well as information from local authorities and representatives from the settlements.

The survey used two main approaches:

- **Focus group discussions/participatory assessments.** These were held with small groups of selected settlement representatives such as traditional elders, religious leaders, and settlement representatives. They served partly as a "door opener" to the settlements and as a way of providing knowledge about the settlement, against which the interviewers could assess the information obtained in the household interviews. This knowledge later served as a frame of reference during data analysis.

- **Household level interviews** using questionnaires were used as the most appropriate and effective way of systematically gathering profiling data.

The data from the questionnaires were transferred to a database at the Somalia Office of the United Nations High Commissioner for Refugees in Nairobi, and were consolidated into a report. GPS position data was also taken for all the surveyed settlements, and a map showing the location and distribution of the settlements was produced.

The sample covered about 20% of the city's internally displaced people, which was estimated at 25,000. Some 93% had settled on privately owned land; 45% had moved because of natural disasters or economic reasons, while 55% had fled violent conflict. Less than 8% had access to piped water, while 66% bought water from a vendor. Some 28% had to go outside the settlement for improved sanitary facilities.

Upgrading

After the enumeration results were analysed, five settlements (Ajuuraan, Bula Elay, Shabelle and Absame in the east, and Bogolka Bush in the west) were selected for upgrading. A municipal committee established written agreements with the private landowners of the settlements covering minimum standards for settlements, making land available for basic services such as schools and sanitation facilities, and a minimum of 90 days notice of eviction in case of rent non-payment.

A fire plan was developed, and a health post, police post and market were established in the four eastern settlements. Ajuuraan and Shabelle were selected for comprehensive upgrading, including an improved solid-waste management system.

Resettlement

The programme planned to resettle residents in new, low cost, serviced housing to be built on donated land in east Bossaso. But who should the beneficiaries of this programme be? There would not be enough housing for everyone in the settlements. A beneficiary selection committee was convened, with three members each from the city council (including the Mayor of Bossaso, who chaired the committee), traditional elders, religious leaders, and local NGO representatives. Three UNited Nations agencies acted as observers. The role of the committee was to:

• Define beneficiary selection criteria and develop guidelines for selection focusing on household vulnerability, identify and prioritize beneficiary households from the settlements in line with the selection criteria and guidelines.

Figure 5.1   The resettled families got larger houses with secure tenure and facilities such as sanitation and safe water

- Disseminate information about the beneficiary selection process.

- Raise awareness among the settlement residents and provide information to the selected settlements and households in collaboration with settlement representatives and elders.

It took 17 meetings between September 2006 and April 2007 for the committee to shortlist four settlements (Bogolka Bush, Bula Mingis, Ajuuraan and Absame) for resettlement. The committee also decided to allocate 20% of the new houses to poor households living on the streets of Bossaso. These families would be selected directly by the municipality in consultation with the central government.

The first phase of the resettlement programme could accommodate only 140 households, while the four settlements had about 2,000 households between them. A lottery was chosen as the fairest way to select beneficiaries. The beneficiary selection committee set criteria for which households could take part in the lottery, then asked committees in each of the four settlements to list all the households in their settlement that met these criteria. The lists were verified and complaints heard by Laasqoray Concern, a local NGO. In this way, a total of 398 households were pre-selected and placed on the lottery list. The lottery itself was held in public and the names of the lucky households were chosen.

The resettlement itself started in December 2006 and was completed in December 2007. A second phase that will accommodate 550 households was started in 2008.

The resettled families benefit in various ways:

- **Secure tenure.** The beneficiaries have provisional occupation certificates supported by the central government, the local authority and the district court as proof of the tenure arrangement and evidence of beneficiary status. An anti-eviction clause and annual property tax levy have created the perception of protection against forced eviction. Continuous occupation over 15 years enhances property rights.

- **Safe water.** The connection to the water mains assures beneficiaries of sufficient water for domestic use. The water is subsidized at 30% of the market cost,

- **Improved sanitation.** Each shelter unit has a private toilet and shower, connected to a septic system.

- **Durable housing.** The new settlement is in a safe location. The building materials are permanent and adapted to the hot climate.

- **Sufficient living area.** The living area is sufficient for the average Somali family.

More information

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LESSONS

Detail and reliability. Because the design and process of data gathering is undertaken by residents themselves, a participatory enumeration can provide a deeper, more holistic understanding of the local situation among community members and collaborating institutions. That enables conditions affecting specific sub-groups to be revealed and better addressed. That participatory enumerations often produce more reliable information than official surveys is shown by the Magallanes case above, as well as by another case from the Philippines (Box 5.3).

Building consensus can be time-consuming and difficult, particularly if the data reveal specific sub-groups with specific needs. Processing details on choice of resettlement site, planning for on-site development, determining payments for land, and others, will all require some degree of negotiation among community members. It is important to build

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BOX 5.3   PARTICIPATORY ENUMERATION CONTRADICTS
OFFICIAL SURVEY IN THE PHILIPPINES

A group of residents were removed from a settlement on a river bank in Metro Manila as part of a river rehabilitation project. They were deprived of basic services, especially water, electricity and classrooms, against the stipulations of the resettlement action plan – and contrary to the findings of an official survey by the project's funders.

The residents decided to commission a sample survey of the affected households. With the help of an NGO, they engaged a university-based research centre to carry out a new survey. This contradicted the findings of the official monitoring report, and the residents used it to challenge the donor agency.

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on existing social capital between leaders and organizational members, and among community members at large, in order to effectively facilitate a process of consensus building. This is an unavoidable element that will need to be worked out by the community.

Buy-in by all parties. Conducting participatory enumerations, negotiating with residents' groups and building consensus can be tedious. But it is worth it if it leads to a transparent data-collection process, common acceptance of the data, agreement on how to interpret them, and consensus on what follow-up actions to take as a result. Few other data-gathering processes can lead to these benefits.

Agreement is not automatic, however. There is the danger that lack of trust and lingering animosity may be aggravated by an enumeration exercise which gathers information on clan or political affiliation, ethnic identity and other sectarian data. Enumeration data can also create disputes, for example if the names of women are listed as heads of households if the husbands were not present. This may cause household tension about property rights, and even lead to family separation and sudden divorces.

Ability to identify the neediest cases. Enumeration data can help determine who among a given population are the most vulnerable and should be prioritized for assistance in resettlement programmes. Poor and marginalized groups, who are usually victims of discrimination, can reasonably expect to be involved in the enumeration exercise and to benefit from it. Vulnerability data can also help to protect women and children against violence and other kinds of abuse.

6 RECOGNITION OF INFORMAL RIGHTS AND CLAIMS

Residents of slums often find it difficult to obtain any land rights. Dense and unplanned, many informal settlements have layers of formal and informal land ownership claims. According to official registers, an informal settlement may occupy privately owned land, public land allocated to uses such as railways, roads and river reserves, or uncontested public land. Different countries have different land ownership laws: in some, the state may formally own all land, and grant individuals certain rights to use it. In others, ownership may be vested in individuals or communities. Traditional land ownership practices may differ from what is stated in the statute books. Overlapping claims, fraudulent documents and disagreements over boundaries are common, with different parties claiming certain rights to the same piece of land.

Even if the land they live on is uncontested, residents may still not enjoy tenure rights. Ownership patterns in slums are often so complex that regularizing land tenure seems impossible. For example, one shack can be occupied by a tenant who may have lived there for over 10 years; the owner of the structure may not live in the slum, and may be part of an ethnic-based owners' association that pays fees to the local government. Such competing commercial and political interests mean ownership patterns are difficult to resolve. External claims on the land often take precedence over the residents' claims, leading to evictions or lengthy disputes.

A further complication may be that people may understand questions such as "who owns this land?" in different ways (Box 6.1).

BOX 6.1 ASKING THE RIGHT QUESTION

During enumerations, it is important that respondents understand the questions asked. Engaging the community in the enumeration process is one way to ensure the community and the enumerators speak the same language.

A questionnaire used during the upgrading of the Nossa Senhora da Guia slum in Rio de Janeiro, Brazil, in 2003 illustrates how misunderstandings can arise.

In response to one question, 91% of the slum's residents said they had "ownership" of the land they occupied. However,

when asked if they had papers to show ownership, only 6 per cent said they had proper titles. The residents understood "ownership" as reflecting their links to the use of the land, regardless of who owned it. Many had bought the houses in informal transactions; they considered these transactions a guarantee of ownership – whether or not they had papers.

More information: Municipality of Rio de Janeiro. Favela-Bairro Programme. Diagnosis. Volume I, version 3. November 2003.

THE SDI APPROACH TO ENUMERATIONS

Shack/Slum Dwellers International (SDI) is experienced in helping local residents clarify their rights. In such situations, it uses enumerations to do two things:

- **Untangle the complex ownership claims** within the informal settlement. Enumerations seek to resolve anomalies of rights at two levels: how the city relates to the slum; and the entrenched informal ownership system that is often exploitative.

- **Establish a relationship with government** to find ways of overcoming so that a mechanism for each case can be developed.

Shack/Slum Dwellers International uses a "community-led" process as opposed to a "participatory" process (which implies an already existing mechanism that the community is invited to join). They are often sparked by an outside event: a threat to residents' rights (such as a looming eviction); a disaster such as a fire or flood, police raids, or an opportunity for the recognition of rights. The sequence of steps then depends on the immediate needs in the particular place (see also Box 2.3). It typically includes:

- **Awareness creation**, facilitated by a support organization, to build consensus on the enumeration, as well as negotiations with local authorities.

- **Team selection and training.** A team of community enumerators is identified and is trained by the support organization.

- **Numbering.** All the structures in the settlement are numbered. Challenges are identified, a better understanding of the structure of the settlement is obtained, and the enumeration strategy is tested.

- **Settlement profiling.** This is done at the same time as the numbering. Services and facilities in and around the settlement are identified, and the history, social and economic structure are recorded.

- **Household surveys.** A questionnaire is administered to each household. This one-on-one interaction also provides an opportunity to deepen the level of community awareness.

- **Photo-cards.** A photo of members of each household is taken at their doorstep, showing the house number.

- **Mapping.** Each structure is measured and sketched on a map and marked with the house number. For development planning, an aerial, satellite or GIS image of the settlement is used. The mapping includes several layers of information:

  o Settlement boundaries and internal clusters

  o Topographic information

  o Map information from the government

  o Infrastructure maps

  o Household mapping undertaken by the community

  o Internal infrastructure mapping undertaken by the community.

The case below shows how Shack/Slum Dwellers International used an enumeration to help residents of an informal settlement in Kenya obtain certificates for their dwellings.

ENUMERATION FOR RIGHTS RECOGNITION IN KIBERA, KENYA

The government revoked the eviction notices it had served on the residents of the Kibera slum who lived along the railway lines (see Chapter 4). But this was not because it had recognized the rights of the slum dwellers to live there; it only considered the timing of the evictions inappropriate.

To non-government organizations and the slum communities, it was clear that this was not the end of the battle. They needed to re-engage with government to find ways that would realize the development goals but that would also consider the slum dwellers' homes and livelihoods. But after a period of anti-government activism, such re-engagement was slow in coming.

With assistance from the Indian slum dwellers federation, a visit to Mumbai was organized for a team of Kenya Railways managers. Railways in India had faced encroachment problems at a much larger scale: every day, an average of two people there were hit by trains. From this visit, the Kenyan managers realized that there were alternatives to eviction. Kenya Railways committed itself to seek a more social and people-friendly solution to the problem of encroachments on railway land. It agreed to the idea that the slum dwellers contribute to resettlement solutions. This was achieved through an enumeration process that informed the preparation of a resettlement action plan.

A series of meetings between Kibera residents and Railways officers were held to build confidence in the resettlement action plan process. As expected, community members were anxious. The meetings were moderated by the Kenyan and Indian slum dwellers federations and who had been selected to prepare the resettlement plan. Officers from the ministries of transport, housing, lands and finance attended some of the community meetings.

Five years later, the certificates bear the weight of a land title deed. Many residents now hang the framed certificate in their homes

Preparations for the enumeration included an awareness campaign, community exchange visits to resettlement projects around the world, negotiations on the process, and the selection and training of community enumeration teams. These activities had spectacular effects: amorphous collections of shacks and stalls had been transformed into a community. The perceived common threat had brought the residents together. Community organizations that had been formed to fight the eviction found a new purpose. Both traders and residents began to discuss issues that affected them. The enumeration would capacitate and federate these groups. This self-awareness as a community was an important step in the process to have the informal rights of the slum dwellers recognized.

About volunteer 200 community enumerators would be needed to gather information from the residents in Kibera and Mukuru (another railway slum in the eastern part of Nairobi). The idea of working on a voluntary basis was unpopular, especially in view of the high salaries paid to the architects, engineers and other professionals involved in the project. Many felt that well-paid consultants would not be interested in listening to the slum dwellers' views. Eventually, the community enumeration and negotiation teams accepted a lunch allowance of USD 3 a day. All information collected would be entered into computers by a community team and would be released

to the professionals through a community presentation.

The enumeration would cover 100% of the people on the railway reserve (30 m either side of the tracks) and every registered person would be entitled to resettlement. However accuracy was critical, not only for the Railways corporation, but also to preserve the integrity of a process that would set a precedent on how to address the informal rights to land in Kenya.

To ensure accuracy, a technical team, led by a Railways engineer, painted a number on every structure, then marked its location on a map. The technical team was followed by the community enumeration team of field staff from the resettlement adviser, students, and officers of various ministries. This team administered questionnaires, issued mapping reference numbers, and took pictures of every affected person holding a paper showing their reference number. Every enumerated structure was issued with a railways certificate.

The certificate was intended as proof that the structure had been enumerated. But community members saw it as an acknowledgement of the informal right of occupation. Five years later, the certificates bear the weight of a land title deed. Many residents now hang the framed certificate in their homes.

The enumeration found out there were 31,000 shacks and stalls in Kibera and Mukuru. The government and Railways corporation realized that this meant there would be too many people to relocate. So instead, the corporation proposed that only 10 metres on either side of the track be cleared, instead of the statutory 30 metres. Residents and traders in this strip of land would be relocated. The residents of the remaining 20 metres would get leases allowing them to remain. The government found USD 11 million to pay for the relocation. Two years after the Railways first issued its eviction notices, the rights of all 31,000 households and traders along the line had been entirely transformed and recognized.

More information

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LESSONS

Certificates as proof of informal claims. By ensuring that an official body issues certificates, an enumeration can provide local people with proof that they reside in a particular place. Over time, these documents can become valuable evidence for use in property transactions and in resolving disputes. They can become important parts of a paper trail that officials need before they will agree to providing other rights and services.

Importance of outside validation. It is not enough that people within the community agree on who owns what or who lives where. Outside validation and documentation (for example, through official involvement in the enumeration) may be necessary if government bodies or non-residents are to accept a *de facto* situation. In Part 3, Chapters 8 and 9 (on land administration and adjudication) illustrate experiences with such applications.

7 ENUMERATION TO SUPPORT SAVINGS AND CREDIT

Many experiences of community-led enumeration around the world have been associated with savings and the accessing of finance for tenure security. For example, Shack/Slum Dwellers International promotedssavings in informal settlements in India, Namibia, the Philippines and South Africa.

What value does enumeration have in this context? In what ways do enumerations support savings as a tool for tenure security and for increasing poor people's access to finance?

This section uses short cases to illustrate three approaches:

- **Financing shelter security.** Enumerations can gather data to help find out how much residents can afford to save. The data can then be used to design a savings and credit scheme to help them improve their tenure security. This is illustrated by a case from the **Philippines**.

- **Improving tenure and access to credit.** Enumerations can result in improved tenure security, which in turn may enable people to get access to credit. Examples of this use come from **Namibia** and **Peru**.

- **Organizing community savings groups and leveraging financial support.** Enumerations can be used to mobilize the community, creating opportunities to form savings groups, which can gain access to credit and leverage financial and other types of support. Three examples of this approach are from **Namibia**, the **Philippines** and **Thailand**.

FINANCING SHELTER SECURITY: THE COMMUNITY MORTGAGE PROGRAM IN THE PHILIPPINES

Enumerations may collect information on the level and sources of income of households, their expenses and other financial obligations. These data may be vital for people to obtain financing for shelter security. Households' disposable income (income net of expenses and other obligations) can be calculated and used as a basis for determining their capacity to pay.

A community association that decides to participate in the Community Mortgage Program surveys its member households to determine the loan amount each one can afford to borrow. This mortgage programme is run by the government-owned Social Housing Finance Corporation, which lends to community associations so they can buy land from private landowners. The loans are initially to the community, but later the community account is individualized. The "community" may be as few as eight households, or as many as 300.

After an enumeration has determined each member's income and income sources, the community association decides on the plot sizes for the individual members based on the households' capacity to pay. The association prepares a subdivision plan based on the agreed plot sizes. The subdivision plan is a requirement for loan approval. The households maintain individual accounts and amortize their

loans over a 25-year period. After 20 years of operation, this programme has provided tenure security to over 200,000 informal settler households all over the Philippines.

More information

http://tinyurl.com/ycjkj4n

IMPROVING TENURE AND ACCESS TO CREDIT: TWAHANGANA FUND IN NAMIBIA

Land rights are often used as collateral for loans, but only if the borrower has legal rights to it. Acquiring some type of tenure security – through an enumeration process – allows poor people to get access to funds they can use for many purposes – to invest in a business, build a house, and so on.

This is an example of how participatory enumeration can contribute to tenure security and can enable poor people to gain greater access to credit. Community savings groups in Namibia can save money and buy land as a group from the municipality. The group and municipality sign a sales agreement, and land is registered in the group's name. Individual group members sign a code of conduct which certifies that a certain portion of the land is assigned to him/her. This gives the individual the right to borrow money from the Twahangana Fund, a national fund managed by the Shack Dwellers Federation of Namibia using a government loan. Members can borrow from the fund for various purposes, including income generation, building community infrastructure such as water and sanitation, and house building. One portion of the Fund is a government grant that matches the savings of the community groups and is used exclusively for building houses.

The Shack Dwellers Federation of Namibia has 587 savings groups with a total membership of 22,800 all over Namibia. These groups have saved some NAD 5.6 million (about USD 500,000). Tenure security has been provided to an estimated 4,000 households; 1,700 houses have been built, and 500 are under construction.

More information

http://tinyurl.com/yatqnbu

TITLING DOES NOT ALWAYS SMOOTH THE WAY TO CREDIT: A PROGRAMME IN PERU

A property titling programme in Peru, on the other hand, illustrates that granting titles does not always give the poor greater access to credit. Between 1996 and 2004, the programme, sponsored by the Commission for Formalization of Informal Property (COFOPRI), issued more than a million titles (far more than most titling programs in Latin America). It encouraged residents to use their titles to access credit. However, the titles did not automatically mean people could get credit; nor did they integrate slum dwellers and their assets into the formal city and economy.

After four years, with over 750,000 titles issued, only 1.6% of the titleholders had used their titles as collateral for loans. Both residential and commercial properties remained in the same precarious conditions as before. The project failed because implementers did not consider the cultural issues surrounding titling. In Peru houses are not used as collateral for loans, and most banks do not require title deeds for loans.

More information

www.cofopri.gob.pe/

Figure 7.1 Savings and credit groups in informal settlements often involve women

ORGANIZING COMMUNITY SAVINGS GROUPS AND LEVERAGING FINANCIAL SUPPORT: SHACK DWELLERS FEDERATION OF NAMIBIA

Participatory enumerations mobilize people to gather information about their communities. That makes them a useful way for organizing and mobilizing communities around common needs. Savings are one such need. Mobilizing people for an enumeration can help savings groups get organized by helping people get to know the community better, the common problems of the people who live there, and their priorities and aspirations. The enumeration process and the knowledge it generates among residents creates a sense of solidarity and belonging, which are essential in organiz-

ing communities. Once organized, communities can negotiate, demand services and access bigger resources for other needs. Organizing savings groups is a key part of the approach used by Shack/Slum Dwellers International (see Chapter 2).

Enumerations can also contribute to efforts by savings groups to gain access to government grants, loans or other types of support. The enumeration may generate data on the amount of funds and the type of other support needed, as well as a group's ability to repay a loan. Here are three examples, from Namibia, the Philippines and Thailand.

The Shack Dwellers Federation of Namibia is a network of poor communities affiliated with Shack/Slum Dwellers International. The Namibia Federation helps communities organize themselves around savings to improve their liv-

ing conditions. They use enumeration to mobilize people. Information gathered through the enumerations gives the Federation recognition by local authorities and the government. The communities organize themselves and save small amounts collectively on a daily basis. They meet once a week and report to each other about the money and inspect their savings records.

Using information gathered through enumeration, the savings group negotiate for a block of land that lacks services such as water and electricity. The local authority installs services as far as the boundaries of the block; inside the block, the savings group is responsible for providing the services. The government commits to providing finance for housing by matching the amount that the people have collected through savings.

More information

www.sdinet.co.za/country/namibia

HOMELESS PEOPLES FEDERATION OF THE PHILIPPINES

The Homeless Peoples Federation of the Philippines (HPFP) is another network affiliated with SDI. It also uses the savings approach for organizing poor communities, especially those in high-risk areas (such as on riverbanks, along railroad tracks and near garbage dumps). The Federation identifies such high-risk and other poor communities without tenure security those through enumerations, then helps them organize around savings. It then uses the savings to leverage funds from the government and other finance institutions. These funds are then used to support land acquisition, site development and house improvement activities of its members.

Some mechanisms for providing tenure security to the poor, especially those that involve borrowing by poor households, may require an enumeration to provide information for the loan and the borrowers' capacity to repay it.

More information

www.achr.net/philippines1.htm

SAVINGS GROUPS IN THAILAND

To join a city-wide slum upgrading programme in Thailand, communities have to have well established savings groups. By contributing savings to a common fund, these groups can qualify for a housing development loan from the Community Organizations Development Institute (CODI), a government agency. Through their internal credit and savings activities, these groups have developed the money-management skills they will need to handle the loan. Before getting the loan, the community must undertake an enumeration to determine the people's capacity to repay it.

In the Institute's Baan Mankong ("secure housing") programme, land titles are kept under the name of the community. This acts as a safety

In the Baan Mankong programme, land titles are kept under the name of the community…
to prevent individual families from losing their land rights

net to prevent individual families from losing their land rights in case of default. People who cannot afford to continue paying their loans are helped by the other group members. Those who decide to leave the area are replaced by other people in the community.

In these examples, the act of saving becomes a requirement for accessing loans. The amount saved can be very small; the emphasis is on the habit and discipline of saving, rather than on the amount. People have a stake in the group's funds, and know that they have to work together to manage the money. In the case of Thailand, some very poor households that cannot save can still be part of the community association that accesses a loan.

More information

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LESSONS

Neglect by savings and microfinance schemes. Traditional savings and microfinance schemes generally encourage members to invest in small businesses that generate a quick profit. They have not been widely applied to help them improve their tenure security. This would seem to be a potential area for such schemes to support more in the future.

Enumerations as a basis for organizing savings groups. Enumerations can be a powerful mechanism for organizing local residents and convincing them of the value of forming savings groups. The savings approach of SDI-affiliated federations of poor people is the most widely used methodology.

Data to support loan applications. Enumerations provide valuable support to savings as a tool for tenure security by facilitating the organization of communities and providing necessary information for poor households to be able to access credit.

Dangers of using land as collateral. The danger of losing one's land rights when land is used as collateral for credit should not be underestimated. Borrowers must realize that a failure to repay the loan may mean losing the land they used as collateral, so putting their tenure security at risk. If people know this risk, they may not be willing to mortgage their titles in exchange for credit. Safety nets such as collective land ownership (as in Thailand's Baan Mankong programme) may provide some solution.

Incentives for communities to do enumeration. Governments can trigger participatory enumeration by creating incentives for the communities to start an enumeration. This can be useful for the government: it gets access to data, and the community becomes more empowered. CODI in Thailand offered such an incentive by providing "enumerated communities" access to attractive savings and loans schemes.

Part 3

Novel uses of participatory enumerations

8 ENUMERATIONS AND LAND ADMINISTRATION

T HE PREVIOUS CHAPTERS looked at how participatory enumerations have been used, mainly by NGOs and community organizations, to address issues of importance to residents of informal settlements. This and the following chapters turn to novel uses of participatory enumeration techniques by governments, development organizations and other agencies. Because they are initiated by or closely involve official bodies, these enumerations are more closely enmeshed with official land administration systems.

Land administration is one of the land management approaches that can be combined with participatory enumeration. Land management is about putting land resources into efficient use for producing food, providing shelter and other forms of real estate, or preserving valuable resources for environmental or cultural reasons. In order to manage land properly, land professionals have developed various policies and tools, including urban planning, land readjustment, land taxation, land administration and management of public spaces. Land management is thus concerned with making informed decisions on the allocation, use and development of natural and built resources.

But trying to meld participatory approaches with official systems is not easy. Issues such as data accuracy, reliability and legal validity may be difficult to resolve. These problems relate closely to the issues that national land information management and land administration systems address. And, as we have seen, gaining the trust and participation of residents can also be difficult to achieve.

A wide range of land tenure systems exist, particularly in developing countries, many of which are legal and documented in the formal land administration system and in the land information management system. However, up to 70 percent of the area in many developing countries has other forms of tenure, such as customary tenures, informal tenures, use by pastoralists, rentals, and so on, and their land rights are not found in the land administration or land information management system.

LAND ADMINISTRATION SYSTEMS

Land administration systems vary widely from country to country. They may store and manage information on the following characteristics of a parcel of land (Williamson et al. 2010).

- **Land tenure.** Who owns or uses the land? Who has what rights to it?

- **Land value.** How much is the land worth (for taxation, or if it is sold)?

- **Land use.** How is the land used, and how may it be used (e.g., for agriculture, residential purposes, industry)?

- **Land development.** What rules apply to construction (housing, infrastructure and utilities) on the land?

It is very difficult for a state to systematically manage and protect land rights without a land administration system. In developed countries, these systems are generally digital and driven by a land information management system. Placing new land in the system is expensive

and time-consuming. Thus, land administration is already complex and expensive for developed countries; in developing countries the situation is even more difficult. Most developing countries have less than 30 percent of their land covered by a land administration system. This has a direct impact on the ability of the state to undertake systematic land management in these areas, for example in informal settlements. Participatory enumeration may be able to circumvent some of the costs and time needed to formalize land rights and place them in the land administration system.

If there is no formal land administration system and linked land information management, it is very difficult to undertake systemic land management, such as city-wide planning and slum upgrading. Participatory enumeration may be able to help fill the gap, thereby strengthening city-wide slum upgrading and sustainable urban development. However, to do this, enumeration needs to link to the existing formal systems, or substitute for them in certain circumstances. We examine these systems through the participatory enumeration lens to learn how to do this.

CADASTRES

In developed countries, information on these characteristics is kept in a **cadastre**. This consists of two parts:

- **Maps** that show the different land parcels (and sometimes separate buildings) and the boundaries between them. The maps show a unique code to for each parcel (e.g., Naivasha 673).

- **Lists** that show for each parcel the name(s) of the holder(s), and the type of tenure held. When more than one form of tenure rests on the same parcel, each may be included in the list. Other information is often added for each parcel, such as the value and the land use.

Figure 8.1   It can be almost impossible for formal land administration systems to keep up with changes on the ground

Cadastres may be set up for a number of reasons. For example:

- A cadastre set up for property taxation is called a **fiscal cadastre**

- A cadastre aiming to guarantee tenure security and facilitate the land market is called a **legal cadastre**.

The level of precision and types of information held in the cadastre depends on its use. For a fiscal cadastre, for example, it may be enough to identify the occupant of the parcel for tax purposes, without making the effort to determine the legal owner.

In many developing countries, however, such official records are inadequate. Often designed to serve the needs of colonial powers, they may be slow and expensive to maintain. They may cover only a small proportion of the land and properties in a country and contain only certain types of information. They may use outdated technologies and fail to maintain records in a secure way. They may fail to record the variety of land tenure forms that exist. They may be out of date, so fail to reflect reality on the ground – which may be changing rapidly as

informal settlements grow. Staff may be poorly trained, overworked and underpaid. Records may show an area as belonging to a particular individual, and city plans may designate it as an open area; visitors to the spot may find that it is a dense slum, packed with houses and crisscrossed by alleys, with numerous "owners" who rent structures to hundreds of tenants, who may in turn sub-let to still more people. Less than 30% of urban dwellers in developing countries are covered in official records; for sub-Saharan African countries the figure can be below 10%. This situation opens many opportunities for corruption.

LAND REGISTRATION

Another key element in the land administration system is the land registration procedure. When a piece of land changes hands – for example, by sale or inheritance – the legal records should be updated. Like cadastres, land registration requirements and procedures vary from country to country; for example, in some countries it is necessary to register land in order to obtain a mortgage. Doing so may require the owner to provide the full legal title, witnessed by a notary or lawyer. In most systems, the person registered in the system is considered the owner of the land – even if other people have lived there for decades. But the registration is what counts legally – regardless of any arrangements that the owner and others may have made in the meantime (such as selling the land without registering the sale), and regardless of the facts on the ground. In a title system, "the system is always right".

In other places the situation on the ground plays a stronger role. The land records held in the registry contain documents that describe transfers that have happened (and have been reported), without regarding them as full legal evidence. That allows for more flexibility: parties can agree on things like tenure between themselves, and the system can record situations that have a certain level of ambiguity.

> In most systems, the person registered in the system is considered the owner of the land – even if other people have lived there for decades

Such systems depend heavily on sound administrative work, indexes to locate the relevant records, and maps to show the land parcel that each document refers to. Such a "registration of deeds" system can function well, as in South Africa.

Participatory enumeration data could possibly be used, in certain circumstances, as first evidence of rights, in a series of incremental steps leading to registered free hold rights. The enumeration data could speed up the adjudication phase, where the rights of people who occupy land are adjudicated ready for documentation and registration. That means that enumerations can lead to the people who occupy land getting the legal right over the land, and having that right registered.

LEGAL BIAS

Formal land registration and cadastral systems tend to favour paper documents and often nowadays digital systems. They are often centralized, and are staffed by technically trained land professionals, who may be civil servants or private practitioners.

Such systems are less appropriate in certain circumstances, like after a disaster or conflict, for areas dominated by customary systems, or during slum-upgrading projects. In such situations, more attention should be given to alternative sources of evidence, including oral evidence.

INFORMAL LAND RECORDS

In areas not covered by formal land administration, some form of local land records may be kept. This takes many forms: a land office in an informal settlement (as in Kibera, Nairobi), or the use of non-standardized writings to document people's transactions, of which a copy is usually given to a customary, local or informal leader who acts as a witness. Such "little papers" (in French, *petits papiers*) are increasingly found in e.g., West Africa. The results of certain types of enumerations may also form the base for such land records if they include the right questions and have some mechanism for updating the information.

Inside the community. If performed by someone who is trusted by local residents, enumerations can clearly help improve the tenure security inside the community: they may reduce the risk that someone else in the settlement will try to take a piece of land away from someone already living there.

Outside the community. Informal records, such as those emanating from enumerations, lead to tenure security vis-à-vis outsiders only if the government, the courts or other outside stakeholders acknowledge the local records as evidence.

In such cases, it is not so much whether one resident "owns" a certain dwelling, but it is about the legal position of the whole settlement. For example, will the courts protect the rights of a private landowner on whose land the informal settlement is built, or will they accept that the landowner has not used the land for so long that (most) rights have expired? Will the government, as trustee of public land occupied by the settlement, accept this situation and support formalization? Or will the courts give preference to the formal records, zoning regulations and planning documents? Enumeration information could be used to show that people have lived in an area and that their rights need to be considered. This kind of evidence has already been used by courts in some

situations. Enumeration data may be moved from an informal to a formal land record in certain circumstances.

UPDATING

Even a simple land record system needs to be kept up to date: the names of who lives in a dwelling need to be changed when people move. That requires agreement among residents to report such changes, as well as the capacity to record them. Measures to prevent abuse by making false reports are also needed.

A land record system is more useful if it includes spatial references – by showing locations on maps or aerial photographs, and matching them with the other information. The technology to do this with a computer is becoming cheaper and easier to use, though keeping paper records is still probably more useful in smaller or more remote communities.

USES OF PARTICIPATORY ENUMERATIONS IN LAND ADMINISTRATION

Participatory enumerations offer exciting potential for improving the land administration systems. They can generate accurate data about the *de facto* situation quickly. They can show who lives where, and for how long. They can lead to consensus among stakeholders on who has what rights to what land, where the boundaries lie, and so on. They are particularly useful in generating information that can increase land tenure security inside the community, and they can provide the basis for the government and other outside stakeholders to regularize the status of the informal settlement as a whole.

To some extent, using participatory enumerations to improve official records is merely repeating history. After all, land administration systems in the developed world began with attempts to recognize and formalize existing facts on the ground.

The remainder of this chapter presents two cases that focus on the interface between participatory enumerations and the formal land administration systems.

- The case from Payatas, in the **Philippines**, shows how enumerations were used to reconstruct and improve a land records system that had been destroyed.

- The case from **Ethiopia** describes the Social Tenure Domain Model, a pilot project to develop an alternative computer-based land information system that is flexible and recognizes a continuum of land rights and different types of evidence to support them. This approach uses data from participatory enumerations as one source of the data included in the system.

Subsequent chapters in this Part focus on the use of participatory enumerations in various aspects of land administration and management: land adjudication (Chapter 9), land allocation after conflicts (Chapter 10), local planning and development (Chapter 11), land and property taxation (Chapter 12), and city-wide slum upgrading (Chapter 13). Most of these activities were initiated by governments or development agencies, though several were in close partnership with NGOs and community organizations.

THE LAND ADMINISTRATION AND MANAGEMENT PROGRAM IN PAYATAS, PHILIPPINES

Over 100,000 people are crowded into less than 3,000 ha in Payatas, making it one of the most densely populated areas in the Philippines. Settlement of the slum began in 1986, when people who had been evicted from other parts of Metro Manila were relocated there. Lorries dumped truckloads of people and their few possessions next to the second-biggest garbage dump in the city. "Build a house where you can", the new arrivals were told.

Construction was haphazard, and little attention was given to such niceties as basic services. People did not have clear land titles, and it was unclear how the authorities in Quezon City, where Payatas is located, classified the land – as the land registry office had burned down and most of the land records – title deeds, land registries, etc. – had been destroyed. This lack of clarity meant many residents were forced to pay for "squatting rights" or other bogus privileges to people who claimed to be the legal landowners. Many lived under constant threat of being evicted once more.

By the early 1990s, residents had formed associations to protect their rights and work towards more secure tenure. These associations conducted various community survey and mapping exercises to gather data about the community, but the problems of land classification and ownership hampered their efforts to secure formal tenure documents. They campaigned for a presidential decree to award the whole of the area to the local residents, but their efforts were not successful.

In 2001, the national government launched the Land Administration and Management Program (LAMP), to improve security of tenure and develop an efficient land administration system. In Payatas, the Program focused on developing a prototype records management system. This included verifying and reconstituting records that had been burned, creating a cadastral map showing each plot of land, eliminating fake and duplicate titles, and computerizing the records.

The Program gathered information through a household survey in Payatas. Rather than relying on outside enumerators, the project asked community leaders to collect the information. It trained them how to do a household survey of occupants to determine whether they owned the land where they lived, how to do

research on land titles, and how to determine the boundaries of plots of land. It also trained them on simple engineering skills, how to manage conflict, and basic project management.

Land administration personnel covered more technical aspects, such as determining the validity of land titles (which requires a legal background) and demarcating the boundaries of land parcels (which needs surveying skills).

This collaboration created an up-to-date picture of all the land parcels in Payatas. The Program addressed various weaknesses in the land administration system: it developed a mechanism for land-related agencies to exchange information about land, and created a single point of contact for the public to transfer land titles. It established a database and inter-agency working group on overlapping titles, and trained staff to detect fakes.

The community also benefited substantially. The leaders' mapping and enumeration work showed the true nature of the tenure arrangements for the land in Payatas. Local people realized that the whole of Payatas was not public land (as they had believed) but had been classified as privately owned. That meant they could find and negotiate with the legal owners rather than continue to pay the spurious fees that greedy individuals had been charging.

Armed with this new information, and together with the wealth of data on land ownership that had been generated, a number of community organizations in Payatas shifted their strategy. Instead of pressing for a decree award the whole area to local people, they began negotiating to improve services and housing and to help residents get legal title to the land they occupied – for example, by buying it from the owner or getting mortgages from government-sponsored land acquisition programmes.

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THE SOCIAL TENURE DOMAIN MODEL IN ETHIOPIA

The Social Tenure Domain Model (STDM) is a multi-partner initiative (Box 8.1) to develop tools and techniques to provide land administration solutions for the poor. Unlike traditional land information systems, the Social Tenure Domain Model records information on all types of tenure rights, including informal and customary. It seeks to bridge the gap between conventional registration and land administration tools and informal and customary rights. The aim is to build an acceptable, affordable, efficient and pro-poor method of land registration, land administration and land record creation.

This model is being tested in the Amhara Region of Ethiopia. With over 170,000 km², over 3.6 million holdings and 16 million parcels of land, using conventional registration systems to certify land in Amhara is a major challenge.

Current land certification system

The current land certification in the region uses the *kebele* (ward, the administrative level below the *woreda*) as the registration unit. It registers certificates based on land holdings and has a systematic adjudication and participatory registration process. It allows certification at two levels:

- **First-level certification.** This is a manual recording system that uses traditional and qualitative measurements. This produces a land registration certificate but no map.

- **Second-level certification.** This is based on the first-level procedures but will add a map, which can be redefined, to the records.

So far, the region has managed to register 3.4 million holdings and distributed first-level certificates to 2.3 million land holders.

The current system is paper based (though it is being computerized), lacks a basic spatial framework, and yields only administrative records. This means it cannot be used for land management such as watershed management. The current cadastral surveying and mapping methods have high levels of precision but appear expensive and time-consuming, so are not suited to the large area and population that need to be covered in a short period.

Social Tenure Domain Model approach

The approach is being tested as a model to improve the surveying and mapping methods. In a mostly home-grown process, different GPS technologies and high-resolution satellite images have been used. A number of technical procedures have been worked out, tested and applied. Methods range from traditional measurements to using modern technology, and from conventional surveying to enumeration-like procedures.

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BOX 8.1   SOCIAL TENURE DOMAIN MODEL PARTNERS IN ETHIOPIA

- Environmental Protection, Land Administration and Use Authority (EPLAUA)
- Global Land Tool Network (GLTN), www.gltn.net
- United Nations Human Settlements Programme (UN-HABITAT), www.unhabitat.org
- International Institute for Geo-Information Science and Earth Observation (ITC), www.itc.nl
- International Federation of Surveyors (FIG), www.fig.net
- World Bank, www.worldbank.org

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The model is being tested to see if it can fulfil users' needs, and discover what adjustments are needed in rural land administration. It also aims to gauge the capabilities of staff at different levels in managing and using the software, and check its compatibility and complementarities with existing information technology infrastructure and software.

The model provides a wide range of functions. It can generate images and forms for field work, scan images and vectorize (draw outlines) boundaries, record overlapping claims (for future possible adjudication), record and manage overlapping tenure, link spatial and administrative data, aggregate parcels (e.g., into holdings), record the history of parcels, record, store and manage all types of source documents, and record information on the data collectors and managers.

Conventional land administration systems can keep only certain types of records. For example, they may record a person's name and address, and link it to a particular land parcel and allocate it a particular right to that parcel. The model can accept different types of data (e.g., fingerprints to identify people), and relate these to coordinate inside a plot of land, and label this as a particular form of tenure (such as tenancy). This flexibility makes the model more suitable for recording complex land rights.

As a pilot, the approach is being used to develop index maps (maps that show the real and legal property boundaries of all land in an area, along with administrative boundaries, parcel identifiers and other information) using satellite images in Faggeta Lekoma, a rural *woreda* (district) in Amhara region's Agew Awi Zone.

Participatory procedures in STDM

The Social Tenure Domain Model follows these steps in producing its maps:

1 **Marking boundaries on satellite images.** The boundary of the *kebele*, and prelimi-

Figure 8.2   Checking the farmers' documents against the official register book

nary boundaries of all types of holdings are marked on the satellite imagery. This is done with the involvement of *kebele* land administration committees, who are composed of 5–7 members elected at public meetings.

2 **Public hearings for initial corrections.** Public hearings are held for land holders, using displays of the imagery and boundaries. Most corrections at this stage focus on communal lands and general interest areas. The preliminary boundaries for individual holdings are shared. The information is displayed for at least 1 week in the *kebele* so that everyone can check if the preliminary delineations are correct.

3 **Requests for changes.** Individual farmers or other land users can call for changes to the maps. These requests are processed in consultation with the *kebele* land administration committee.

4 **Field visits.** The community is notified of the field visit, and where possible, ap-pointments are made with individual land holders. They are asked to produce their identification number and book of holdings, which is checked against the register book (Figure 8.2). They also indicate the boundaries of their land, which are marked on the maps. Any differences with the preliminary boundaries are discussed with the individual land holders and are processed with the *kebele* committee.

5 **Final public display.** The resulting index maps are displayed for at least a week, along with the associated records (Figure 8.3). Any requests for changes are processed with the *kebele* committee. The public approves the map and the minutes are documented.

6 **Record keeping.** The final map is maintained in a geo-database at the *woreda* office, and a paper copy of the map is provided to the *kebele*.

In Faggeta Lekoma, nearly 10,000 parcels have been covered but only 1,000 have been used

Figure 8.3   The maps are displayed in public so people can check the boundaries are correct

in testing. The field procedures used here will be tested in five other *kebeles* and later replicated over a full *woreda* to generate a complete map.

The Social Tenure Domain Model combines the use of sophisticated gadgets (GPS units and satellite images) with elements of participatory approaches: public hearings, field visits and public displays. It is still in the testing stage. While it is intended as an alternative land administration system, it has not yet been put in place yet.

More information

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LESSONS

Building consensus. Building trust and achieving participation are difficult, but are worthwhile in the end. Participatory enumerations provide an agreed set of data that clarifies land rights and enables residents and outside organizations to agree on the situation, common goals and collaborative efforts.

Breaking the hold of local elites. Enumerations may break the hold of local elites and self styled "intermediaries" who take advantage of the poor by peddling themselves as holders of "privileged" information. By making information public, they can overcome fixers and insiders in government agencies who profit by spreading false information and selling fake titles and claims.

Marrying participation and gadgetry. Participatory approaches do not have to be low-tech. The price of equipment such as computers and GPS units is falling, and they are becoming easier to use. That makes them increasingly available to organizations such as NGOs, community croups and cash-strapped government agencies.

Need for official buy-in. If they are to benefit official land administration systems, participatory enumerations must be conducted with the full collaboration of the relevant government bodies. Otherwise they risk generating data that the government will distrust and ignore.

Need for community buy-in. Conversely, participatory enumerations must come from inside the community. Initiatives by outside organizations must engage closely with residents' groups and must respond to their needs. Enumerations are not effective when done by outside groups.

9   ENUMERATION FOR LAND ADJUDICATION

When land is entered into a registration system, it is necessary to determine who has what rights to it. This process is called "adjudication". It takes different forms in different countries. It may rely on various forms of evidence: papers recording a land allocation or transfer, other paper trails such as tax or utility payments, or oral witnessing by the land holder, neighbours or local leaders. Formal systems favour written evidence, but more attention can be given to oral evidence in certain circumstances, such as after a disaster or conflict, for areas dominated by customary systems, or during the process of formalizing informal settlements.

There are two distinct forms of statutory adjudication: sporadic and systematic.

- In **sporadic adjudication**, the rights and interests in each parcel are identified at different times. This can be when the landholder volunteers to do so, or when the law requires it (e.g., when the land is sold). It is not always easy to alert all the neighbours and others who might have an interest in a particular parcel of land. The procedure is often rather expensive and has to be paid for by the landholder, who may have to hire professionals to prepare a map of the parcel and its immediate surroundings and pay a fee to the government agency involved.

- **Systematic adjudication**, on the other hand, aims to identify, collect and enter all land tenure relations in an area at the same time.

In some circumstances, participatory enumeration could be used as part of the systematic adjudication process, or as a substitute for it. This would mean that the formal statutory steps might need to have equivalent steps in a participatory enumeration. Participatory enumeration can help gather the information needed; the data are entered in some form of documentation system, and the process of determining who holds which right (the adjudication itself), can take place.

A participatory enumeration for adjudication normally starts with sensitization, after which a base map or satellite image is prepared of the area. Teams then go into the field to identify the boundaries of the plots and the rights and interests that people have in each of them. Different approaches are used:

- Technical staff may survey the boundaries separately from the collection of the other data; neighbours may be asked to mark their boundaries in the field before the surveyors come; or neighbours may be invited to be around when the team visits.

- The teams collecting the land tenure information may pass from parcel to parcel, or people may be asked to bring documents to a field office.

- The teams may be made up mainly of professionals, or the majority may be local people.

- The results of the work are published for comments before they become final, either in a field office or a public place in the area.

- Feedback can be one-on-one or through a community meeting.

For this to work, a land administration system must already exist, along with policies and laws to determine who holds what type of rights.

The level of community involvement in the adjudication process may vary. In some countries the process is relatively participatory for a government activity, and in others it is quite strongly led by professionals. Where local representatives are involved, the process can be seen as a form of participatory enumeration, albeit one that is initiated by the government.

Systematic adjudication may be urgent after a conflict or disaster, when boundary markers have been obliterated, many land owners or users have been killed or fled, or when records have been destroyed.

The case below describes an attempt to use participatory enumerations for land adjudication after the 2004 tsunami in coastal areas of Aceh, **Indonesia**.

ADJUDICATION AFTER THE 2004 TSUNAMI IN ACEH, INDONESIA

In Indonesia adjudication has been ongoing since the early 1960s, but it has not yet covered half the country. Both sporadic and systemic approaches are applied, but in both cases the process is led by professionals, and strict rules and regulations regarding paper evidence are applied. In the city of Banda Aceh, the capital of Aceh province in the west of Indonesia, over one-third of the land was covered by the registration system, although there were problems with keeping it up to date.

But on 24 December 2004, coastal areas of Aceh and the nearby island of Nias were devastated by a tsunami and earthquakes. The loss of life (over 200,000 people) and damage to buildings (about 250,000 destroyed or heavily damaged) was enormous, and some coastal land was lost to the sea. Many staff of

> ### Systematic adjudication may be urgent after a conflict or disaster

the National Land Agency (Badan Pertanahan Nasional, BPN) were killed, and three land offices were destroyed and three others damaged, and the land records they housed were seriously damaged or lost.

In the first 6 months after the disaster, local survivors, officials and NGOs were very active in community land mapping. Outside Banda Aceh, the primary instigators were usually sub-district heads (*camat*), village heads (*keucik*) and local survivors. NGOs were the primary instigators in Banda Aceh and some parts of southern Aceh. Indeed, by July 2005 over 80% of tsunami-affected Banda Aceh had been mapped with the support of specialist NGOs. Very diverse and relatively simple methods were applied. These community maps often lacked comprehensive juridical data (lists of owners, determinations of inheritance, appointment of guardians for underage heirs). They also varied significantly in terms of quality and accuracy.

Initially, most international organizations involved in rebuilding houses were not confident that community determinations had legal validity, so they did not use these early community maps or engage in their own community land mapping. This legal validity first emerged in mid-2005 when the Reconstruction Agency issued guidelines prepared by a broad team of stakeholders coordinated by UN-HABITAT. These guidelines included steps relating to community land mapping. Soon thereafter, the National Land Agency issued a regulation containing the manual for a project to reconstruct land administration systems in Aceh and Nias (see below). This manual led to the use of village maps as well

as forms on which land owners could make statements of ownership that were signed by neighbours and the village head.

The rapid take-up of community mapping by survivors and NGOs – along with support from key stakeholders such as the Planning Agency, UN-HABITAT, the United Nations Development Programme and the World Bank – led to the adoption of community-driven adjudication of land rights as the primary basis for re-establishing tenurial certainty in Aceh. A supplementary and parallel measure was the restoration of personal identity documents by local governments in 2005 and 2006.

Community-driven adjudication

The main formal mechanism for establishing tenure security after the tsunami has been the Reconstruction of Land Administration Systems in Aceh and Nias (RALAS) project. This project was proposed by the Indonesian government and supported by the Multi Donor Trust Fund, coordinated by the World Bank. It began in 2005 and is still active. In 2005 it issued a manual to guide both the National Land Agency and communities on the whole process of land rights restoration.

The core element of the project is a programme of systematic land title certification based on community-driven adjudication of land rights. It outlines these steps:

1   Each land owner must install boundary stakes and complete a statement attesting to the location of, and their ownership over, a specific land parcel. This statement must be endorsed by the owners of neighbouring land and the village head.

2   Where the land owner is deceased, this form should be completed by the deceased's legal heirs who have previously received inheritance approval from their village head or village imam (*imam meunasah*).

3   Where the heirs are minors, the form should be completed by a guardian ap-

proved by the village head or imam and confirmed by the Syariah Court. The court comes to each village and conducts such confirmation hearings free of charge.

4   From these statements, communities then develop a map identifying the ownership and boundaries of land parcels in the village.

5   Once the statements of ownership are complete, surveyors accredited to the National Land Agency survey the boundaries of the identified land parcels.

6   The National Land Agency then prepares a community land map that identifies boundaries and owners.

7   This map is displayed on the village notice board for 30 days, in which time objections may be lodged for consideration by a village meeting or a National Land Agency complaints team.

8   Once these objections have been taken into account, the National Land Agency issues land certificates to land owners within 90 days of the commencement of survey work.

The drafters of the project manual believed that almost all land records in tsunami-affected areas were damaged or irrecoverable. Hence the community-driven process was seen as a "clean-slate" approach. If the community-driven adjudication process produces results that are consistent with existing (i.e., available) records, the National Land Agency would issue land title certificates and record boundaries without further action. These would automatically supersede and cancel any inconsistent pre-disaster documents that may subsequently emerge. It was assumed that the government would issue a regulation to grant legal force to this automatic cancellation. But this regulation was not issued until late 2007, a delay that had a major impact on the implementation of the project.

The community-based nature of land titling is quite different from the procedures set out in the 1997 Law on Land Registration. This law provides no role for communal agreements on ownership and boundaries. It merely states that the sworn evidence of witnesses may be valid evidence of land ownership, and that the demarcation of boundaries should proceed – to the greatest extent possible – on the basis of agreement between an owner and his or her neighbours.

Difficulties in reconciling community and formal adjudication systems

By September 2005 the National Land Agency had 10 teams on the ground (a total of about 200 staff). The cooperation between NGOs and these teams was in general not very good. The information from the community land mapping was not always supplied to the teams, and the teams tended to redo a lot of the adjudication work, and not just check it (as intended by the manual). In many cases, for instance, the community adjudication did not use the prescribed boundary markers, so the teams redid the boundary determinations in the field. In addition, the teams (re-)surveyed the boundaries more accurately and in the frame of the national reference system.

Agency teams argued that many of the community adjudication results were poor in quality, subject to changes as community members revised their maps, and inconsistent with pre-disaster indicators such as aerial photos and surviving boundary markers. The Agency surveyors often found it difficult to locate parcels and boundaries precisely in the field from the community documentation. As a result, some community adjudication results could not be translated or scaled up into the Agency reference system.

The teams received a large number of requests to re-survey land parcels after the community adjudication had been completed, as survivors sought to subdivide land parcels to increase the numbers of people who would be eligible for housing assistance. Plus, it appears that a large number of de facto subdivisions took place without reference to the Agency for the same reason. As a result, the land parcel facts on the ground quickly began to diverge from the information recorded by the Agency.

The 2005 teams stayed for about half a year, and it took another half a year before the 2006 teams were deployed, mainly consisting of new people, who had to learn the methods and situation all over again.

The project approach assumed that most of the land books and other cadastral records had been irretrievably damaged, so a clean slate was the only alternative. But by the end of 2006, about 80% of the damaged land books had been repaired, and the regulation giving precedence to the community adjudication had not been issued. The National Land Agency felt that the project manual lacked legal backing, and started to cross-check all the collected data against the repaired registry books.

Meanwhile, many NGOs continued to implement housing and infrastructure programmes based on community mapping. The process of village planning, in particular, drew boundaries that were reflected in the community adjudication, but were inconsistent with pre-disaster records.

The project had aimed to issue 600,000 land title certificates by the end of 2008. But progress was slower than expected: by June 2006, only 2,000 land titles had been distributed; a further 7,000 titles had been signed and were waiting to be distributed; and the Agency had surveyed 47,000 land parcels. At this time, reconstruction had commenced on at least 50,000 houses. For a while a large number of land title certificates that had been prepared were not distributed by district land agency offices. By September 2007, the Agency had surveyed over 210,000 land parcels and distributed only 105,000 certificates.

Analysis

Many of the original village mapping exercises can be seen as community-led enumerations with NGO support. They stabilized the land-rights situation, and caught the attention of the government, donors and NGOs interested in improving tenure security. A window of opportunity was opened to raise the quality of the enumerations through NGO inputs to start using a systematic approach following the project guidelines. The official National Land Agency system was willing to set aside its formal procedures by approving the enumeration approach, assuming that legal backing for this would follow soon, and that pre-existing records were lost. In the event, legal backing was delayed and many of the records were recovered, leading to conflicts between the community-based and formal systems. The window closed before the work was done, and a disconnect re-emerged between the two systems.

The project had envisaged an integration between the bottom-up stabilization of land rights and the formal land-titling process. This integration did not emerge. Community land mapping was necessary to rebuild houses quickly, so was part of the early recovery efforts. Land titling is more part of a development rather than post-disaster agenda, and the attempt to link the two did not work out.

Perhaps the aim of moving so much non-registered land into the formal land registration system via a short cut was one step too far. A more realistic way of increasing tenure security might have been to support a simpler form of land-record keeping by maintaining and updating the results of the community-driven adjudication and participatory enumerations.

More information

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LESSONS

Facts on the ground change quickly. After a disaster, facts on the ground change quickly. Many people are killed, and their knowledge is lost. Many survivors are displaced; they need to find somewhere to live and a way to earn a living. Relief and development agencies set up camps, clear rubble, erect buildings and build roads, with little reference to previous land ownership patterns. As people realize how the results of a land adjudication will affect them, they may wish to revise their claims (for example, to subdivide parcels so that more people would be eligible for assistance). In such a situation, land adjudication efforts face particular challenges.

Stabilize but do no harm. The first community mapping work helped to stabilize the land tenure situation in the wake of the tsunami. Unlike clearing of rubble (which may indicate boundary positions), such mapping stabilizes the situation without affecting future positions.

Need for standardized methods. To be considered as a basis for an official procedure, information must be collected through prescribed, standardized methods, and by people trained to use it. However, this makes it harder to recruit enumerators from the community, threatening the participatory nature of the exercise.

Building community participation. Community mapping and planning were among the activities that brought the community together to work on the future. This was very important after so much was disrupted by the tsunami. The strengthened community still continues to be engaged in other activities.

Difficulty of reconciling participatory and official data. A participatory enumeration may be successful if it is the only basis for adjudication. But complications arise if other evidence become available (such as recovered official records or satellite images); these will inevitably diverge to a greater or lesser extent

from the results of the participatory process. For a participatory enumeration to be acceptable for the official adjudication system, it has to ensure that data are reasonably accurate and that prescribed procedures are followed.

Need for collaboration among all stakeholders. After a disaster such as a tsunami, many different organizations come to assist local people. They all have different focuses and different priorities. Organizations that help local people re-establish their livelihoods and find adequate shelter may have little interest in a long-term initiative such as land adjudication.

Need for a clear legal mandate. A participatory adjudication process must have a clear legal mandate if it is to create a set of records that all stakeholders regard as valid. Delays in passing the requisite laws may mean missing a window of opportunity to revise the records.

10 ENUMERATIONS AFTER CONFLICTS

Conflict can result in a similar set of problems to natural disasters (see the previous chapter): many people killed or displaced, records lost, property destroyed and boundary markers obliterated. Like natural disasters, they tend to affect the poorest and weakest disproportionately. In addition, they pose problems of their own. Many conflicts are triggered by disputes over land. People may flee their homes or be expelled by force; continued hostility may make it impossible for them to return. They may take the law into their own hands and seize property from others. Conflicts may traumatize people and destroy the social structure: people may lose trust in their neighbours or in the formal authorities. They may overturn existing rules, leaving a vacuum of laws on how to manage land issues.

This chapter describes an approach to dealing with land issues after a conflict, called a "systematic collection of claims". It then illustrates this approach with a case from **East Timor**.

CIRCLES OF TRUST

In most informal settlements, land tenure is only as secure as people's circles of trust. If there is no official record to say who has which rights to what land, the level of security depends very much on other people's perceptions. When perceptions change ("Wait, is she really the owner?"), that person's tenure is at risk.

Without a land registry or some other official record that everyone recognizes, a person may be able to demonstrate his or her entitlement to the land only to people who trust him or her: the immediate or extended family, clan, some friends, a few colleagues – i.e. the person's **circle of trust**. They would rent or buy from him. Others would not, or would demand a big discount to compensate for the risk they perceive. The person, in turn, might agree to lend or rent the land only to people he or she trusts, but not to an outsider – unless the outsider is willing to pay extra.

War and civil conflict weaken the security of land tenure by reducing the circle of trust. It may do this in many ways:

- Forced displacement reshuffles occupancy.

- A new government may ignore previous land rights, or grant overlapping rights to its allies.
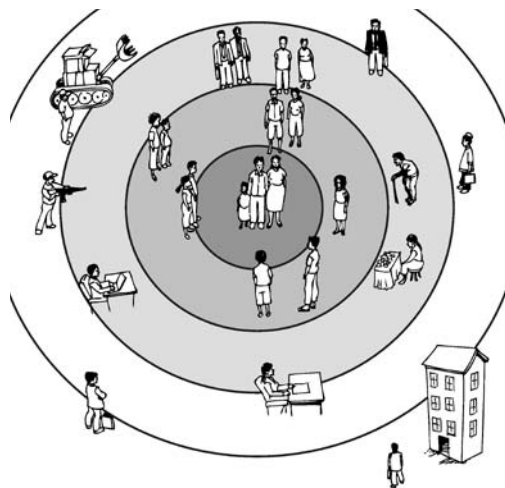
Figure 10.1   Circles of trust: The wider the inner circles, the more secure is someone's tenure

- Property records may be deliberately or accidentally destroyed. Land administration offices may be looted, and technical staff may flee the violence or join armed factions.

When peace is restored, the new land tenure situation may be chaotic. Displaced persons want their property back. People who have moved onto land or into houses insist on staying put until they get alternative residences. The government may not be able to find out who the legitimate title-holders are. Even if it can, it may not have the will or ability to enforce their rights.

At such times, people's circles of trust shrink to the few individuals they can still rely on. Rights to the land become very dependent on possession: if someone leaves the land, they may well lose it.

SYSTEMATIC COLLECTION OF CLAIMS

A "systematic collection of claims" (SCC) re-expands this circle of trust. It collects, organizes and records all the relevant information on land parcels and the people who claim rights to it. The data are collected systematically, area by area. The resulting database becomes the official source of information on land rights, allowing anyone – not only friends and family – to check the status of a land parcel. The database reflects the best available information on the rights associated with each parcel of land.

The systematic collection of claims process has to be more than just a registry of what people think. To increase tenure security, it needs to expand the circle of trust – ideally to a national level. It does this by first going into a local area and asking who claims each parcel of land – an adaptation of participatory enumeration methods. It then makes the claims public and invites anyone else outside the local area to scrutinize the claims (and perhaps make counter-claims).

THE CLAIMS DATABASE

At the end of the systematic collection of claims process, the database will answer three questions:

- **Who claims the land?** The process asks people to say whether they claim each piece of land. Their claims are then cross-checked with key informants, usually local elders who know the history of properties, neighbours and local leaders.

- **Which parcel of land does he or she claim?** There are different ways of identifying which piece of land the person claims: an address on a list, a map, an aerial photo, and so on. The identity of each parcel or its boundaries can be checked with neighbours, elders and community leaders.

- **What type of entitlement does he or she claim?** Answering this question may be the most challenging part of the process. Some people claim they own the land (i.e., they are freehold title holders). But many claimants have a much fuzzier idea of their entitlement. This is particularly true where legal categories of land rights do not correspond to the customary or other rights that people say they have.

THE PROCESS OF COLLECTING CLAIMS

The systematic collection of claims process consists of six steps:

1 **Decide where to gather information.** A systematic collection of claims will work only if local people want it. If the people say they are interested in doing it, the implementers hold a community meeting to explain the process and its benefits. The implementers and community representatives together decide in which areas to conduct the process; they identify these on an aerial photo.

2 **Assess conflict and gender issues.** The implementers check how much social ten-

sion and conflict there is in the locality. If they think there is a danger that the data collectors will be attacked, the process is delayed. If the risk is acceptable but still high, the team find ways to ensure to reduce this before the enumeration begins. The implementers also try to discover the main hurdles impeding women's access to land or weakening their security of tenure. They plan their interventions accordingly.

3 **Hold community meetings.** The implementers organize community meetings in the locality to explain the process in further detail. They publicly announce when the claims procedure will begin, and make it clear that making a claim is free, and that anyone can make a claim.

4 **Establish a field office.** The implementers establish a field office, and hire local residents to collect data and coordinate activities. They give them training on the ideas and skills they will need: concepts such as "ownership", "claim" and "land parcel", how to read maps and use handheld global positioning system (GPS) devices, how to interview people, deal with disputes, and so on.

5 **Collect community claims.** The data-collection teams approach residents of every parcel in the locality and help them fill in the claim forms. They note personal information, take a photograph of the claimant(s), and record their claim statement on audio or video. They talk to the neighbours and record any statements that support or oppose the claim. The data collectors walk the boundaries of the land parcel together with the neighbours, draw a sketch of the property, and delineate it on an aerial-photo map. The neighbours co-sign the sketch, and the claimed parcel is given a unique identification number.

6 **Open for public display.** The implementers enter the records for each parcel into a database. They prepare big maps showing

A "systematic collection of claims" re-expands the circle of trust

each land parcel, along with its identification number and a list of claimants. These maps are displayed for a month or more in public places in the locality. They are also advertised nationally on TV and radio and on the internet. During this period, anyone can submit a counter-claim. The team also receives corrections, objections and new claims.

When the period for public display is over, all the information is recorded in a final database. This then becomes the official source of information on land rights for that particular locality.

RESOLVING DISPUTES

Disputes may be resolved at any time during the process, but most often before the initial demarcation (step 5), as well as during and after the public display (step 6). The implementers organize mediation sessions between the parties, using a mediator they choose, such as a local leader, a respected family member (for intra-family affairs), an official government mediator or a project mediator. The result of the mediation is recorded in the database.

The possibility of reaching a negotiated agreement – through mediation or otherwise – remains open indefinitely. At any point – before, during or after the collection of claims – the disputing parties may come to an agreement and record it in the database. One of the main advantages of building a land claims database is that it reduces the number of potential claimants for a parcel. Agreements reached af-

ter the public display can be recorded in the database, and become definite.

In an ordinary land registration process, after the public display stage, the court or a land agency analyses the disputed cases and delivers unilateral, legally binding decisions on who owns what. In the systematic collection of claims process, the end goal is not necessarily to make a final determination, but to make the best information on each property and its claimants available to all. If more than one person claims a parcel, both claims will appear in the claims database. If the dispute is resolved, that resolution will also be recorded in the database.

Anyone is allowed to check the database, so someone who is interested in buying or renting a piece of land can make a decision to do so, based on the information in it.

INCREASING TENURE SECURITY AFTER CONFLICT IN EAST TIMOR

The land tenure situation in East Timor is as chaotic as it gets. A former Portuguese colony, this half-island was occupied by Indonesia in 1975 and gained full independence only in 2002. Its one million inhabitants have experienced repeated forced displacements by the Portuguese and Indonesian administrations, as well as various conflicts, particularly in 1975, 1999 and 2006. These disruptions have reshuffled land occupancy in a major way, resulting in a profusion of overlapping land claims. Shifts from one legal and administrative regime to another have further confused the land and property sector. Houses left behind by Indonesian citizens during the 1999 pre-independence turmoil were arbitrarily occupied and transferred. Opportunists occupied land temporarily abandoned by Timorese in 1999 on a first-come, first-served basis.

> Anyone is allowed to check the database, so someone who is interested in buying or renting a piece of land can make a decision to do so

The land claims database

To make the land tenure situation clearer, it was necessary to gather all existing information on land parcels and its claimants. The process needed to be voluntary, community-driven and affordable. Local customs generally hinders women's rights to land, so the process had to promote their participation.

Associates in Rural Development (ARD), a consulting firm, was commissioned to implement the systematic collection of claims process in cooperation with the Timorese government's Land and Property Directorate. In 2007, the firm started the Strengthening Property Rights in Timor-Leste project, funded by USAID.

The systematic collection of claims process in East Timor is based on "field offices", each with 10 staff: a field coordinator and three data-collection teams with three members each. All these staff are members of the community on where the claims process is being conducted. The field offices collect claims for 12 parcels per day (four per team). The running costs of the field office vary; they may be up to about USD 1,500 a month (or about USD 6.25 per parcel). Adding more field offices can speed up the process. But any increase in the speed of data collection needs to be balanced against the government's capacity to keep the data up to date.

Figure 10.2   During the public display stage, people can check that the land plots are correct

Sustainability

Sustaining the systematic collection of claims is not only a matter of cost. Keeping the claims database updated is a big concern. If the information in the database becomes outdated and unreliable, the circle of trust it promotes will shrink.

Once the core database is completed, the government's role is to keep the information up to date by recording changes to the status of the parcels, such as the sale or inheritance, subdivision or consolidation of a parcel.

Concerns over sustainability limit the size and number of localities that the process can cover. If the area covered is too big, claimants who live a long way from the field office will be less likely to update their records if they sell or

inherit the property. The area served should be expanded only if new field offices are opened, or when other ways to enable people's to access the database are established.

It is important to build the government's ability to update and manage the database. As the claims process progresses, updating the database may become the most important role of the national land agency. Government land office staff should work on field office operations together with community members and project staff. Such on-the-job training will ensure that the government land agency staff will be able to take over from the project. In East Timor, the land agency has yet to take full control of a field office – the offices are all still in data-collection mode – so the effectiveness of such approach remains to be verified.

Disputed cases

East Timor lacks the necessary legal framework to arbitrate land disputes. Legal rulings over overlapping disputes requires a transitional land law, but this has not yet been passed. As a result, disputed cases can only be resolved by the courts, or by mediation and negotiated agreements between claimants.

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ADVANTAGES AND LIMITATIONS OF THE SYSTEMATIC COLLECTION OF CLAIMS PROCESS

- **Pro-poor.** The process has several pro-poor characteristics: it is free of charge; it is decentralized, implemented on site, and does not require claimants to travel; and it focuses on possession over prior formal rights, so privileges poor dwellers and subsistence farmers.

- **Inclusiveness.** Anyone can make a claim. The process is voluntary and does not demand any prerequisite from participants.

- **Community participation.** Because the process is conducted area by area, local people can participate intensively in the process. The data collectors are local people; and their important role and new skills quickly raise their standing in the community. Community participation also increases the sense of ownership of the data and strengthens everyone's acceptance of it. Because they can follow all steps in the process, local people understand it and can properly "read" the information in the database.

- **Gender.** The process was designed to actively encourage women's participation by making it mandatory for data collectors to ask couples to submit joint claims. If only one spouse makes a claim, it is presumed that he or she is also doing it on behalf of the other spouse, unless otherwise stated. But ensuring women's participation remains a challenge, and in East Timor the project has fallen short of its objective. As of September 2009, only 15% of the claims in the database were joint, so women are still excluded from entitlement to the land.

- **Potential for expansion.** The process works through relatively small, self-contained units (the field offices), which can be easily replicated in new localities. The number of offices can easily be expanded or cut, depending on the government's capacity. The process currently is run in urban and peri-urban areas, but could be adapted to suit rural areas.

LESSONS

Building a database of claims. Building a claims database using the process seems to be a good way of clarifying land tenure rights, particularly after a conflict. The claims database can be an important tool to increase tenure security by expanding the circle of trust and decreasing the risks of using and investing in your land, or other people's land. But there is a need to create better tools for dealing with some of the challenges below.

Dealing with customary land tenure. How to integrate customary land tenure in the process remains a question. Would it be beneficial to customary owners in the first place? How to recognize customary land rights without condoning the exclusion of women and other groups who have lesser rights under customary rules? Finding answers to these questions is critical to ensure that the majority of the poor can increase their tenure security using this approach.

Ensuring women's rights. The East Timor case shows that even if the process is designed to counter the cultural attitude against granting land rights to women, the results are not satisfactory. Implementers need to improve existing methodologies and create new ways to ensure that women can get land rights. One possibility is to allow women to submit claims in another office, which they may see as safer, but this may expose them to violent reprisals. It may be better to use communication strategies to promote a change in attitudes.

Enforcement. Building a land claims database through the process aims to foster the community's trust in the information it contains, reducing the need for outside enforcement. But the lack of reliable courts and police make enforcement an issue to consider when designing a systematic collection of claims project. One solution may be to ensure that the land agency responsible for the process has the necessary enforcement capabilities.

Adaptation of participatory enumeration techniques. Participatory enumeration techniques are useful in post-conflict situations, but they need to be adapted to suit the particular problems that exist in such situations. The systematic collection of claims process is one such specific application.

11 ENUMERATION FOR LOCAL PLANNING AND DEVELOPMENT

L AND USE PLANNING relies on reliable and up-to-date spatial and socio-economic data. But rapid urbanization and demographic changes mean that planners lack such information. The result is inappropriate planning decisions, misallocation of scarce resources, unnecessary conflicts between residents and city governments, and delays in implementing much-needed development.

Participatory enumeration can provide planners with up-to-date information that reflects the needs of local residents. This can cover a wide range of subjects, from population data to information on infrastructure and facilities. It may be as detailed as required, and may be spatially referenced (put on maps) if necessary. If residents realize that the data are used to benefit them, not to threaten them (for example, to plan evictions), they will be more willing to provide the information required.

This chapter focuses on a collaborative programme in **Namibia** involving the Shack Dwellers Federation of Namibia in partnership with the national and local governments and various other organizations. This initiative

is unusual because it is an example of **co-management**, where an NGO or community group and a government body together manage an enumeration process.

THE COMMUNITY LAND INFORMATION PROGRAM IN NAMIBIA

On Namibia's independence in 1990, there was a rapid movement of people in search of employment, especially from the populated rural north to the southern cities. The restrictive apartheid laws were no longer in force, and people could now settle freely in the former "white" areas. Most of the cities in the south were not prepared for this sudden population growth and were unable to provide housing and other basic social services. The immigrants had to make do with "backyard shacks" within the formal settlements, or set up informal settlements in the city outskirts. As new informal settlements developed, more people moved there, making the situation even worse.

Most local and regional authorities, as well as the central government, have failed to collect sufficient information about communities living in backyards and informal settlements. This means that they plan without considering them, or they use estimates rather than actual numbers. Despite its good intentions, the government designs housing policies that are not informed by the reality of the urban

> Co-management is where an NGO or community group and a government body together manage an enumeration process

poor who live in insecure conditions. The lack of reliable data means government faces additional challenges in managing and adequately addressing the issues faced by informal settlement dwellers.

In 2006, the Shack Dwellers Federation of Namibia (Box 11.1) and its support partner the Namibian Housing Action Group entered into discussions with the Ministry of Regional and Local Government, Housing and Rural Development. They requested the ministry to collaborate on a programme to document all informal settlements in the country and to gather detailed household-level data on everyone who lived in these settlements. That would involve documenting landlessness and tenure-insecurity countrywide, and would open up discussions to improve access and security of tenure for Namibia's urban poor.

It was clear to all the partners that political will was needed at all levels of government, and that wide collaboration would be neces-

sary to support the programme and ensure its success. The potential users and providers of the information also had to be involved. The process would include building teams to gather, store, update and use the information. This process would become known as the Community Land Information Program (CLIP).

Recognizing its importance in promoting land security and the development of areas housing the urban poor, the Minister supported the idea, and instructed the ministry's Habitat division to work with the Namibian Housing Action Group, the shack dwellers' federation, and other stakeholders. A team of representatives from these stakeholders coordinated the process. Each organization agreed to contribute specific skills and strengths to the process:

- **Shack Dwellers Federation of Namibia.** Mobilizing and organizing the communities through saving schemes and community exchanges, providing training on how to conduct settlement profiling and enumeration, and involve community networks in the process, so legitimizing the end product.

- **Namibia Housing Action Group.** Assisting with learning, reflection, documentation of the process and dissemination of information, and providing secretariat, technical and financial support.

- **Shack/Slum Dwellers International.** Facilitating exchanges and learning with its affiliates in other countries, supporting capacity building and providing network links and financial support.

- **Ministry of Regional and Local Government, Housing and Rural Development (Habitat Division).** Legitimizing the process, providing introductions to local governments and political backing, providing financial and human resources, and linking the programme to other government departments.

- **Habitat Research and Development Centre.** Enhancing the legitimacy of the programme, setting up a central database for the national data, and building the capacity of local authorities to manage their data.

The Community Land Information Program partnership aimed to:

- Enhance knowledge in the community and in local and regional authorities on socioeconomic aspects of informal settlements.

- Improve transparent planning and secure tenure processes by communities and authorities through relevant and up-to-date socioeconomic data.

- Establish a database to inform the upgrading of informal settlements and efforts to improve tenure security in urban areas.

The Program would build the capacity of the poor to participate in their own development, and the information can be used to enhance national databases, so informing other areas of policy. The Program is implemented in two phases: settlement profiling, and household socioeconomic surveys and mapping.

Phase 1: Settlement profiling

Most city maps ignore existence of informal settlements, so documenting them is the first step in recognizing them. Residents and the local authority may refer to a settlement by different names. The process of profiling is a physical as well as a political process aimed at initiating recognition of the settlement.

Training. Shack/Slum Dwellers International arranged for people from communities in various countries to come to Namibia in 2007 to explain the process they followed in their own countries and train community members on settlement profiling. After the training, a Namibian national team was formed. This team was responsible for training other teams in the regions and cities to gather the information.

Seven team members were selected, each from a different region.

The process was started in two regions in the North which were already in the process of formalizing the informal settlements. A regional team was organized and trained. The team and programme were introduced to the local authorities, regional councillors and town planners, who were glad to lend their support as they saw the Program would benefit their towns. The councillors agreed to be the convenors of the community meetings, and the town authorities provided maps of the settlement areas.

Settlement profiling data. The team designed a questionnaire to facilitate the collection of information on the following issues:

- **Name of the settlement.** All the common names of the settlement.

- **Local description of the settlement.** When the settlement was established, where it is located.

- **Land tenure and ownership.** Who owns the land, do the residents have security, and do they have title or agreements?

- **Settlement size and population.** Estimates of the number of shacks and the people living there.

- **Inventory of building materials** commonly used to build shacks in the settlement.

- **Basic amenities** available, such as toilets, water taps, electricity and street lights.

- **Education, health and other social amenities,** such as schools, clinics, hospitals, shopping centres, community halls, and sports fields.

- **Roads, transport**, and other public services such as police and fire stations.

- **People's involvement** in development activities.

Organizing data collection. The local team trained people in each settlement how to gath-

Figure 11.1   For the data collection to be successful, local people have to be informed about it

er the information. The municipality publicized the process to ensure a high turnout of community members. Meetings were planned at convenient places and times, and were announced over the radio to encourage residents to come. Representatives of the local authorities, councillors and members of community development committees also attended. The participants nominated three or four people to be interviewed by the team, who then compiled the information on the questionnaire.

The team then returned to the community to verify the information. By March 2009, 235 settlements in all regions of Namibia had been profiled.

Phase 2: Household socioeconomic surveys and mapping

The second phase involves a much more detailed survey of households in each settlement. This phase was piloted in selected settlements in 2008, and full implementation began in 2009.

Numbering of structures. A lead team goes through the settlement numbering all the buildings. The team members note each one and its use on a form.

Household survey. This is followed by another team with the household socioeconomic survey forms. They go door to door, aiming to cover all households in the settlement.

The information required covers:

- Household demographics (gender, age, income)
- Tenure and structure information
- The housing/shelter history of the particular household
- Livelihood information of the household occupants
- Available basic services
- Health status of the household
- Priority developmental needs of the household.

The questions are very comprehensive. They were developed with the input of the communities and the various stakeholders such as the municipalities, central government and academic and research institutions.

Mapping. The numbers on the forms matches the numbering of the structures. This numbering will assist in linking the information to
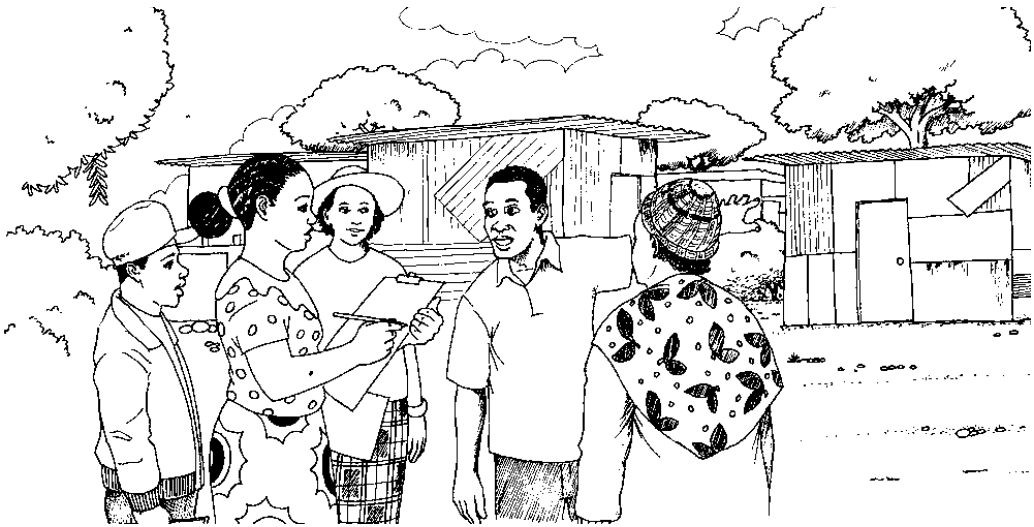
Figure 11.2   Gathering data on households and structures in an informal settlement

the GIS mapping later on. Aerial photographs are used to divide the settlement into blocks, and each block is then mapped with reference to the household survey. The mapping exercise also involves measuring all the structures and producing a combined community map.

The local municipalities provide space and sometimes a computer where the community teams enter the detailed household data and generate summaries. The information is put together manually if there is no computer. Linking the information to a GIS is done by the technical staff from the Namibia Housing Action Group.

Verification. Once the process is completed and summarized, the information is taken back to the community and other stakeholders for verification. The survey results are put on a large sheet of paper and displayed in public. Each household checks its own information, and other members of the community can verify that the information given by their neighbours is correct. Any mistakes are corrected. The community members have the chance to discuss their access (or lack of access) to services and their tenure status, and decide what to do about these issues.

CLIP in Grootfontein

Grootfontein is a medium-sized town in the Otjozondjupa region, in the centre of Namibia, with an agriculture-based economy. Formal housing for the urban poor was mainly in the form of single hostel-type dwellings. Workers evicted from nearby farms established Blikkiesdorp (Afrikaans for "tin settlement"), an informal settlement in part of the town known as Omulunga.

The first phase of the Community Land Information Program, completed in June 2008, found there were 386 families and 1,544 people living in Blikkiesdorp. At meetings to verify this information, the community presented development options for Blikkiesdorp to the municipality.

Where possible, municipalities in Namibia provide land on a cost-recovery basis. But that makes it too expensive for many families to afford. In Windhoek, the country's capital, the Shack Dwellers Federation of Namibia had negotiated for blocks of land to be allocated to groups for the members to develop collectively, thus reducing the cost of land and services for each family. The land was registered in the group's name. Services such as water and sewerage would be installed by the group when

they could afford to do so – often after they had paid for the land.

Members of community saving schemes in Blikkiesdorp had visited Winhoek on community exchanges and had seen these block allocations there. They used the space opened by the enumeration process to request a similar allocation process from the Grootfontein Municipality. The municipality readily agreed: it saw this as a very practical way of dealing with the upgrading of Blikkiesdorp.

The community defined eight blocks, which the municipality agreed to allocate, plus an additional 100 plots. The municipality also agreed to a community request for adequate water services. By June 2009, all blocks in Blikkiesdorp had water points. With support from Namibia Housing Action Group's technical team, the saving schemes are now planning the layout of the blocks.

Each family in Blikkiesdorp will get a plot of land in one of the blocks. The block as a whole will negotiate the cost of land and the services and other developments required. That helps ensure that families stay on the land rather than moving elsewhere. Currently, 75% of the families in Blikkiesdorp are members of an savings scheme managed by the Shack Dwellers Federation. Savings scheme members will be able to access loans to install services and build their houses. That, and the savings scheme's organizational abilities, create an incentive for other families to join.

The local authority supports this process as it sees the community contributing to its own development. The Shack Dwellers Federation has asked the Grootfontein Municipality and the local savings schemes to act as a learning centre for other local authorities in Namibia and to host exchange visits from other countries organized by Shack/Slum Dwellers International.

CLIP in Katima Mulilo

Choto is an informal settlement in Katima Mulilo, a town in the Caprivi region in the far northeast of Namibia. The settlement is home to 2,000 families (about 5,000 people). Most have lived there since 1993, but have been relocated twice. This experience motivated them to participate in the Community Land Information Program so they could shape the development of their settlement. They wanted to stay in Choto and felt excluded from the local authority's ongoing land formalization process.

Once the data had been collected and analysed, the community members went back to the local authority to discuss their ideas on developing the settlement. The local authority had planned Choto and fixed a price for the land. But the residents, led by the Federation savings groups, felt the information they had collected should be taken into account. They compared the cost of the land with their incomes: the local authority had set the price of land at NAD 10 (about USD 1.50) per square metre. The regularization had been done without the residents' input, and plot boundaries had been changed. Some of the plots were very big, meaning that a family with 700 square metres would have to pay NAD 7,000. Most residents of Choto are in informal employment and earn low, irregular incomes. In addition, the members of the savings scheme wanted to develop their land collectively, so preferred a block approach to reduce the cost.

The local authority said that plans for Choto were already far advanced, and would not be possible to incorporate these demands. The residents felt that the local authority had made top-down decisions without consulting them. The local authority suggested a compromise: it could allocate virgin land elsewhere in Katima Mulilo to members of the savings schemes who wanted blocks. But the residents rejected this as it would mean moving again. Every time

they were moved they had to start over again, and this retarded their progress. They saw no reason that the plans could not be changed to accommodate the blocks.

The stalemate remains, and the Namibia Housing Action Group is helping savings scheme members look for alternatives. Discussions with the local authority continue. Although the local authority has not taken the Choto community's development priorities into account, the Community Land Information Program process opened the residents' eyes and mobilized them to question the basis of planning and how the price of land is determined.

Successes of the Community Land Information Program

The Program has profiled all 235 informal settlements in the country. This has helped residents and government to exploit local resources jointly and to mobilize communities for collective action to solve problems. The local communities feel empowered to continue seeking local solutions and use this mechanism to engage the state in other areas to enhance their development.

The Program has created a platform for local people to discuss their living conditions, begin suggesting their own development priorities, and in some instances question the development priorities set by the state on their behalf. It has linked communities of the urban poor across the country. Over 120 saving schemes have been established as a result of the settlement profiling exercise.

The first phase of the Program brought together local politicians, government officials, community leaders and women to talk about the living conditions of some of Namibia's poorest citizens. It built local teams to champion the gathering of information in their communities, and to share this capacity with other communities and with government officials. The teams have trained teams from Zimbabwe and

> The local authority supports the enumeration process as it sees the community contributing to its own development

Zambia, who have in turn begun settlement profiling in the cities of Harare and Lusaka.

Challenges

The Community Land Information Program is a very ambitious undertaking. Linking the information collected to development still requires constant improvement. Despite in-depth discussions with various stakeholders before the programme launch, several stakeholders still struggle to figure out how to use this information. Some local authorities simply do not have the capacity to act on the information collected: they lack the skills, resources or trust in the information collected. For example, an international development partner supporting one local authority insisted on doing its own socioeconomic survey to get what it considered as credible data on which to base its plans. All the partners within the Program have to continue building the credibility of the information collected.

How the information will be stored and updated remains an issue. The proposal is to create a central database within the Habitat Research and Development Centre, while each local authority will also keep its own database. This will then be updated periodically by the local Program team. The community will also keep its own data set. In some areas, Namibia Housing Action Group is assisting the local teams to link the information collected to a GIS.

More information

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LESSONS

A good place to start collaborating. Where governments are relatively supportive of people in informal settlements, local planning and development may be an ideal way for community organizations and NGOs and governments to work together on land issues. By collaborating on participatory enumerations, they can generate information that is useful for all sides: it enables the authorities to plan better, and ensures that the plans reflect local people's needs.

Dealing with difficult issues and disputes. There will inevitably be disagreements and even disputes in the course of planning and development processes. Collaborative relationships have to be built between community members, NGOs and government, often through years of engagement, negotiation and trust building.

Need to synchronize planning cycles. Official bodies have specific planning cycles and procedures, often stipulated by law. It is very difficult for government bodies to change these in order to accommodate a new set of data from a participatory enumeration. At various stages in the cycle, however, windows open where it is possible to provide new information and influence the plans. Ideally, the enumerations should be planned to take advantage of these windows. As community organizations and NGOs become more familiar with government procedures, it is likely that they will time their activities to do this.

Planners need standardized data. Planners generally require standardized data, especially to plan settlement policy nationwide, or to conduct city-wide planning (see Chapter 13). This is a challenge because of the participatory nature of the enumeration, which naturally tends to result in data of varying quality.

Capacity of planning bodies. At the same time, planning bodies need to be able to deal with flows of data that may be provided at irregular intervals, are at various levels of detail and have different levels of reliability. In many countries and cities, land administration systems are not in place, and authorities lack the capacity to keep track of all the spatial and socio-economic data that are available.

Importance of local ownership. An enumeration with technical weaknesses but performed and "owned" by a strong citywide network of shack dwellers, preferably working in partnership with local government, is far more effective than a mechanically perfect exercise conducted from outside by the local authority or other professionals.

Links with other community initiatives. The Shack Dwellers Federation uses a range of tools apart from participatory enumerations, including community savings schemes, community exchanges, and engaging and negotiating with the state for resources. These build trust and credibility within the community and also with the government authorities.

12   ENUMERATIONS AND TAXATION

No-one wants to be taxed, but governments and local authorities need funds to pay for the services that they provide. One way local authorities raise revenues is by taxing property. This has the advantage over other types of taxation because property is immovable and can be identified easily. Property tax is also a secure source of revenue that is simple to administer. It can produce stable revenue over long periods.

Increasing urbanization strains the authorities' ability to provide services, and it also strains their ability to collect property taxes. The amount of tax charged on a property typically depends on variables such as the size of the property, its use, the number of residents, the number of storeys, location, and so on. In rapidly expanding and changing informal settlements, such records do not exist or are difficult to keep up to date.

Normally, tax authorities rely on data from other government agencies (such as the cadastre office), or they conduct their own surveys using their own staff. The former relies on information that may be hopelessly out of date and not cover the whole city, while the latter is time-consuming and may result in inaccurate data. Elements of participatory enumerations, combined with remote sensing, geographical information systems (GIS) and global positioning systems (GPS) technologies, offer a potential solution to these dilemmas.

This chapter describes one such approach, in Hargeisa, **Somalia**. It focuses on a city that has received a large number of people fleeing violence in other parts of the country, so it could equally have been placed in Chapter 10, on post-conflict situations.

USING GIS-BASED PROPERTY SURVEYS FOR PROPERTY TAXATION

Accurate and up-to-date land information is generally very expensive to collect and maintain. However, recent improvements in GIS technology have made rapid and cost-effective data collection in urban areas possible. This technology can acquire, store, manage and manipulate large amounts of data, making it suitable for city-wide property surveying and mapping. Maps are visual and can show where and how people live in relation to each other.

The idea of using GIS-based property surveys for taxation purposes is to identify property units and their relevant features on the map, and to record the data directly in a table in the GIS. These data are then integrated to a computerized accounting and billing system that can assess payable tax for each property unit, produce tailor-made tax bills and even monitor payments. The success of such a GIS-based application depends on its ability to:

- Identify all taxable property units and assess payable tax for each one of them

- Create new property units

- Split or combine property units

- Integrate property data processing with administrative components of the existing property taxation system.

THE HARGEISA GIS-BASED PROPERTY SURVEY AND TAXATION SYSTEM, SOMALIA

In the last few years, Hargeisa, a city in the northwest Somaliland region of Somalia, has grown rapidly, with considerable investment in real estate by people returning from abroad, as well as rural–urban migration and people displaced by conflict in other parts of Somalia. Most of the city's infrastructure was destroyed during the civil war in the 1980s, and large areas have since been rebuilt. The Municipality of Hargeisa is responsible for land administration, regulatory and development in the city, but the delivery of services is hampered by the lack of technical, financial and human resources. The municipality recognizes that property tax, leasehold rent, business and related licenses can become a major source of revenue to pay for basic urban services.

The lack of reliable property information hampers the collection of taxes. In 2004, the property tax system was manual and difficult to use. The municipality relied on outdated and incomplete paper-based land records and an inefficient tax collection system. A 2006 study indicated that only 2,800 deeds had been registered and issued to property owners. The system captured about 16,000 taxable properties and generated USD 145,000 in property tax revenues.

The municipality approached UN-HABITAT for help in developing an improved property tax collection system. It was decided that a GIS-based system could provide information on the location and characteristics of each property. The method had to be cost-effective and provide data with sufficient accuracy to increase the revenue in a short time. UN-HABITAT also agreed to provide on-the-job training and technical support to ensure the municipality could continue running the system after the project ended. A GIS unit was established in Hargeisa, and two local staff were trained in GIS mapping.

Establishing this system followed these steps:

Creating a base map. A satellite image of Hargeisa was used to identify and draw the outlines of all the individual buildings in the city, including *buuls* (huts made of sticks, metal and cloth). This map also included the outlines of roads, rivers and streams. The base map was used for field validation by local surveyors assisted by neighbourhood committees – ensuring the participation of local people in the process.

Collecting property data through a property survey. Eight surveyors were recruited from local communities and trained in GIS data collection and validation. The surveyors were provided with personal digital assistants (handheld computers) with electronic questionnaires. They used these to carry out a property survey to confirm the details on the map and to collect details of each property. This exercise was managed by a local NGO and took 8 months to complete.

Using the personal digital assistants improved the accuracy of data collection and minimized the time needed to enter data. The surveyors also took ground-level digital photographs of individual properties.

This survey identified a total of 59,008 properties, including 37,004 residential and 7,217 commercial properties, and 4,389 informal structures (*buuls*).

Assigning property codes. Municipal councillors marked administrative boundaries using coloured pencils on hardcopy satellite images. The boundaries enabled a unique code to be given to each property. This code had five elements: district, sub-district, neighbourhood, sub-neighbourhood, and property number. For example, the code 02-02-01-10-095 means district 26 June, sub-district Gol-jano, neighbourhood Gol-jano B, sub-neighbourhood no. 10, and property no. 95. The

Figure 12.1   Local enumerators collecting property data

code makes it easier to identify properties on the ground, link maps with tables of information about the properties, and create maps of particular thematic features.

Automating property tax billing. Once collection of relevant data was completed, the next step was to automate the property tax billing process. The billing system was based on the tax rates defined by the council. This was done using a simple computer program that could pick the relevant field values from each taxable property to calculate the payable tax for each unit. The program also links the photograph of the property to the corresponding property code. The results of tax calculations are then produced and printed in form of a report for each property unit. This process took three months to complete.

The GIS-based tax billing system was transferred to the municipal GIS support office in August 2006. The municipality uses this

system to collect property tax. GIS support office staff regularly deliver hardcopies of the bills to each of the five municipal district offices, together with property tax maps for each neighbourhood (with the property codes for easy identification of the properties). The municipal district office staff then hand-deliver the bills to each property. If the information on the bill is wrong, the district staff correct it, update the database and print a new bill. The bill has to be paid within one month at the district office. A receipt is issued for each payment.

The property tax rates in Somaliland law are treated only as guidelines and are not strictly adhered to. As a result, almost all the municipalities in Somaliland have different property tax regimes. Rates in Hargeisa are based on municipal by-laws and administrative arrangements. The GIS project followed these bylaws, so the tax rates do not necessarily reflect the

JAMHUURIYADDA SOMALILAND
DAWLADDA HOOSE HARGEYSA
Cashuurta Ardiyadda 2006

Sumadda Hantida (ID): 3 06 01 01 P171

Cashuurta ardiyadda ee lagaa doonayo waa mid kugu waajibtay inaad bixiso. Waa cashuur ku salaysan hantidaada loona adeegsan doono horumarinta deegaankaaga.

Fadlan cashuurta ku bixi xafiiska degmadaada kana qaado caddayn qoraal ah (Rasiidh).

Guddoomiyaha Dawladda Hoose ee Hargeisa

Taariikh Q/sheegta	05-Apr-06
Degmada	Ga'an Libaah
Xaafadda	M. Haabi B
Cidda Deggen	————
Isticmaalka Dh.	Hooy
C. Dhismaha	48 M ^{2}
C. Dhulka	48 M ^{2}
T. Dabaqyada	1
Tayada Dhismaha	————
D/Gelinta	10,000 Shilin
Nadaafadda	10,000 Shilin
Ceshuur Ardiyad	36,000 Shilin
Cashuur Guud	**56,000 Shilin**
Shaambad 2.5%	1,400 Shilin
Isu-Geynta Guud	**57,400 Shilin**
Bixi ka hor	**05/06/2006**

Figure 12.2 Sample property tax bill, showing details such as the property size, the tax due, and a photo of the property

value of the property. Tax is determined by the size of plot, size of the building, the number of floors, and whether the property is within the central business district.

An awareness-raising campaign was important for the project's success. The key message was that paying property tax on time can result in improved basic services. The campaign ran for 5 months and used various media, including neighbourhood meetings, TV debates, radio programmes and newspaper advertisements.

Outcome

The government, local authorities and community in Hargeisa like the new system. It has had the following results:

- A functional GIS including a property database with 58,825 property records

- An automated property taxation billing system in its fourth year of operation

- A functional municipal GIS support office with two trained staff

- A 308 % increase in property tax revenues, from USD 144,000 in 2004 to USD 589,000 in 2008 (now representing 24% of total municipal revenues)

- A number of infrastructure projects have been implemented by the municipality using the increased property tax revenues

The property survey was well received by households in informal settlements and other poor urban dwellers who felt a sense of security by the fact that they were enumerated. The project has been replicated in two other municipalities in Somaliland.

Advantages of GIS-based property surveys for property taxation

Property surveys can be used to determine the tax burden distribution in favour of the urban poor. In Hargeisa, the poor are not taxed at all, yet the revenue from property tax is used to improve public infrastructure even in areas where the poor live.

Property surveys can be used to improve the capacity of community members in techni-

cal exercises. In Hargeisa, the surveys were conducted by local surveyors, and municipal councillors prepared the maps showing the administrative boundaries used to determine property codes.

The survey process recognizes the existence of informal settlements, so improving land tenure security and the likelihood that they will receive municipal services.

Challenges

Setting up and maintaining a GIS-based database is costly. In post-conflict areas, local authorities are likely to have difficulty raising funds for such purposes even when the funds required are not large. For the Hargeisa project, the project cost (excluding international staff costs) was USD 78,500 – i.e., USD 1.30 per property. External donor assistance was required to conduct the survey and develop the property database. Technical support is still required years after setting up the system because trained municipal staff often leave for greener pastures. With time, the municipality will need to pay the maintenance and operational costs of the property database from the increased revenues.

A GIS-based system is fairly technical. There is a high turnover of GIS staff (in Hargeisa, two out of three trained staff left in 2008), so frequent training of new staff is necessary. This may affect the operation of the GIS support office when technical assistance is withdrawn.

The tendency to upgrade GIS-based databases for legal registration purposes may not be a good idea in some situations, for example, if conflict leads to massive secondary occupations of properties (i.e., large numbers of people living in property left vacant by the owner). An adjudication or restitution process may be more appropriate in such situations.

More information

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LESSONS

Combining participation and technology. As with the case from Ethiopia in Chapter 8, this case illustrates the value and potential of combining participatory approaches with modern technology.

Participatory elements improve accuracy and acceptability. While the case in this chapter is perhaps the least participatory in this book, it still contained elements of participation: the property surveys were conducted by local surveyors (not trained professionals); local councillors prepared the base maps, and an awareness campaign included neighbourhood meetings to explain the purpose of the survey and the uses to which the data would be put. Local residents were willing to cooperate, as they participated from the start and saw that their tenure situation and services improved.

Flexibility of GIS. The GIS system is flexible and can be used for other applications besides taxation, for example to plan service delivery and support urban planning.

Need to demonstrate benefits of participation. Local residents may resist attempts to survey an area if they think that they will lose out. It is necessary to emphasize that any revenues will be returned to them in the form of improved services and facilities. Involving local people in the survey and conducting public awareness activities can convince them that the findings will be fair. The design of the property tax bill also reflects this: the photo of their property reassures recipients that the process is transparent and reliable.

13   ENUMERATIONS FOR CITY-WIDE SLUM UPGRADING

CITY-WIDE SLUM UPGRADING is the planned and systematic improvement of land tenure security, primary infrastructure (e.g., water and sanitation) and housing in poor or slum communities within an entire city. It encompasses all poor areas within a city, rather than focusing on individual informal settlements.

City-wide upgrading enables city governments to improve the living conditions of poor communities on a larger scale than by other approaches. By planning infrastructure and tenure improvements carefully, it may be possible to serve several slum communities at once. This brings benefits and change at a lower cost.

Upgrading can also improve sanitation infrastructure along rivers (where many slums are located) to reduce pollution. On-site upgrading allows poor families to remain close to their employment and to services such as schools, and avoids the disruption caused by relocation.

A city-wide upgrading process requires information about the size, location and characteristics of the targeted slum communities. This includes information on the people who live in them, their existing rights and claims, land tenure status and the current state of infrastructure and services among others.

Participatory enumerations are one way to gather this information. They can collect the information needed for planning city-wide upgrading programmes, making it possible to identify and prioritize those communities in greatest need.

> A city-wide upgrading process requires information about the size, location and characteristics of the targeted slum communities

Various stakeholders are engaged in planning and implementing these enumerations:

- **Communities.** Poor families living in slums have the biggest stake and are the main actors in city-wide slum upgrading. They suffer the ill effects of degraded neighbourhoods and the absence of basic infrastructure like water, sanitation, drainage, decent housing and lack of tenure security. Because of this they ought to have the biggest role in planning and implementing city-wide upgrading. Community-led surveys can become a means for underscoring the important role of communities in the upgrading process.

- **Local authorities.** Because local authorities have the mandate and public resources to undertake upgrading, they are a major player and have critical decision-making roles. They are in a position to assist in identifying landowners, and they play an important role in negotiating with them.
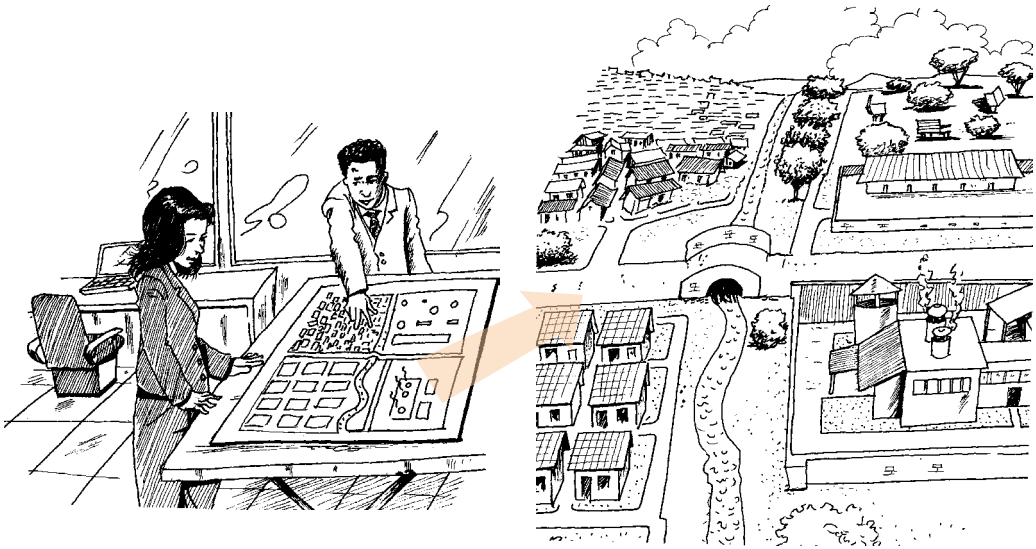
Figure 13.1   Participatory enumerations can help ensure that plans take the facts on the ground into account – and have a chance of being turned into reality

- **Support organizations.** Organizations such as government agencies, training institutions and NGOs can build capacity and provide technical services to communities in the use of different enumeration tools, and more importantly, in designing "a people's process" of community-upgrading. Some support organizations can also assist in basic community organizing.

- **Professionals, technical and academic institutions.** Professionals (e.g., planners, architects, engineers) also assist communities in developing their plans. They may also refer communities to institutions that can provide equipment, software or technical staff.

STEPS IN ENUMERATIONS FOR CITY-WIDE SLUM UPGRADING

The process and stages of enumeration for city-wide slum upgrading differs from place to place. However, there are three main stages in the process: planning, implementation, and monitoring and evaluation.

Community involvement is critical at each stage, and should be enabled and encouraged. Efforts to involve residents and community groups should not be limited merely to consultations. While community consultations are a distinct activity in which the entire community participates, community members or their representatives and organizations should take part in all stages of the upgrading process.

The three stages involve the following:

Planning

- Identifying the goals, expected outcomes and objectives of the upgrading and its relation to the city development plans and priorities.

- Mapping and identifying the communities to be upgraded

- Conducting household surveys

- Preparation of a community development plan ("the people's plan")

- Community consultations

- Mobilization of resources (institutional, communal, personal)

- Forging an agreement between the local authority and the community

- Preparation of monitoring and evaluation plan and indicators.

Implementation

- Provision of tenure

- Re-blocking or readjusting the plots to conform with the site plan

- Construction of civil works.

Monitoring and evaluation

- Data collection

- Periodic monitoring conferences

- Evaluation and learning conferences.

Table 13.1 summarizes how data collected through community-led enumerations can be used in different stages of city-wide slum upgrading.

CASES IN THIS CHAPTER

Using enumerations for city-wide slum upgrading is still largely under development across the world. Partners in the process are still learning and exploring ways of partnering with other stakeholders. This chapter presents four cases where participatory enumerations have been used in city-wide slum upgrading.

- In the **Philippines**, an NGO and the city government of Las Piñas collaborated to survey residents of poor areas in the city, resulting in a database that the NGO can use in its land-tenure interventions, and the city can use for its social housing programme and other services.

- Also in the **Philippines**, a federation of urban poor conducted an enumeration of poor communities in Quezon City. This generated valuable information that the federation uses to negotiate with the city

authorities and lobby for changes in the city's slum upgrading programme.

- In **Thailand**, the nationwide "Baan Mankong" slum upgrading programme organizes participatory enumerations in collaboration with local organizations. These result in drafting development plans, the acquisition of land for collective ownership, and upgrading projects. This case also illustrates the concept of a "continuum of land rights", which acknowledges the multiple forms of land rights varying from individuals with full ownership over land (freehold) to groups who lease land for and agreed use over a specified period.

- The final case, from **Brazil**, shows how a city-wide enumeration, initiated by a local authority, led to radical improvements in bureaucratic procedures, so benefiting both the city government and residents of informal settlements.

HOUSEHOLD ENUMERATION IN LAS PIÑAS, PHILIPPINES

In 2006, the city of Las Piñas in Metro Manila initiated a household survey of all poor areas in the city to identify the programmes and services it should provide to these communities. The survey aimed to determine the number of communities and families that needed secure tenure and basic services. The city's Urban Poor Affairs Office and the City Health Office cooperated with an NGO to plan and implement the survey. The city and NGO pooled their resources to make possible the otherwise costly activity, for which the city had not allocated a budget. The NGO provided the technical support for training the enumerators, designing the questionnaire, processing and analysing the data.

TABLE 13.1   USE OF SURVEY DATA IN VARIOUS STAGES OF CITY-WIDE UPGRADING

Activity	Data	Use of data
Planning		
Identifying goals, outcomes and objectives	Types of infrastructure and services in community, number of households in each community	Setting city-level targets for communities and households to benefit and services to provide
Mapping and identifying communities for upgrading	Community maps, number of households, presence and location of community infrastructure, basic services in specific areas	Prioritization of communities for upgrading
Household survey	Demographic, socioeconomic and organizational characteristics of households	Determining households' and communities' needs for water, sanitation, other services
Preparation of community development plan by each community	Community maps, presence and location of community infrastructure, basic services; demographic and socioeconomic characteristics of households	Design of infrastructure based on the social, economic and mobility requirements of households
Community consultations and negotiations	Demographic, socioeconomic and organizational characteristics of households; organizations in community; household membership of organizations	Determining priority infrastructure needs and organizational resources for project implementation; identifying leaders who might facilitate community processes
Mobilization of savings and resources	Household members who earn; amount and sources of income	Determining capacity to save and pay for services
Agreement between local authority and community	Number of households in community; their rights or claims, and basis of these claims	Identifying households covered by the agreement; establishing rights of each household and the community organization
Monitoring and evaluation plan	Demographic and socioeconomic characteristics of households	Data serve as baseline
Implementation		
Acquisition of tenure	Number of households in community; their rights or claims, and basis of these claims	Identifying households to be given tenure
Re-blocking	Size and location of house plots	Determining structures that will be affected by re-blocking
Construction of civil works	Occupations of household members	Identifying labour resources for construction
Monitoring and evaluation		
Periodic data collection, some through surveys	Same data collected for the initial baseline survey and updated periodically	Determining changes or effects related to upgrading
Periodic monitoring conferences		Sharing information and assessment across communities
Evaluation and learning conferences		Deriving good practices and lessons for improving and scaling up of upgrading

Although the survey was not community-led, the Urban Poor Affairs Office worked with existing community organizations to implement it. Community leaders facilitated entry to the communities and helped explain the survey's purpose. Residents conducted the interviews, assisted by Urban Poor Affairs Office staff and supervised by the NGO.

About 27,000 of the targeted 47,000 households were interviewed. The resulting information was given to the city government and leaders of the community organizations. The city set up a database to use in formulating development plans and programmes and to allow communities in need of secure tenure, potable water, sanitation, drainage and better housing to be identified and prioritized.

The Urban Poor Affairs Office now has a database and maps showing the specific location of poor communities, the number of families in each, their demographic and income profiles, the status of the land (government-owned or private, or hazard-prone), the existing land acquisition process (if any), and community organizations operating in the area.

The strong partnership between the local government, poor communities and NGOs facilitate the enumeration and ensured that the results are used for a broad range of purposes. UPAO uses the information for its land tenure programme and for planning interventions to improve the tenure situation in each community. The city government uses the database to plan its social housing programme and services such as health, water and schools.

More information

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ADVOCACY FOR SLUM UPGRADING IN QUEZON CITY, PHILIPPINES

Quezon City, part of Metro Manila, has a population of 1.2 million, of whom some 500,000 are informal settlers. In early 2009, a city-wide alliance of seven urban poor federations known as the Quezon City Urban Poor Alliance decided to do a "rapid enumeration" of poor communities in the *barangay* (sub-districts) where they worked. This targeted 494 poor communities located in 13 of Quezon City's 142 sub-districts.

The enumeration gathered basic information about the communities, including the number of households, the status of the land, the presence of basic services (water, drainage, sanitation, electricity), the presence of community organizations, savings programmes and savings groups, threats of eviction, and programmes operated by the city government. Federation members collected these data using a community profiling instrument devised with the help of NGOs. After one month, 300 communities in 11 districts had been profiled. The federations collated the information and formulated a "city agenda".

The federations already take part in public consultations on the city development plan, have successfully lobbied for the creation of a Local Housing Board and to help select representatives to this board. The federations will use the board and the development planning process to press for their "city agenda". They will push for the creation of a city-wide slum upgrading programme to counteract city officials' increasing reliance on eviction and relocation of poor residents. The federations also intend to use the enumeration data to lobby for a participatory city shelter planning process.

The federations now have current, accurate data about the land and housing status of poor communities in Quezon City. Neither the city nor district administrations have such infor-

mation. The Quezon City Urban Poor Alliance and the federations can use this to negotiate for services from the city government and to claim the right to participate in city planning processes. The data strengthen the Alliance's credibility to represent poor communities in the local housing board, the city development council and other planning bodies.

More information

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THE "BAAN MANKONG" SLUM UPGRADING PROGRAMME IN THAILAND

Launched by the Thai government in 2003, the *Baan Mankong* (secure housing) programme aims to address the housing problems of the country's poorest urban citizens. The programme channels government funds, in the form of infrastructure subsidies and soft housing and land loans, directly to poor communities. Communities plan and carry out improvements to their housing, environment, basic services and tenure security and manage the budget themselves. Instead of delivering housing units to individual poor families, the programme puts Thailand's slum communities and their networks at the centre of a process of developing long-term, comprehensive solutions to problems of land and housing. When the programme was launched, it set a target of making 200 Thai "cities without slums" and upgrading the land and housing of 300,000 poor families in 5 years.

The programme is implemented by the Community Organizations Development Institute (CODI, a public organization under the Ministry of Social Development and Human

Figure 13.2   Upgrading is often the cheapest and easiest way of solving the problems of informal settlements

Security). Under the programme, poor city residents work with their local governments, professionals, universities and NGOs to survey all the communities in their cities, and then plan how to upgrade them. Once these city-wide plans are finalized and upgrading projects are selected, the Institute channels the infrastructure subsidies and housing loans directly to the communities (Figure 13.3).

The enumeration process

Each city starts by conducting a city-wide survey of poor communities and inviting as many communities and urban development partners as possible to work together. Some cities have organized development committees chaired by the mayor or a senior councillor, while others have set up working groups.

Relevant stakeholders are identified and the programme is explained to ensure everyone understands the financial support measures. Community meetings are held so stakeholders begin to take ownership of the programme. These meetings result in the formation of a joint committee to oversee the project imple-

mentation. This committee includes leaders of poor communities and networks, as well as municipal officials, local academics and NGOs. It builds new relationships of co-operation, to integrate urban poor housing into each city's overall development and to create a joint mechanism to plan and implement housing development. The committee communicates with representatives from all the poor communities to inform them about the upgrading programme and the preparation activities.

The committee organizes a people-led survey to collect information on all households, housing security, land ownership, infrastructure problems, community organizations, savings activities and existing development initiatives. The survey also provides opportunities for people to meet, learn about each others' problems, and network. The information gathered is used to create an improvement plan that covers all the informal settlements in the city. Meanwhile, savings and loan groups are established to mobilize resources within the community, and to strengthen local groups by building their management skills.

Improving land tenure

With the preparation work complete, pilot projects are selected according to need. Development plans are drafted, and implementation begins. The programme supports slum dwellers to survey, identify and negotiate to acquire public or private land through direct purchase or leasehold arrangements. It allocates land tenure collectively. This prevents poor people from selling their newly acquired land, ensuring they can keep it, secure their housing and sustain themselves as a community.

People can acquire land in various ways: purchasing the land they already occupy, buying other land nearby, buying or leasing part of the land they already occupy through a land-sharing agreement, or getting a long-term lease to existing or nearby land from a public agency. The tenure arrangements they nego-

tiate include joint land ownership through community cooperatives, or cooperative lease contracts that may be long- (30 years), medium- (10–15 years) or short term (3–5 years). Only 5–10% of the Baan Mankong upgrading projects so far have been developed under less secure occupancy rights on public land.

The communities decide how to develop their newly-secured land. They may choose *in-situ* upgrading, re-blocking, complete reconstruction, building flats or apartments in the same place, or reconstruction on new land. The programme is seeking ways to encourage strong community and social support systems and to stimulate collective development activities to meet people's needs.

The upgrading process is decentralized. Each project is planned and implemented by the community, often in close collaboration with the local authorities and supported by other city development partners.

The pilot projects are often used as examples for other communities and actors to learn from. Successful pilots can be extended as models to other communities. Gradually, the projects are integrated into a city-wide housing development process. This involves coor-

> The communities decide how to develop their newly-secured land. They may choose *in-situ* upgrading, re-blocking, complete reconstruction, building flats or apartments in the same place, or reconstruction on new land

Figure 13.3   Process and linkages of local housing development partnership

dinating with public and private landowners to provide secure tenure or alternative land for resettlement, integrating community-built infrastructure into larger municipal service grids, and incorporating slum upgrading in other city development processes.

Financial matters

Baan Mankong provides an infrastructure subsidy of up to THB 25,000 (USD 625) per family for *in situ* upgrading or reconstruction, and up to THB 65,000 (USD 1,625) per family for communities relocating to new land. These amounts are multiplied by the number of households in a community to determine the maximum subsidy available. These simple calculations allow community members to start discussing, planning and budgeting their upgrading projects. Through the Community Organizations Development Institute, the Baan Mankong programme also provides soft loans to buy land or build houses. It also offers each community a grant equal to 5% of the total infrastructure subsidy to help fund local management, organizational and networking costs.

Impacts and challenges

This process is proving successful in improving conditions of the urban poor in Thailand. City-wide slum upgrading is now underway in almost 300 urban areas. The enumerations that are part of the programme have strengthened and empowered poor communities by giving them information they can use to solve their problems. Community members also learn to plan and work together and with local authorities for better and secure housing. The programme also shows that city-wide upgrading programmes can be implemented on a large scale within a short period.

Challenges include variations in the information collected because of differences in the level of participation. Communities that do not face eviction or other serious problems may be slow in joining the programme's activities. Information on debts collected during implementation of this programme is also not always accurate.

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A POSITIVE IMPACT OF AN ENUMERATION IN CAMAQUÃ, BRAZIL

In some cases enumerations can trigger secure tenure and improve services provision as people in informal settlements are brought into the mainstream of city administration.

Between 2002 and 2003 in Camaquã, in Rio Grande do Sul, Brazil, the local authority aimed to improve its municipal records. An enumeration was used to gather information about residents, settlements, etc.

In the process, the local authority "discovered" the true extent of previously unknown informal settlements and unidentified property in the city.

The local authority adopted a two-way approach to address the challenges revealed by the enumeration. First, it decided to update the city's property register, which identified more taxable units, so increased the authority's revenue. These funds were used to finance the city's upgrading and titling programme, meaning it was not necessary to rely on external funds for this.

Second, the local authority established partnerships with the land registry (where citizens deposit their titles) and the prosecutor's office (which checks compliance). This partnership allowed free title registration for the first time, with the regulatory body facilitating the process. Through the participation of the prosecutor's office, the upgrading programme became a priority for the government, and bureaucracy was lessened, speeding up the process.

One result of these initiatives was the upgrading of the Bom Sucesso settlement in Camaquã and secure land tenure being offered to residents.

More information

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ADVANTAGES OF PARTICIPATORY ENUMERATIONS IN CITY-WIDE PLANNING

Community-led enumerations have several advantages over other ways of gathering information for city-wide planning:

Awareness raising and advocacy. They are useful for raising the awareness of community residents about the health, environmental and housing conditions in their own and surrounding communities. The data generated, and the process of enumeration itself, are powerful tools for advocating participatory and people-oriented processes for city planning.

Community participation. Community-led enumeration empowers communities to participate in city-wide planning and slum upgrading because the people use their knowledge and experience to gather relevant information about their problems and their communities. The communities identify their needs, priorities and resources, and generate their own community plans. That helps ensure that residents support the plans and avoids protests and conflicts.

Community organizing and capacity building. Residents have to organize themselves to conduct an enumeration, and often they need to be trained. This effort pays off because organized communities can more effectively participate in the planning and implementation of city-wide upgrading. Organized communities become a partner for city government, enabling the authorities to work with communities and listen to their needs.

Data-based planning. Residents gain access to data they can use to generate ideas and plan how to develop their communities. This encourages planning based on reliable, up-to-date information that everyone accepts.

Benefits for the poor. The enumerations collect baseline data on the socioeconomic characteristics of poor households against which project benefits on the poor can be more accurately evaluated. This means there is greater

likelihood that poor households and communities will be reached by the development programmes.

Gender empowerment. The results can generate gender-disaggregated data that can be used to design community upgrading programmes that take into account gender needs. For instance, the identification of women-headed households and female household members and their needs can influence the design and location of infrastructure being planned for a given community.

Cost. In terms of costs to the authorities, community-led enumerations are cheaper than surveys done by paid city officials. However, it is important that the cost to residents of their involvement in participatory processes, in the form of time, labour, expertise and expenses, should at all times be acknowledged.

Potential for scaling up. Enumerations give stakeholders an idea of the magnitude of the need for community upgrading at a city level. A realistic assessment enables solutions and interventions to be programmed accordingly. Similar communities can be identified and successful interventions can be replicated there.

LESSONS

Role of authorities. The role of (local) authorities is crucial for successful city-wide upgrading and depends on its capacity to engage with communities and work in a participative and flexible manner. Strong partnerships, mutual trust and a clear division of responsibilities are necessary for such collaboration to work. Participatory enumeration must be fitted into a broad land management framework. It should be part and parcel of a process of community and stakeholders' consultation to inform planning, the coordination of planning activities, formulation of planning alternatives and implementation of solutions.

Enumeration tools. The tools used in an enumerations exercise should be developed with communities, and will depend on the availability of technical inputs such as aerial photos and base maps. The enumeration exercise should be simple, appropriate, linked to local knowledge, and built on existing experiences.

Capacity of enumerators. The quality of the data generated from community-led enumerations depends on the skills and the time put in by the enumerators. Variations in the quality of the data may make data consolidation at a city level difficult or impossible. The financial resources of community associations may limit their ability to complete the data-gathering process.

Timely and comprehensive data. Planning for city-wide upgrading requires comprehensive data at a city level, all available at one time. When large numbers of households and communities are involved, relying on community-led enumeration can prolong the data gathering and consequently the planning process. When this is the case, smaller units (e.g., district or ward) instead of the entire city can be made the planning unit.

Need for capacity. It is necessary to train communities both how to conduct an enumeration and how to use this information for city planning processes. City-wide upgrading programmes would greatly benefit from the informed participation of affected communities. These communities need to be capacitated so they can participate at the community or project level as well as at the city, programme or policy level. Learning tools should be developed for this purpose.

Linking processes. Stakeholders need to know more about the benefits of city-wide upgrading and the approaches that work. Specifically they need to learn how to link people's processes (which may work easily at the community or project level), with city processes (which are sometimes bureaucratic, professionalized and highly structured). So far, only a few good

practices link these two levels, so strategies are needed to integrate them. Authorities play a crucial role in linking processes and different scale levels.

Advocacy for city-wide slum upgrading. City-wide slum upgrading is not yet a widely accepted approach. Most city governments still need to be convinced of its advantages and benefits.

Harmony with existing policies. The objectives of community-led enumerations for upgrading need to be tied to existing land administration policies and ownership arrangements. Doing so would make it easier for local authorities and governments to embrace this approach.

Types of information gathered. Not all information needed for planning and implementing city-wide upgrading can be collected through enumerations. For instance, certain financial, economic and topographical data is difficult to obtain this way. Enumerations will mainly collect data on social, economic and legal characteristics of the households and communities targeted for upgrading.

Part 4

Analysis and conclusions

14   ANALYSIS

The case studies contain a variety of accounts of how grassroots groups, communities, support organizations, development and humanitarian agencies and government institutions have used participatory enumerations for purposes related to land, housing, upgrading and development. The cases include examples of collaboration, partnership and co-management between various actors, including government officials and private sector professionals. In reading the accounts, one is struck both by the daunting challenges that inevitably arise in the course of this work; but also by the potential range, versatility and impact of this innovative information gathering process.

We read of residents facing poverty and forced eviction who used participatory enumerations as a self-empowering, mobilizing activity and a way of asserting their identity and basic rights. We read of enumerations aimed at obtaining accurate information with which to challenge official statistics that excluded vulnerable groups such as tenants and households headed by single mothers. We read of residents, support organizations and government officials jointly launching enumerations as part of broad tenure upgrading and housing delivery programmes. And we read of government officials, assisted by donor agencies and a professional consulting firm, who developed participatory enumeration, claims collection and boundary verification techniques to expand "circles of trust" around undisputed land holdings, to bring stability to a tenure system almost destroyed by years of occupation and violent conflict.

In this chapter we examine lessons that can be drawn from the cases in this book. We focus on the following questions:

1   What is the relationship between enumerations and **empowerment**?

2   In what ways do **contextual factors** affect the feasibility and potential impact of participatory enumeration?

3   What are the implications of participatory enumerations for **gender** issues and the land tenure rights of women in particular?

4   What is the value of partnerships and **co-management** arrangements in participatory enumerations, and how can this be enhanced?

5   How do participatory enumerations impact on **conflicts** and disputes?

6   What potential is there for **up-scaling** of participatory enumeration methodologies?

ENUMERATIONS AND EMPOWERMENT

An underlying thread that links many of the case studies in this book is the theme of **empowerment**. This is not surprising, as information is linked to power, and any processes involving collection of information have the potential to empower. Further, the nature of the information needed to develop and up-

"Empowerment is hollow if it does not lead to improvements in the lives of the poor. The urban poor do not engage in research for the data, nor engage in dialogue because they want to talk. Participatory community mapping and surveys are effective tools in helping shed light on, as well as shape the people's ideas of their intended futures"

– Participant, GLTN Naivasha writeshop, September 2009

grade informal urban settlements is often sensitive and subject to tremendous contestation. Basic livelihoods are at stake, as are patronage and financial interests both from outside and within a particular settlement. Those who control the collection, distribution and use of such information thereby gain access to some form of power.

Residents of informal settlements struggle with problems of poverty, lack of access to basic services and a constant fear of eviction. When they realize the link between information and power, they see that they can collect and control "their" information to organize, mobilize and develop an inclusive community identity. Participatory enumerations shed light on and help shape people's ideas of their intended futures. Enumerations can help resolve contradictions within communities and redefine the power relationship between government and communities. They can provide residents with platforms from which to engage with outside institutions, and particularly with government. Such engagement may range from discussions, negotiations and cooperation to questioning, challenging and contesting. It can also boost residents' confidence to claim a direct role in tackling the challenges facing their settlement, together with government and other actors.

The same link between information and power prompts organizations such as NGOs, professional bodies and development agencies, as well as supportive government officials and departments, to realize the value of working with residents on information gathering. They form partnerships with residents around participatory enumerations, or incorporate participatory information gathering and verification methods at key points in their programmes. This introduces another level of empowerment: the bringing together of the resources, skills and energies of various groups to use participatory enumerations and other joint actions to tackle many of the formidable challenges associated with informal settlements. This, too, is a development of great potential.

The failure of cities and governments across the world to address the issue of sustainable urbanization means that a variety of tools, including participatory enumeration, are needed. Success depends on the extent to which mobilized, motivated communities work with the government, developers and professionals to improve their community. Participatory enumerations can play an important role in this mobilization and empowerment.

But collecting information may also **disempower**. Information is essential for upgrading informal settlements, development planning and promotion of land tenure security, amongst other things. However that same information could be used in ways that fail to promote those goals; or worse, in ways that work directly against them. It may be used to favour only particular groups or classes of residents, at the exclusion and expense of others. Or it may be "captured" by local elites acting as "power brokers and gatekeepers in order to accumulate personal resources and power" (Robins 2008). These are real risks that all actors in the enumerations process (from inside and outside the settlement) need to be aware of. Here are some questions that need to be answered when planning and implementing a participatory enumeration:

- **Management, coordination and decision making.** Who decides to undertake the enumeration and defines its purpose? Who will manage the process? How are key decisions made?

- **Partnerships.** Who are the different partners involved in the process? How are their respective roles defined? Are these roles clear and understood by all?

- **Representation and accountability.** Who speaks on behalf of the residents? On what basis do they do so? What interests do they represent? Have any relevant groupings been left out? How is ongoing accountability ensured?

- **Methodology.** Who determines the methodology? Is it flexible or can it be changed as challenges arise?

- **Inclusiveness.** Who decides what information is relevant? Who drafts the questionnaire(s) and by what process is this done? Do the questions on land and housing cover the full continuum of tenure rights so that no one is excluded? Who will conduct the enumeration? How are they selected? How are they trained? How

is the information verified? For example, is triangulation (checking of data against other evidence) done via a public process? Can everyone participate in this?

- **Ownership.** Who decides what is to be done with the data obtained? Who does the analysis of what it means? How and where is the information stored? Who can access it once it has been stored?

THE IMPACT OF CONTEXT

Part of the challenge of conducting a participatory enumeration is the need for flexibility, adaptation and innovation on the part of all actors in the process. It is important to assess the context within which an enumeration will take place and to make any necessary methodological adjustments during the design phase and in the course of implementation. By "context", we mean both the internal context of the settlement, and the broader, external environment in which that settlement is located.

There is no single "one-size-fits-all" model or blueprint that can work in all cases. Planning and design should therefore be based on a keen understanding of the relevant local and country context, and should be shaped in accordance with conditions on the ground. This is one of the benefits of involving the residents at key stages of the process, including the design of the process and questionnaires, as they are experts in their own right in the dynamics of their local environment. Doing this properly is resource-intensive and time-consuming. It can lead to conflict and dispute, and will naturally involve negotiations both within the community and between the different actors and stakeholders involved in the process. Yet it has to be done, as this is an integral part of what makes the participatory enumerations potentially so effective.

External context: Government policy

A critical contextual factor is official government policy towards informality, upgrading and security of tenure. This can range from "transforming" at the one end of the scale of policy options, to "repressive" at the other (Table 14.1).

The cases discussed in this book cover most of the different policy scenarios described in Table 14.1, and show that participatory enumerations can potentially be used in any of the range of situations. However the approach and emphasis would have to be adapted in each case, to suit the applicable context. This is briefly illustrated below with reference to three points on the scale, to reflect the range of options.

> There is no single "one-size-fits-all" model for participatory enumerations

Transforming policy context. In a "transforming" policy environment, the relevant government would be proactively involved in settlement upgrading and tenure security programmes, supported by broader legal, policy and development framework initiatives. In this environment numerous options and opportunities exist for innovative collaboration and partnerships between actors, including

TABLE 14.1 RANGE OF OFFICIAL POLICY RESPONSES TO INFORMAL SETTLEMENTS AND INFORMALITY

Transforming	Upgrading infrastructure and facilities, formalizing land tenure and integrating the informal settlement into the surrounding urban fabric, while also seeking to address the larger socio-economic and legal framework.
Giving amnesty	Immunity to eviction, usually based on a predetermined time of uninterrupted occupation or a cut-off date – this may involve temporary or permanent occupation rights
Transitional	Affording temporary occupational rights in the informal settlement or a transit camp, with a view to future orderly relocation – often with little consideration of the impact of uncertainty about the future on people's fragile livelihoods
Tolerant/ ambivalent	Often based on a cost-benefit analysis regarding votes before an election
Deterministic	Rigid prescription of a "good" solution to the problems of the poor, usually with little reference to the affected people's livelihoods and socio-economic reality
Repressive	Removal of informal settlements despite resistance, with the intervention usually having a negative impact on the affected people's livelihoods

Source: Huchzermeyer et al. 2006, pp. 21–22.

government. It is even possible for the government to put forward the idea of doing a participatory enumeration. This is illustrated in some of the case studies above. One example is the account of the Community Land Information Program process in Namibia (see Chapter 11). The Namibian government has become directly involved in a participatory approach to dealing with urban land and housing, starting with participatory enumerations. The result is a co-management arrangement involving a number of actors that could potentially roll out land tenure security, housing and services to Namibia's urban poor. The relevant ministry championed a collaborative approach, providing legitimacy, political backing, introductions to local authorities and other branches of government, and financial and human resources.

Transitional policy context. In "transitional" policy contexts, options and possibilities are likely to be more ambiguous and contradictory. In cases of threatened eviction they would include some form of compensation and/or relocation to an alternative site, though with qualifications. Alternative land is likely to be located far away from jobs and opportunities, and risks will remain high for families with "lesser" rights, such as tenancy or female-headed households, as compared with original settlers, male-headed households and shack owners (see, for example, Ndezi 2009 pp. 77–87). In such contexts, steps are needed to ensure that alternatives to relocation (such as *in-situ* upgrading) are given due consideration; and to combat the exclusion of some residents from awards of compensation or land in cases where relocation is inevitable. To achieve this, residents of informal settlements should be encouraged to organize themselves in inclusive ways, assisted to obtain accurate information and supported in their attempts to negotiate with the relevant authorities. Authorities should also be encouraged, through advocacy and diplomacy, to recognize the rights of the residents and to work directly with them to find viable solutions. Participatory enumera-

tions can be a useful tool to achieve this, as for example illustrated by the accounts of the struggles for rights recognition in Kibera, Kenya (Chapters 4 and 6). However given the constant danger of exclusion of certain groups such as tenants and female-headed households, particular care is needed to ensure that all affected residents are properly represented, directly involved in decisions on the collection and use of gathered information, and fully briefed on the implications of any negotiating positions or mandates.

Repressive policy context. In comparison, participatory enumerations in more "repressive" or hostile policy environments would primarily serve as a tool of empowerment and mobilization against government plans and actions, and a way of building a strong organization base that has to be taken seriously by the government. While there should be constant calls for negotiations with the government on alternatives such as *in-situ* upgrading or voluntary resettlement, there is no guarantee that opportunity for such negotiations will materialize in a repressive environment. The risks for residents participating in enumeration initiatives are high. Given the ever-present threat of eviction or forced resettlement, statistical information could easily be used against the residents.

For this reason, residents should retain tight control over the collection and use of data, and over any decision to approach or negotiate with officialdom. In some circumstances, the data could be used as an incentive to encourage government officials to acknowledge the settlement and take its residents seriously. Or it could simply provide what some practitioners refer to as a "Trojan horse" – a clever way to enable the residents to get access to officialdom in order to state their case. In addition, the actors involved in the enumeration initiatives would need to be able to switch tactics as the need arises. A long-term aim would always be negotiation of a favourable settlement with government. Even in highly repressive con-

texts, the possibility of fruitful partnerships or alliances should never be totally ruled out, as there is always the chance of provincial, district or local variations in policy and practice. Nevertheless achieving this is likely to be a long process, and so the options of campaigning, advocacy and outright resistance would need to remain in place throughout. The residents in such cases would greatly benefit from outside support, as well as pressure on the relevant government to change their approach.

Given the potential flexibility of the approach, participatory enumerations can assist residents to prepare for different scenarios and outcomes. When a community, an NGO or even a government agency has the idea to do a participatory enumeration, it is a good idea to briefly assess the contextual factors that may determine which approach is suitable. In the case of Abuja, Nigeria, discussed in Chapter 3, the Women Environmental Programme and the Federation of the Urban Poor wanted information in case of future evictions, to have a say in planning, and to empower and organize the community. Residents responded enthusiastically to the enumeration (97% of the questionnaires were returned). The government was much harder to win over, though some progress was made once the two organizations had adapted their approach (developed in other countries) to the local context. Interactions with government officials have to some extent improved, but forced evictions have continued unabated, and there is little sign that this is likely to change. On the contrary, as recently as 15 October 2009 the two organizations issued a statement lamenting the fact that:

> What started with the "Abuja Master Plan" and the unending forced evictions and demolitions of houses and properties of poor people has now spread to other parts of the country including Port Harcourt. The Port Harcourt demolitions have assumed a frightening dimension with the introduction of joint military operations […] which has resulted in the death of many people including the destruction of their houses and properties (WEP and FEDUP 2009).

Internal context: Within the settlement

The internal context of a settlement, particularly the existence and role of diverse interest groups, is also an important factor to consider in planning and implementing participatory enumerations. As discussed in the section on enumerations and conflict (p. 139 below), the diversity of interest groups is often linked to inequitable control over land, housing and other key resources. For example, tenants and shack owners (some of whom may not live in the settlement) may have very different interests, and their relationships may be very difficult to understand and resolve.

Internal divisions can be complex and result in groups participating in processes for different and sometimes conflicting reasons. Recent research into grassroots mobilization in the context of evictions in Kurasini ward, Dar es Salaam, Tanzania, found that:

> Four motivational factors have been important to shaping participation in Kurasini: the nature of expected payoffs, belief in the efficacy of one's actions, connection and responsibility to place, and the relative balance of costs and benefits associated with participation. The findings suggest that, to ensure successful mobilization, community organizers and policy makers in urban Africa should pay particular attention to cleavages in communities that are coincident with these factors, particularly to the divide between property owners and renters (Hooper 2009 p. 1).

Participatory enumerations do include techniques that are uniquely suited to probe such divisions and competing interests. But the task is inevitably a tough one involving numerous risks, with no guarantees of success (Robins 2008 pp. 77–99). For example, the step of formulating the questionnaire, along with a resolve to see the process through despite any problems, can prompt residents to recognize and deal with diverse interests. In an account of the work of Pamoja Trust and Muungano wa Wanvijiji in Kenya, we read that:

Designing the enumeration form required long negotiations, especially with regard to how tenants would be enumerated. For instance, the issue of whether tenants should be enumerated as separate households or come under the landlord's name was particularly difficult to resolve. The negotiations took four days. […] Eventually agreement was reached on the content of the questionnaire, but KOWA (the structure owners' association) still opposed it and, through its effective propaganda machinery, spread a rumour that this enumeration was part of a process through which Indians were coming to buy the land and that the director of Pamoja was their land broker. Pamoja Trust was threatened and KOWA sought a court ruling to stop the enumeration. However, although they failed to stop it, the enumeration had to begin under police guard (Weru 2004).

Challenges

The impact of contextual factors presents actors and stakeholders involved in participatory enumerations with the following key challenges:

- Each enumeration process should be designed on the basis of an informed analysis and understanding of the external policy, legal and political context and dynamics, as well as the power relations within the settlement in question.

- While important lessons can be learned and techniques can be borrowed from enumerations done in other contexts, hasty importation of procedures and systems should be avoided. The enumerations process must suit the particular case and situation. In addition, it should be possible to adapt the methodology as new situations arise in the course of the enumeration.

- The roles and interests of each of the main actors in the process should be clearly understood and fully disclosed to the participants.

- The relevant interest groups in the settlement should be properly represented and involved in the process. They should be

supported to articulate their needs and interests. Specific steps should be taken to ensure that vulnerable groups in the settlements are not marginalized. External support organizations can play a monitoring role in this regard.

- In more repressive policy contexts, non-governmental organizations, professional bodies and other external actors can help to bring organized residents and government together to negotiate viable development alternatives.

- In more transforming policy contexts, all actors can take advantage of the potential to link participatory enumerations to the formal land management and administration processes and to work in co-management arrangements.

- Implementers of the enumeration need to have strong facilitation, negotiating, mediation and conflict resolution skills to deal with issues arising in the course of the process.

ENUMERATIONS AND GENDER

In many developing countries, women still have less access and fewer rights to land than their husbands or male relatives. Statutory law often does not provide for women's independent rights. Where such legislation does exist, mechanisms to enforce it are often absent. In traditional or "customary" societies, women's direct access to land through purchase or inheritance is often limited, as they are not involved in policy and decision making, yet in some cases they have greater rights of management and use than men.

During evictions and violent conflicts, women and children are more vulnerable than their male counterparts. Other factors that inhibit

women's access to land include: lack of information (power) or consultation of women on land issues, data collection and information management processes that are not gender friendly or gender sensitive, failure to motivate and mobilize women's participation in enumerations and data collection, poor economic situations that affect women much more than men, and focus on individual tenure options without alternatives that are gender sensitive. Since women are frequently the major household food producers, there are usually customary provisions for indirect access to land in terms of use rights acquired through kinship relationships and their status as wives, mothers, sisters, or daughters. Therefore gender differences in land tenure should be recognized if land objectives, such as increasing or providing affordable housing, or promoting sustainable resource management, are to be met. There is a need for land tenure policy frameworks that explicitly address gender inclusive access to land. Without specific attention to gender inclusiveness, important segments of society may be excluded from the benefits of land administration, management, and development schemes.

Key role of women

In this context, the leading role that women have played in many participatory enumeration and community mapping initiatives represents a major step forward. Many sources stress the essential role of women in these processes. To cite one example, the Huairou Commission's *Handbook* places women "at the centre of the process of documenting their own communities" (Huairou Commission 2007 p. 3). Participatory enumeration activities offer opportunities for women to take a prominent role, improving recognition of women's contributions in development, and creating spaces for greater involvement of women in decision-making. In a number of the cases in Chapters 3–13, women constitute the majority of volunteers during both the planning and implementation stages of enumerations. There are

many advantages to this. By directly engaging in the design, gathering and use of data, the women become custodians of information that are used for analysing situations and proposing actions.

This role can also be carried over to negotiations and the crafting of solutions. For example, we saw in Chapter 3 how grassroots "watchdog" groups in Kenya collected information to use in protecting the land tenure rights of women and orphans who had been dispossessed by their male relatives. In the case of the Magallanes campaign in the Philippines (Chapter 5), the involvement of women led to greater appreciation of how the issue of resettlement affects different sub-groups. Such activity in itself increases women's credibility as leaders and contributes to their empowerment. Winning a campaign using the information gathered through participatory enumeration consolidates this credibility.

Empowerment of women

There are numerous ways in which participatory enumerations can help and empower women. Enumeration methodologies can improve gender sensitivity through procedures and tools that are gender sensitive. Questionnaires should include questions on household structure and relationships, land tenure issues, and support required by women. Further, when women have been involved in the enumeration process itself, they have access to information generated from the enumeration that can be very powerful in negotiations with government. The enumeration results can be used as evidence to protect women's rights, and used as strong material for gender-based advocacy. In the case where there are tenure solutions that accommodate joint household interests, the data facilitate the application of that alternative.

At another level, being part of the enumeration process can provide women with an opportunity to network within their own community around issues that they have in

Figure 14.1 Participatory enumerations make it easier to gather information about women in informal settlements

common. It may also help identify skills that women in a certain neighbourhood or community have, which may have previously been unseen or untapped. Typically the enumeration process will lead to discussions within the settlement on the need for a more equitable distribution of land. These discussions also focus on relations between structure owners and tenants and other interest groups. This forum is an opportunity where the rights of usually marginalized groups (like single women and single mothers) can have their rights to land recognized and accepted.

Beyond the actual participatory enumeration exercise itself, and the immediate usage of results, enumeration data should ideally also lend itself to the gender-sensitive application of urban planning, land information systems and settlement upgrading, to make them more

sensitive to both women and men's needs. Enumeration results will have the potential to influence the practice of government delivery mechanisms in such areas, provided that the relevant professional staff involved are sensitized to ensure that the gender-disaggregated information and insights are carried through.

However there are also some dangers. As is the case with many other kinds of community-oriented work where women are involved, community mapping and survey activities can lead to reinforcing gender stereotypes. The false perception that women "have more time" for such activities reveal a bias against the value (and a discounting of the immense burdens) of the daily functions of women. If left unchecked, this can become a rationalization of further exploitation of women, adding to already multiple burdens that urban

poor women carry. It also fails to ensure that men contribute sufficiently to the work that is involved in planning and implementing successful participatory enumerations. It is also possible that the entire process could be ignored or "talked down" by powerful men on the grounds that it has been dealt with in the so-called "lesser" realm of women. Support and endorsement to the central role of women in enumerations by all actors involved in the process remains crucial, while getting the men involved in the process and committed to its outcome is also important.

Ensuring women are included

Participatory enumerations can be a valuable source of data into the multiple challenges faced by women, including critical issues such as tenure insecurity and the absence of inheritance rights. Survey results can generate gender-disaggregated data that can be used to design community upgrading programmes that take into account gender needs. For instance, the identification of women-headed households and female household members and their needs can influence the design and location of infrastructure being planned for a given community. At the same time, there is a danger that the voices of women can be missed out or suppressed in the actual enumeration process. Enumerators can experience difficulty getting information from female residents, as a result of customary or religious practices and taboos, or fear amongst women of reprisals for providing information to enumerators.

In an enumeration exercise in Hargeisa in Somaliland, aimed at the regularization of land tenure for internally displaced persons, gender biases had a significant impact. When the data was being collected, if the male head of household was not present, almost invariably the women in the household declined to answer questions. In contrast, in female-headed households, the women had no problem providing the household information. The Bossaso case (Chapter 5) illustrates that enu-

> There are numerous ways in which participatory enumerations can help and empower women

meration data can create family conflict. For example listing the names of women as heads of households where the husbands were not physically present during key steps in the enumeration caused household tension, and even led to family separation and sudden divorces.

The enumeration in East Timor (Chapter 10) also had to contend with local customs that hinder women's rights to land, despite constitutional protections for women. The information collection and recording system was designed to counteract this and encourage women's participation and to record their rights. If only one spouse makes a claim, it is assumed that this is on behalf of the other spouse too. Even so, the project has fallen short of its objectives in this regard: only 15% of the land claims were jointly submitted. This means that many women are still excluded from land entitlements.

Challenges

The task of promoting gender equity in informal settlement and tenure upgrading programmes is daunting. Participatory enumerations provide a number of challenges, opportunities and possible roles for all the actors in the process. These include:

- Make sure that grassroots women are centrally involved, alongside men, at all stages of participatory enumeration exercises. Ensure that both the value and the cost of this involvement are properly acknowledged.

- Incorporate gender disaggregation into the methodology, questionnaires and data-

bases of all informal settlement enumerations, with particular focus on access to and control over land, housing and other key resources.

- Train enumerators to ensure that they obtain the required information. Special techniques and procedures may in some cases be required.

- Ensure that the aim and methodology of the enumerations process is correctly communicated to all concerned and that women are protected from reprisals if they participate in the process.

- Utilize the data from the enumeration to develop a deeper understanding of the plight of women in informal settlements. Publicize the relevant findings in the settlements, within the partner organizations and government, and in society as a whole. Governments can use this as a basis to develop policy and legislative reform and to design appropriate implementation programmes.

- Make sure that there are both male and female role models. Think of including female "champions": women government officials can open a community meeting, or female trainers can train enumerators.

THE VALUE OF PARTNERSHIPS AND CO-MANAGEMENT

In the course of this book we have seen how in the face of particular crises, threats or opportunities, affected residents of informal settlements have initiated community-driven participatory enumerations to access information, identify challenges, determine priorities and develop activities or action plans to tackle those priorities. We have also seen how participatory enumerations have been initiated

by other organizations and bodies, including government, to assist them in carrying out their missions, mandates and responsibilities associated with land, planning, housing and development.

In some of the cases the enumeration was designed and implemented entirely by the residents and their representative organizations, without involvement of external parties. For example Chapter 5 describes the efforts of the PNR–Magallanes Neighborhood Association to run a community survey to negotiate for just resettlement for community members who had been ignored in the official statistics. As we have seen in the earlier section on Context in this chapter, such a "go-it-alone" approach can make perfect sense in particular situations.

But in order to deliver development, upgrading, services and security of tenure in the longer term, a range of other actors need to become involved in the process. Depending on the situation, these may include national or local authorities, public agencies, local and international NGOs, private partners, donor agencies, foundations, etc.

Co-management

Co-management is proposed as a framework for shaping the relationships between these actors. The term co-management initially gained currency in the field of natural resources, where it is understood as a partnership arrangement between a community of local resource users and other primary stakeholders who share responsibility and authority for resource management (Macfadyen et al. 2005). Here we use it to describe situations where an enumeration is jointly undertaken and managed by a community and one or more external actors for a common purpose and with negotiated and agreed roles. "External actors" are likely to include government institutions, given their key role in protection and administration of land rights.

Figure 14.2   Co-management brings benefits for both sides: local residents and city administrators

Examples of co-management arrangements for participatory enumerations include:

- The 2006 Community Land Information Program in Namibia (Chapter 11) was a collaboration between Shack Dwellers Federation of Namibia and the Namibia Housing Action Group on the one hand, and the Ministry of Local Government, Housing and Rural Development on the other, to document landlessness and tenure insecurity countrywide. This collaboration initiative was taken by the NGOs, which mobilized communities and organized training for settlement profiling, while the government supported the process by providing financial and human resources.

- The 2001 Land Administration and Management Project in the Philippines (Chapter 8) was an effort by government to build a land records management system in informal settlements in Metro Manila to link informal land records to the official register in the Land Registration Authority. Household surveys were carried by settlement leaders trained by the project, and verified by the local authority.

- Launched by the Thai government in 2003, the Baan Mankong ("secure housing") programme implemented by the Community Organizations Development Institute is built on strong co-management principles (Chapter 13). Under the programme, poor city residents work with their local governments, professionals, universities and NGOs to survey all the communities in their cities, and then plan how to upgrade them. Once these city-wide plans are finalized and upgrading projects are se-

lected, CODI channels the infrastructure subsidies and housing loans directly to the communities.

Benefits of co-management

A co-management arrangement has many potential benefits for participatory enumerations:

- Filling capacity gaps (skills, knowledge, expertise)

- Clarifying the roles of the various actors

- Coordinating the process

- Filling resource gaps (technologies, facilities, equipment, personnel, data storage capacity)

- Facilitating links with other, related initiatives to promote good practice

- Enabling access to government data and maps

- Ensuring that the data gathered conforms to government needs

- Providing access to land administration innovations

- Spreading decision-making responsibilities

- Monitoring inclusion and ensure protection of vulnerable groups

- Promoting the legitimacy and credibility of the process through accountability and transparency mechanisms

- Helping to manage conflicts

- Ensuring sustainability and follow-up.

Co-management can also provide an entry point for direct involvement by residents in official development and upgrading programmes for their settlements. It could, potentially, even lay the foundations for co-governance initiatives in the settlements in question.

> Co-management has many potential benefits for participatory enumerations

Co-governance

Co-governance refers to participation by social actors in the core activities of the state, usually to achieve higher levels of state accountability. The practice of participatory budgeting, as developed from 1989 in Porto Alegre, Brazil, is one of the best-known examples of a successful co-governance arrangement. Further examples include Chicago's school reform (since 1988) and police reform (since 1995); and the work of Mexico's Federal Electoral Institute (since 1996) (Ackerman 2004).

Challenges

In establishing co-management arrangements for a participatory enumeration project, it is important not to use the concept loosely. Care should be taken to ensure that the framework has been correctly set up and maintained, and to avoid the risk of the participatory process becoming dominated or "captured" by specific interests. The terms of any co-management arrangement have to be carefully negotiated and maintained in the course of a project. Key issues that need to be covered include:

- Are the roles, responsibilities and contributions of the parties in the process clear from the outset? Is there an agreed process to renegotiate these along the way, if this should become necessary?

- Are the parties in full agreement on the purpose and likely impact of the process? Is it clear why the different actors are involved in the process: what their interests and expectations are?

- Is there agreement on key steps of the process and the methodology to be followed? Is it clear how and by whom decisions will be made?

- Has the issue of storage and ownership of data been thoroughly discussed and resolved to the satisfaction of the residents?

- Do the parties have realistic expectations of each other? Is there an explicit acknowledgment of and respect for the value of the contributions of the different participants?

- Are the parties aware of and able to discuss power relations between them? Is there sufficient trust between them? Is there provision (and sufficient time) for building and maintaining trust between them? Is there an agreed mechanism to resolve any disputes or conflicts that may occur?

- How are residents represented? Is this through a single body, or more than one? Have steps been taken to ensure that vulnerable groups are adequately represented? How is participation by residents ensured? How is reporting done? How is accountability ensured?

POWER RELATIONS, CONFLICTS AND DISPUTES

Participatory enumerations often deal with issues that are sensitive and subject to tremendous contestation. These include differential land access, unauthorized occupation, threatened eviction, official policies and plans for informal settlements, gender, tenancy arrangements, and power relations and divisions within the community. The enumeration process can easily trigger disputes and result in conflict. At the same time, the process may help to build consensus, resolve conflicts, promote negotiated agreements and mediate disputes; which can be of great help in plan-

ning, settlement upgrading and tenure security programmes.

The absence of clear information creates fertile ground for confusion, suspicion and fear, particularly in situations of deprivation and poverty. This can lead to tensions and conflict. However, conducting an information gathering exercise that is open, thorough and directly involves the people affected, can build trust and cooperation and a sense of ownership of the process and the product. Participation can help to reduce misinformation and obtain a critical mass of support for development initiatives. Through effective data verification procedures, it can also improve the quality of the data and make it more usable for use in upgrading and tenure security programmes, offering the prospect of a better life for all residents. As an experienced participatory enumerations practitioner has observed:

> Enumerations should be seen as negotiations, as people set out their hopes (which may include false information that they feel will benefit them). With the strong verification process, people realize that it is not in their interests to cheat. In a recent exchange between community members from Huruma and Soweto-Kahawa [in Nairobi, Kenya], Huruma residents told Soweto-Kahawa members that it did not pay to cheat and that you would be found out and embarrassed. Compare this with the non-negotiating stance of any official data collection undertaken by state agencies where, in the absence of clarifications and internal dialogue, some people get away with many houses or, if "caught", are humiliated and punished (Weru 2004 p. 54).

### Using enumerations to avoid and resolve conflict

Participatory enumerations can also contribute to resolving conflict by allowing residents to use collected information to formulate mutually acceptable, alternative solutions and strengthen their leverage when negotiating with government or private landowners (Box 14.1).

BOX 14.1 NEGOTIATED SETTLEMENT BETWEEN THAILAND
RAILWAYS AND RESIDENTS

Concerned for their safety, the Thai government wanted to relocate residents of a settlement located alongside a railway track. The settlement was built on state-owned land. Threatened with eviction, the residents conducted a strategic enumeration to generate information for use in negotiations with the government.

Armed with the data gathered, the slum dwellers proposed an alternative. The quality of the information on which the counter-proposal was based was crucial to strengthening the community's negotiating position. After intense negotiations, the railway authorities agreed on a compromise: all dwellings beyond a 20-metre boundary from the tracks were allowed to remain. For those within the 20-metre limit, the residents managed to negotiate strict relocation terms, according to which the resettlement site could not be farther than five kilometres from the original dwelling.
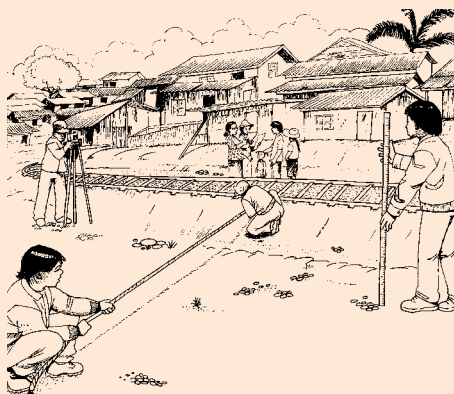
Figure 14.3 Dwellings over 20 m away
from the tracks were permitted to remain

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Resolving conflict can be easier in communities that have been "empowered". And the empowerment of residents through the enumeration process can lead to landmark achievements for communities. By creating, managing and owning strategic information obtained through enumerations, a community can raise its status as a respected actor in dealing with the authorities, and can contest actions that threaten to violate residents' land tenure rights and undermine their livelihoods (Box 14.2). Such community mobilization can help to lay an institutional foundation for future collaboration with external parties and government on upgrading, tenure security and other development programmes.

Empowered communities gain voice, confidence and are capable of making credible and specific demands, openly challenging government and other powerful stakeholders. Such activism is a positive sign of an emerging civil society and should be encouraged as an essential part of the upgrading and development process. Where settlements are facing threats such as pending eviction, they should be supported in their efforts to defend their land, homes and livelihoods, At the same time, the end goal of mutually beneficial, negotiated settlements to disputes and conflicts should be promoted at all times. External actors and support organizations can play a valuable role by trying to open up spaces for community views to be articulated and backed up with reliable data and convincing arguments, while also engaging with the relevant government institutions in preparation for negotiations of alternatives. These are important preconditions for the next stage: upgrading and provision of tenure security.

Enumerations causing conflict

The process of conducting an enumeration exercise may also give rise to conflicts within the settlement, as described in the section on "internal context" above. Groups and individuals may oppose the process and use threats or violence to stop the work of data collectors or to impede people from participating in the enumeration. In some towns of East Timor, existing conflicts on land issues are so entrenched and potentially dangerous that the "systematic collection of claims" process cannot even be considered (Chapter 10). Such conflicts can arise for many reasons, including vested economic interests, threatened power bases, ethnic or political differences, etc. An enumeration process may also trigger intra-family tensions between competing heirs or when husbands try to prevent their wives from participating in the enumeration.

Enumerations bring to the fore, and invite discussion, on the often underlying and hidden factors of how a community is organized. Who owns the land and buildings? What are the relationships between landlords and tenants? What resources exist in a community and who controls those? What are the systems distributing or sharing these resources? And so on. The prospect of exposing these issues for discussion is contentious. This is because in informal settlements assets and resources are usually very inequitably distributed.

Disputes can also arise in enumerations exercises conducted or initiated by actors who are not part of the community being surveyed. As we saw in the introduction, government-led enumerations have been known to result in threats and violence against enumerators. Conflict is more likely to happen in these cases if residents do not see the enumeration process as legitimate or in their own best interests. It is important for practitioners and support organizations to be attentive to the diversity of perspectives and interests that exist in relation to any collection of data, which may result

BOX 14.2 PEACEFUL RESOLUTION OF A POST-TSUNAMI LAND GRAB

Ban Tung Wah, a village in Phang Nga Province in Thailand, was badly hit by the 2004 Indian Ocean tsunami. The houses of the Moken "sea gypsy" residents were destroyed, and people clung to coconut trees to avoid being swept away. District and the provincial officials decided to resettle the survivors elsewhere and allocate their land for other purposes.

The villagers did not want to lose their land and livelihoods. They conducted an enumeration exercise, drawing the location of their former dwellings and the coconut trees they had planted. They supplemented this with other evidence, such as pre-tsunami photographs.

Many of the coconut trees were still standing. Each year, these trees produce a ring, so by counting the rings, it is possible to work out how old the tree is. That enabled to residents to prove how long they had lived on the land – they were able to show tree they had planted themselves 50, 60 or even 80 years before.

The residents submitted a petition, supported by the survey results, to the Land Committee. The officials finally agreed to allow them to return to rebuild their houses on on part of the land they had occupied.

More information: ACHR 2005

in partners in the process pulling in different directions.

It is common for government officials to consider their enumeration processes as "obviously" beneficial to the settlement, and they often take public acceptance of this for granted. For example, a water company that wants to

gather information on all dwellings of a settlement in order to extend the water-supply service to the community may not regard it as important to properly inform the dwellers of its intentions, get their consent and involve them in process. Many governments need to be convinced to change their approach in this regard, and to start working with, rather than for, the residents of informal settlements. The successes cited in this book are examples of the benefits of this approach. Assessing risks beforehand and conducting a public information and awareness campaign prior to any enumeration exercise is vital to mitigating suspicions that may lead to conflict. And when an initial community consensus seems to give full legitimacy to an enumerations exercise, communication should be part of the entire exercise, to avoid misunderstandings that may arise in the course of implementation (Box 14.3). Mediation may be necessary to avoid problems and overcome any disputes that do arise.

Preventing conflict in enumerations

There is no easy formula to prevent an enumeration exercise from generating conflict. In the Somali case in Box 14.4, the same enumeration methodology was applied successfully and peacefully in other communities in Somaliland. There may have been underlying dynamics in the community, which are extremely difficult to elicit. Such dynamics may involve a small group, a family or an individual, and can become an unexpected driver of conflict during the enumeration. Such internal conflict situations need to be tackled as they arise in response to the particular circumstances and following the basic principles of transparency of process, maximum consultation, respect, and conflict resolution through negotiation and mediation.

A number of aspects of participatory enumerations can prevent or assist with the resolution of power struggles, conflicts and disputes. These include:

BOX 14.3 RUMOURS AND ANGER IN BURAO, SOMALILAND

A property survey had to be discontinued in Burao after the local residents became hostile to the survey team, which comprised of locally recruited enumerators. The survey exercise was initiated by UN-HABITAT and the Interior Ministry, and was to be implemented by a local NGO, locally recruited enumerators and the Burao local authority. When the survey was 30% completed, community members physically attacked the team, and the process was cancelled. A number of false rumours were spread about the survey. One such rumour alleged ulterior "American" motives behind the survey: the evidence cited for this was the use of "American" GIS and GPS technology and satellite imagery.

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- Assessment of the internal and external environment and mapping of the most powerful actors and their stakes in the process

- Public discussions to build consensus on the purpose and methodology of the enumeration exercise

- Involvement of residents in the formulation and testing of survey questionnaires

- Transparency in selection and appointment of enumerators, and training them to keep a neutral position

- Interactions and discussions with support institutions and external experts to determine their role in the process

- Working to obtain public commitments from external institutions – including government – to respect and support the proc-

ess and use the information for the benefit of the residents

- Exchanges with residents and representatives from settlements who have been involved in similar initiatives

- Identification and direct involvement of representatives of vulnerable groups

- Public data inspection and verification processes through displays, presentations and an opportunity to any resident to challenge and correct gathered information

- Facilitation of negotiations and conflict resolution, to minimize the number of disagreements that result in litigation or conflict

- Making the enumerations data accessible to all

- Using the data in publicly visible ways for the benefit of the residents.

POTENTIAL FOR SCALING UP

We have discussed numerous cases where participatory enumerations substantially contributed to the empowerment of communities, promotion of tenure security and laying the foundations for planning, upgrading and servicing of informal settlements. We have seen how different actors have become involved in the process and the value and impact this has added. Given the enormous and growing challenges faced by residents of informal settlements and the support institutions and governments charged with assisting them – with more than a billion people currently living in conditions of poverty, insecurity of tenure and lack of adequate housing and services – the question of scaling up of participatory enumerations will invariably arise.

There has been much debate and research about scaling up of participatory projects and programmes, amongst others in the health, food security, sustainable agriculture and literacy sectors (IIRR 2000, Taylor-Ide and Taylor 2002, Gonsalves 2001). In the course of these, important distinctions have been made between different types and levels of scaling up. Uvin (1995) has identified four types:

- **Quantitative.** Increase of the number of people involved through replication of activities, projects, initiatives.

- **Functional.** Projects and programmes expand into other activity areas.

- **Political.** Projects and programmes move beyond service delivery towards effecting structural, institutional and policy change.

- **Organizational.** Organizations improve the effectiveness and efficiency to allow for growth and sustainability, through e.g., increase of funding, networking, increasing capacity, improvement of systems, training.

Looking at the case studies through this lens, there is clear potential for scaling up of participatory enumerations in particular areas. Indeed in a number of the cases and processes discussed above, significant scaling up has already commenced.

The past few years have witnessed a **quantitative** increase in the number of people and communities involved through replication of activities, projects, initiatives. For example, in Kenya establishment of grassroots-level "watchdog groups" (Chapter 3) to collect information and use it to protect the land tenure rights of vulnerable residents has begun to spread rapidly. And in Thailand (Chapter 13), city-wide slum upgrading programmes are underway in almost 300 cities, and participatory enumerations are used in many of these (though with varying levels of success).

Some of the cases described also involved a **functional** shift from existing to new uses of participatory enumerations, reflected in the chapters in Part 3 of this book – for example for use in land administration, adjudication, taxation and planning at local and city levels.

The **political** dimension of scaling up is reflected in the increasing involvement of other stakeholders, including government institutions, in participatory enumerations. These institutions have often changed their rules to facilitate such enumerations or to enable their results to be taken into account more readily. For example, in East Timor officially sanctioned participatory verification exercises are to be used nationally after successful implementation of pilots (Chapter 10). In Namibia, the government aims to use data collected through participatory enumerations to plan settlement upgrading and tenure security programmes throughout the country (Chapter 11).

Organizational scaling up is reflected in the increasing capacity and expansion of organizations such as Shack/Slum Dwellers International to facilitate and support participatory enumerations in various countries.

Clearly, a start has been made and a foundation laid for further scaling up of participatory enumerations, though much more could and needs to be done. However, the full potential of scaling up participatory enumerations cannot be realized without developing practical combinations of this with other land tools. This is an important additional dimension of scaling up. Hence the dual initiative of the Global Land Tool Network of simultaneously developing individual tools and finding ways to use them creatively in combination with other related tools. As indicated in the Introduction, the Network identified 18 such tools. The individual tools cannot be addressed in technical isolation; in different countries different combinations of the 18 tools listed in Box 1.1 (Chapter 1) will be required.

Implications of scaling up

A potential benefit of intensive participatory enumerations conducted at scale is that the data coming from the process could, in the long run, have a profound impact on government policy, law and programmes. The information gathered will invariably reflect and highlight the existence of a broad continuum of land tenure rights and the critical importance of tenure security for the livelihoods of the poor, irrespective of whether or not their rights have been formalized. Public dissemination of such information, with the active involvement of empowered informal settlement residents, can contribute to an urgently needed paradigm shift in the way in which informality and land tenure rights are generally and officially regarded. This should help to pave the way for more appropriate governance, upgrading and development policies to informal settlements.

If scaling up efforts succeed, it is likely that success will breed success, and result in further scaling up. As different institutions and levels of government learn the value of the approach in the context of particular settlements, projects and programmes, they will be prompted to integrate it into their practice elsewhere and eventually on national scale. This would boost the development of enumerations as a tool for co-managed settlement upgrading and tenure security programmes, and for building appropriate and effective land management systems.

Working at scale is not easy and requires strong political will and considerable resources. In addition, working at different scale levels would require different strategies and facilitation techniques, with implications for the organizational arrangements and skills required. At smaller-scale, grassroots level, for example, all residents can get the opportunity to participate intensively. At a larger scale level this becomes more of a challenge and the role of community representatives becomes cru-

cial. This introduces challenges regarding the modes and quality of representation and accountability, and requires community representatives to work at a level beyond their own locality. Coordination between various scale levels will also be a big challenge.

Some important cautions about scaling up also need to be considered. In the course of this book we have seen that the process of collecting information has different purposes and value for the different actors involved. Balancing these is a challenging but essential part of establishing and maintaining partnerships and co-management arrangements. We noted, further, that a basic principle of participatory enumeration is genuine participation by and empowerment of the people affected. Any participatory enumerations exercise should take into account and be responsive to local conditions and needs. There is no one single way to do participatory enumeration. It makes sense to be flexible and adopt a variety of methods to collect data in a participatory manner, inspired by and borrowing from successful participatory enumeration experiences.

Scaling up is certainly necessary to achieve the impact needed to make a real difference to global trends in relation to informal settlements. But this cannot be a rushed process. Scaling up of a successful practice has to be based on a good understanding of what makes that practice successful, and a strategy to get that to apply in different contexts. In the case of participatory enumerations, the practice requires high levels of flexibility, adaptation and innovation; a clear understanding of and focus on what is locally relevant and important; and deep respect for the needs, rights, aspirations and contribution of the people on the ground in the particular settlement being enumerated.

A further challenge is that the process of scaling up is likely to transform, institutionalize or confuse the roles of the institutions and

> **Data from participatory enumerations could have a profound impact on government policy, law and programmes**

activities involved in the process. For example, in the case of the Community Mortgage Program in the Philippines (Chapter 7), it was found that what was initially a path-breaking approach, has become institutionalized after 20 years. Increasingly the programme is being regarded as strictly a lending institution, and the pro-poor/community-sensitive aspects are being lost. It is becoming increasingly harder for communities to access the programme, which is contrary to the original objective.

Similar concerns have been expressed at the practice of enumeration tenders being awarded in the case of major resettlement and redevelopment programmes. Getting involved in these scaled up processes confronts organizations with difficult dilemmas and potential confusion of roles. Some of these are acknowledged in a recent paper written on the redevelopment process of Dharavi, Mumbai:

> As we move into this new space of undertaking the survey, we are asked whether the state will really listen, and whether we are capable of carrying both the state and community aspirations. We ourselves ask these questions… [R]eal development interventions are always very high risk activities. To avoid engaging in these means to abdicate the duties and obligations of those who have the trust of the poor to be honest brokers between mainstream development and the aspirations of the poor (Patel and Arputham 2008 p. 253).

Suggestions for scaling up

Here are some suggestions for scaling up the participatory enumeration approach.

Create circumstances for co-management

- Build relationships between government agencies and NGOs and community organizations to initiate and conduct participatory enumerations in co-management arrangements.

- Encourage communities to organize around and become actively involved in urban development issues, through initiatives such as participatory enumerations; and encourage governments to allow them the space in which to do so. This should contribute to successful urban development projects based on co-management arrangements.

Develop knowledge and create awareness

- Develop new knowledge and methodologies to suit different countries, situations and uses. But remember there is no one-size-fits-all, and that enumerations must be adapted together with local residents to retain their participatory nature and to be locally appropriate.

- Develop knowledge on how to better link participatory enumeration to land management. Find ways to promote the compatibility of datasets, so that enumeration exercises can benefit from official datasets (for planning) and records (for land administration), and vice versa. Explore ways to update the data from participatory enumerations regularly, and to use enumerations to supplement, correct and update official records. Find ways to meld such enumerations with modern technology, such as GIS, GPS and remote sensing

- Disseminate knowledge: publicize the results of enumerations among interested groups, especially communities, policymakers, government officials, land professionals and development agencies.

- Encourage exchange of experiences between communities, across cities, among countries, among different institutions, and across functions in government.

- Raise awareness of policymakers, land professionals and the general public of the value of participatory enumerations. Public events, seminars and the use of media can be important tools to realize this.

Training and capacity building of all actors

- Train residents, NGO staff, and land professionals to facilitate participatory enumerations, for example, by involving them in ongoing enumerations.

- Include participatory enumerations and other community-based methods in training courses for land professionals.

Stimulate use in practice at scale

- Develop guidelines and policies on areas where participatory enumerations are a suitable and effective method of generating data for official use.

- Initiate participatory enumerations to gather data on national urban development issues.

- Promote the use of participatory enumerations as part of the regular urban planning cycle.

- Build trust and confidence through success. Start with modest, achievable goals and move from there to more complex and difficult issues challenges.

15   CONCLUSIONS

Pᴀʀᴛɪᴄɪᴘᴀᴛᴏʀʏ ᴇɴᴜᴍᴇʀᴀᴛɪᴏɴ ʜᴀꜱ considerable potential for promoting sustainable urban development. It can be used to bring planning for tenure security and development closer to the reality in many informal settlements. In this final chapter, we draw some conclusions on how various stakeholders can use participatory enumerations to improve urban land management: residents of informal settlements and community organizations; local, national and international NGOs; policymakers and managers and staff of national governments and local authorities; land professionals; researchers, consultants and academics; and donor agencies and development organizations.

Rapid urbanization creates major problems in many developing countries: many people living in poverty, without access to basic services and infrastructure, and without secure tenure. Governments are often not ready to guide and plan the urbanization process, and many informal settlements have emerged and continue to grow. Different governments have responded in different ways to this problem. Some have been openly repressive, trying to wish the problems of urbanization and informality away through mass evictions and a refusal to develop or provide services to informal settlements. Others have been more transitional in their approach, trying to develop and upgrade certain informal settlements while marginalizing and evicting others. Yet others have been transformative, upgrading infrastructure and facilities, recognizing land tenure rights, integrating informal areas into the surrounding urban fabric, and trying to tackle address the larger socio-economic and legal framework.

In those cases where there is a will to tackle the challenges of urbanization through sustainable urban development, many countries and cities lack a framework to guide development; in others, a framework exists but is inadequate or poorly implemented. In such situations, informal settlements develop their own, informal, rules that guide their development.

Various approaches, both top-down and bottom-up, exist to deal with issues in informal settlements.

- **Top-down** approaches typically include planning and regulation of urban development, imposed by an overarching government institution. These are often not flexible enough to guide development on the ground.

- **Bottom-up** approaches have a community orientation. They take the situation and needs of residents as a starting point, and involve them in designing and implementing urban development plans. Such approaches have much potential, but often fail to impact at scale. Furthermore, community-driven projects do not necessarily balance the needs of society as a whole, or take into account the needs of all community members – as conflicts within communities are not uncommon.

Participatory enumeration, which started off as a bottom-up approach initiated by community groups and NGOs, can also be a valuable approach for governments, land professionals

and development projects. It generates data to inform planning and possibly to serve land administration. It also empowers the community, which is a prerequisite for successful implementation of urban development projects.

Participatory enumeration is most effective as a tool for sustainable urban development if it is part of a broader framework for urban and land management. It should not be a stand-alone intervention, but should be part of a broader effort to improve urban management within a (local) government.

The cases in this book show that the lack of a broad urban management framework is at the heart of the problem. Such a framework includes the planning, organizing, staffing, directing, coordinating, reporting and budgeting (Gulick and Urwick 1937) of activities that promote sustainable urban development, including the social, economic, environmental and spatial dimensions. The mechanisms to manage activities are shaped in laws, regulations, policies and plans. But these are often only partly in place. It is not realistic to fix all the missing pieces at once, and from the top down – especially as many policies and regulations are not flexible enough to deal with rapid urbanization. Rather, urban management should be improved incrementally. Laws, regulations and policies can be revised; meanwhile development projects can be carried out even though the legal and policy framework is not fully in place.

Participatory enumeration can assist governments in this incremental improvement process. It allows professionals to learn about conditions on the ground and to assess the development needs of a community; they can use this information to guide laws, policies and development projects. Governments can combine information generated from participatory enumerations in different locations to create a picture of the development needs of society as a whole. They can use the capacity and goodwill created through participatory enumerations to work with residents' organi-

zations to improve the situation in informal settlements.

This book shows how participatory enumeration can contribute to sustainable development. It has described both existing and novel uses of this approach, for functions ranging from dealing with crisis situations such as threatened forced evictions, to community empowerment, to city-wide planning. The novel approaches described in this book focused on the potential of participatory enumeration for improving land management and land administration; an important dimension of urban management.

This concluding chapter focuses on these questions:

- Why do participatory enumerations?
- What are the roles of the key actors in participatory enumerations?
- Do we need different ways of doing participatory enumerations?
- What is the potential of participatory enumeration for land management and administration?

WHY PARTICIPATORY ENUMERATIONS?

Community organizations and NGOs have various reasons for conducting participatory enumerations: to make informal settlements visible to the authorities, organize and empower residents of informal settlements, deal with immediate crises, improve tenure security and find alternatives to forced evictions, press for improved conditions in cases of relocation and resettlement, promote the recognition of informal rights, and support savings and credit initiatives. Cases illustrating these uses are described in Part 2 of this book.

Part 3 describes how local and national governments and development agencies have expanded the use of participatory enumeration into a broad range of other purposes: for land administration, land adjudication, local planning and development, taxation, and city-wide slum upgrading.

In all cases the overarching objective of participatory enumeration is to contribute to sustainable urban development with improved living conditions for the poor in the city.

Building bridges

In both Parts, participatory enumerations are used to build bridges between two worlds: between the formal and the informal, between statutory and customary, between professionals and the community, between formal cadastres and the real situation on the ground (Figure 15.1).

When the authorities start a participatory enumeration, they attempt to connect with residents of informal settlements, trying to make them part of the urban and land management process. When community organizations and NGOs initiate the process, their objective is generally to connect with authorities to claim their rights, negotiate claims or strengthen their position within the city.

Regardless who starts the process, a variety of actors can benefit. The enumeration stimulates mutual learning between communities, governments and other urban development actors. Professionals come to understand how land is managed in the informal system, and they learn of residents' development needs. That enables them to design and implement better interventions, in collaboration with local residents. The residents, in turn, learn how to express their needs in a way that governments can understand.

ROLES OF KEY ACTORS

Various actors are involved in participatory enumerations. Each has a more or less direct role to play; this will depend on the individual situation and the broader context. Who initiates the enumeration also depends on the circumstances.

Residents of informal settlements and community organizations

The community always plays a central role in participatory enumeration – an enumeration cannot be done without them. Their concerns may give rise to the need for a survey. They may recognize the need for an survey themselves, and may organize themselves to implement one as part of a range of activities to defend their rights or to improve their situation. Community organizations may play a key role in this. Where the survey is initiated by others, residents' willingness to collaborate is vital. A participatory enumeration cannot be imposed on a community. The initiators must ensure that the reasons for the counting, the procedures to be followed, and the uses to which the data will be put are all clearly explained. Only then are respondents likely to provide honest responses to questions – or indeed, any type of response.

The role of community leaders is vital: successful empowerment requires people with knowledge about the community and the government, with leadership and negotiation skills, operating in a transparent manner. They need to guide a process in which many interests are

> The community always plays a central role in participatory enumeration
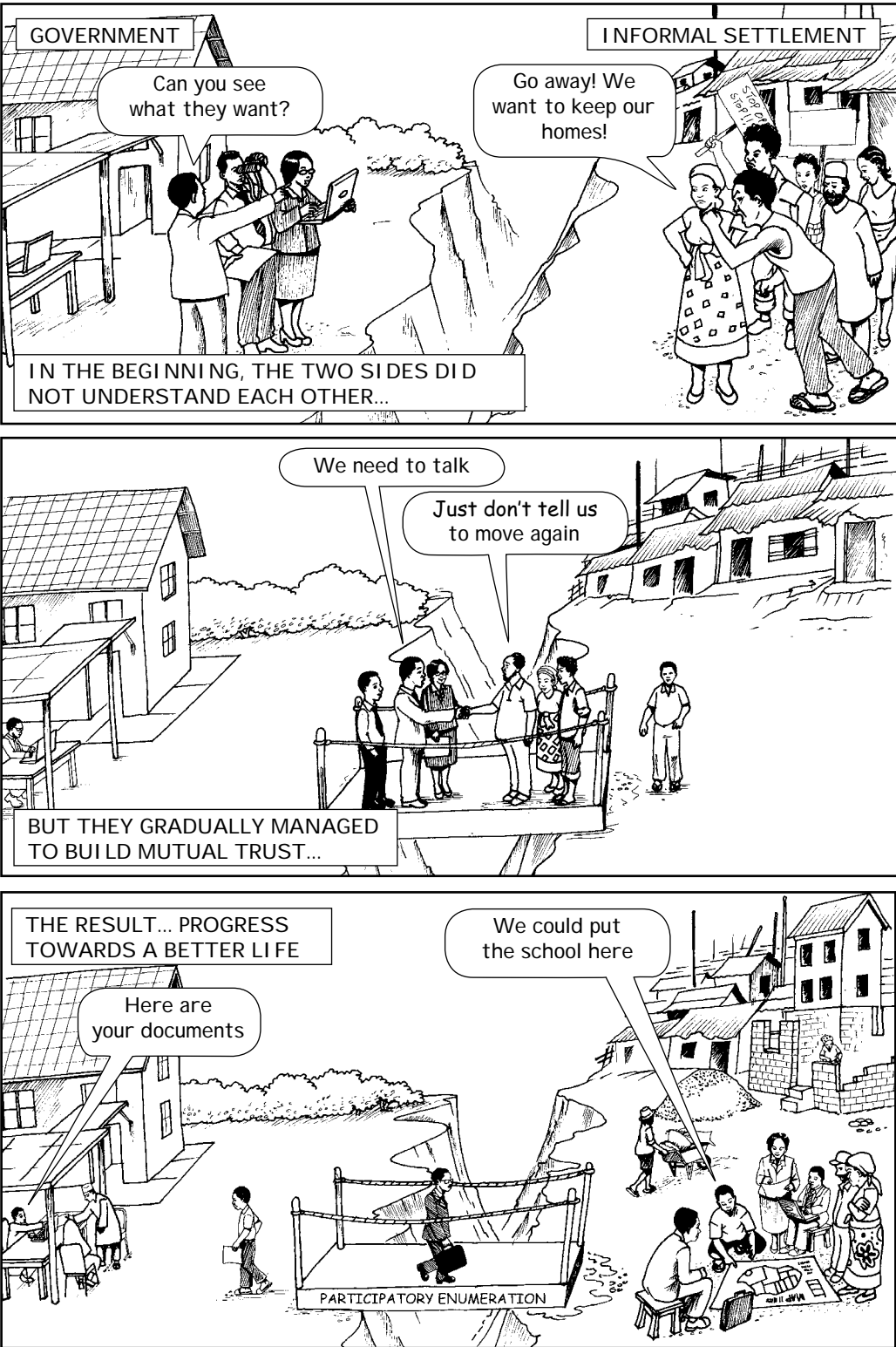
Figure 15.1   How participatory enumerations can build bridges

at stake. Rigorous accountability measures need to be in place to ensure that the residents are properly represented.

Communities are not homogeneous: power disparities exist within them, and empowerment for the most disadvantaged is a major challenge. Enumeration is likely to include conflict: who controls resources, who owns land, what are the boundaries, who holds which proof? Enumerators and community leaders will need to understand their role in conflict management and might need professional facilitation, mediation or legal support. It is difficult to ensure that the interests of marginalized groups such as tenants or women are adequately reflected in an enumeration, as there is a danger that the results may solidify an already unequal distribution of rights, assets and access to resources.

In participatory enumerations, the enumerators are drawn from the local residents. They require training and supervision. This is normally provided by community organizations or NGOs.

Local, national and international NGOs

Few communities have the capacity to instigate and manage an enumeration themselves. NGOs can play a key role in recognizing the need and opportunity for an enumeration, organizing local residents, negotiating with local leaders and the authorities, designing the questionnaire, analysing and reporting the data, and ensuring that the interests of local residents are not submerged in a welter of procedures, standards and requirements.

An increasing number of NGOs have experience in facilitating participatory enumerations. They are in the unique position of being able to earn the trust of local residents as well as understanding the workings of government. They have staff with the training and experience needed to work with both governments and local residents in designing the enumeration and ensuring that the data are used to

> NGOs can be valuable partners for both residents and governments in implementing participatory enumerations

best effect. This makes them valuable potential partners for both residents and governments in implementing participatory enumerations – and of course, other urban development initiatives.

Nevertheless, there is a danger of NGOs or other external support organizations acting as gatekeepers. This can harm the integrity of an enumeration exercise, and moreover cause conflict in the community. They may manipulate participatory processes. They may claim to act in the interests of local residents, but in fact (perhaps unintentionally) be fulfilling their own ideological or funding goals. They may make local residents dependent rather than empowering them. They may make it more difficult to find peaceful solutions to residents' problems. Local residents, government officials and NGO managers themselves should be aware of these dangers, and there needs to be cross-checks to ensure that representation is genuine and that the entire community is involved.

NGOs are aware of the governments' need for standardized data that can be used for planning and other purposes. But they must be aware that conducting standardized enumerations may diminish the participatory, empowering nature of the exercise, and may put the residents' trust in the NGO at risk. Such NGOs must perform a careful balancing act in order to maintain their close ties to

the community but at the same time cooperate with the government in order to further the residents' interest. It is likely that different NGOs will pursue different strategies: some will wish to prioritize their community ties, while others will be more open to implementing government-instigated enumerations. Such dilemmas are, of course, very familiar to NGO managers throughout the world.

Policymakers, national governments and local authorities

Participatory enumerations offer government agencies a useful set of tools to gather data that are vital for many aspects of urban land management. They are potentially superior to existing methods in several ways: they are faster to implement, are cheaper than formal surveys (at least, cheaper for governments; they put greater demands on local residents), generate more accurate and reliable data, and can reveal details and issues that remain hidden in official surveys. They also have the potential to engage residents in dialogue, achieve consensus about development options, and empower residents to become directly involved their own development.

Indeed, community empowerment is a prerequisite for sustainable urban development and for establishing a connection between communities and the government. It is in the government's own interests to foster such empowerment – though the process may not be smooth and easy, since empowerment also means that residents are likely to promote their own, strongly held, opinions about many issues.

Adopting participatory enumerations as a tool, and the other techniques that go along with them, implies major changes in how governments manage urban land. It means more dialogue, more listening to and accommodating local people's opinions, needs and interests. It means greater flexibility not only in data gathering but also in how the data are used. It means changes in the ways decisions
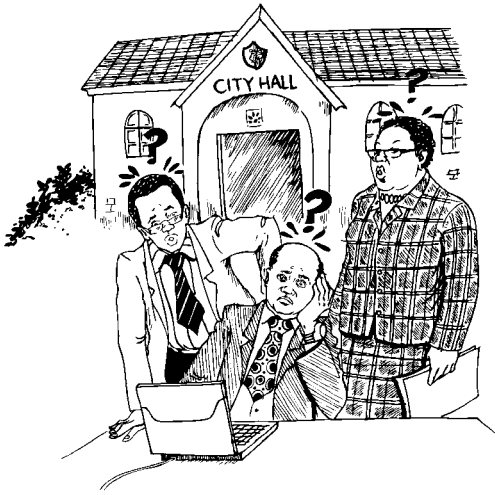
are made, in the decisions themselves, and in how those decisions are implemented.

Few government agencies currently have the capacity to do this. Most still act in a top-down manner: while following the letter of the laws and regulations, they are insensitive to reality on the ground. They will need to revise their procedures and retrain staff if they are to take advantage of the opportunities offered by participatory enumerations and related approaches.

This does not mean that participatory approaches should supplant existing methods, or that they are capable of gathering all, or even most, of the data needed for sustainable development. Where land management systems function well (for example, in parts of cities where land ownership has been regularized), there is no reason to change them. Rather, participatory enumerations should be seen as a useful tool for use in those areas where land management systems do not yet function – as in informal settlements and on customary lands in rural areas. And they should be supported and supplemented by information gathered by other means (e.g., certain categories of national census data, satellite imagery, orthophotos (aerial photographs corrected for distortion), or city-wide spatial data).

Collaboration with NGOs may prove key to success. In many informal settlements, gov-

> Participatory enumerations offer government agencies a useful set of tools to gather data that are vital for many aspects of urban land management

Figure 15.2   Participatory enumerations can help governments overcome the poor match between the official records and facts on the ground

ernment bodies are treated with suspicion or hostility. Working with NGOs can help build the bridges needed to allay such suspicions and initiate dialogue with local residents. However, it is essential that participatory enumerations remain participatory and that the say of the community in the process remains genuine. Participatory enumerations should never become just another tool for bureaucracies to use in gathering data.

Land professionals

Land professionals – both those working for government and for the private sector – need to have the appropriate skills and orientation in order to engage in participatory processes and use the data gathered by communities. Ideally, a range of professionals should be involved in the process: planners, lawyers, surveyors, development specialists, etc. Linking participatory enumerations to the work of professionals creates two challenges. First, land professionals are challenged to work with non-standardized data which is collected by the community. Second, the community can

be challenged to collect data in a more standardized manner to suit the purposes of land management in which professionals are involved. How this is done will require careful consultation to achieve a balancing of needs and perspectives, as well as technical support and assistance from the land professionals.

In practice this means that land professionals not only need to learn how to work with data that are gathered in non-conventional ways; they will also work with datasets that vary across communities. As they may not be sure that all the data is accurate, it may be necessary for them to be closely involved in the enumeration process. Their skills may be needed at certain stages, for example, in validating boundaries and in merging community-gathered data with official records. They can be involved in designing data-collection tools and in training enumerators from the community. This demands special skills of the professionals for gathering and processing data in a non-standard manner and skills to engage with the community. It also demands an understanding of the validity of local data, and the importance and value of consensus in an informal, unregistered tenure environment. In working with communities, land professionals need to be flexible, and open to challenges to official maps and boundaries.

Regarding the processing of data, professionals also need to learn how to match the data with formal systems, such as planning formats, reg-

Land professionals need to have the skills and orientation to engage in participatory processes and use the data gathered by communities

Figure 15.3   The problem: Inadequate data, inefficient land management and administration systems

isters and cadastres. This means applying new ways of working within the existing land management framework. In some cases they will need to redesign laws, policies and systems to serve as a framework that can facilitate the use of the data. They will need to resolve conflicts and interpret conflicting rules and regulations for legal claims. By doing so, land professionals can play a crucial role in the incremental process of improving a land management framework, and in the long run the broader urban management framework.

Researchers, consultants and academics

Researchers, consultants and academics who study land-related issues are in a position to conceptualize and design new systems and advise governments and donor organizations on issues of participatory data collection for urban and land management. They have an important role to play in a variety of areas including:

- Developing new knowledge

- Promoting the value of participatory methodologies

- Creating awareness on the current urban development challenges and the need for a paradigm shift within the land management sector

- Developing curricula for educating new generations of land professionals

- Being involved in training and capacity building activities to impact the current generation of land professionals.

Research and field testing of novel applications of participatory enumeration contribute to developing new knowledge. The novel applications described in this book suggest very useful potential links between participatory enumerations and land management and land administration. There are also possibilities to expand the application of participatory enu-

Figure 15.4   A solution: Data improved through participatory enumerations

meration to broader urban management applications, including the development of tools to foster social and economic development, linking it to environmental projects, and even the development of co-governance arrangements. The urban development sector needs researchers, consultants and academics involved in participatory enumeration who are eager to develop and experiment with new applications and who document and are able to critically review, assess and analyse the success and impact of projects in the field.

Documenting and publishing in academic and professional journals, websites, symposia and other platforms contribute to creating awareness of land professionals, as well as governments, community leaders, NGOs and donors. This plays a crucial role in disseminating newly developed knowledge, which eventually can lead to a paradigm shift impacting policy and decisions for budgeting.

Academics can influence the education and training of current and future land professionals. The curriculum of surveyors, lawyers and planners can be adapted in close collaboration with professional organizations. New generations of land managers must be educated and trained to deal with the challenges of merging formal and informal systems in their future jobs.

Researchers, consultants and academics can design new systems and advise on participatory data collection

Additionally, the skills of current professionals can be enhanced through training by specialists who have an understanding of recent trends in the theory and reality of urban development. Such training should sensitize professionals to the situation in informal settlements, and train them on various methods (including participatory enumerations) that are designed to deal with such situations. Training, research and other ties can enable researchers, consultants and academics to act as a link between community organizations and NGOs on the one hand, and government and development agencies on the other to draw attention to the potentials and constraints of participatory enumeration.

Donor agencies and development organizations

Finally, what is the role of development organizations, international donors, United Nations agencies and relief organizations? They can play a key role in evaluating, facilitating, supporting, developing and publicizing participatory enumeration techniques.

Some of their initiatives are described in Part 3 of this book. Organizations such as UN-HABITAT have been vital in supporting efforts to adapt participatory enumeration techniques in novel areas, such as updating land taxation records and developing city-wide slum-upgrading plans. This book is an example of efforts to publicize such initiatives.

Donor agencies and development organizations should support the other actors in finding ways to solve the challenges of informal settlements. Participatory enumeration is presented in this book as one such tool aiming to contribute to promoting tenure security and sustainable urban development, in conjunction with the 17 other land tools identified by the Global Land Tool Network (Box 1.1, Chapter 1).

Donor agencies and development organizations have a role to play in examining how

> Donor agencies and development organizations can examine how participatory techniques can build bridges in land management and urban management

participatory techniques can be used to build bridges not only in the field of land management, but also in broader applications of urban management. The lessons presented in this book provide a useful framework to make decisions regarding the type of projects to be supported. There is a need to experiment with and document projects which are based on novel ideas. This puts donors and development organizations in the challenging position of stimulating the further development potential of participatory enumeration for many other urban management applications.

DIFFERENT WAYS OF DOING PARTICIPATORY ENUMERATIONS

Each informal settlement is different: residents there face different problems, and governments face different challenges in trying to provide them with services. The context and access to resources are different for each informal settlement. The prevailing national, district or city policy environment can also profoundly affect each situation. This means that there can be no one-size-fits-all approach to doing participatory enumerations. Instead,

the nature of the enumeration, and indeed, whether an enumeration is appropriate at all, will depend on various factors:

- The objective of the enumeration, which is related to the immediate needs – such as a response to a disaster or other crisis

- Development challenges within the community

- The availability of human, financial and technical resources to support the process

- The extent of organization within the community (which contributes to the human capital and human resources available)

- The social and power relations between community members, including position of women in society

- The policy and legal framework and the social, economic, technological and physical context.

A clear understanding of how the factors above relate to the specific context is the starting point for any enumeration, regardless of which organization wants to initiate it.

POTENTIAL FOR LAND MANAGEMENT AND ADMINISTRATION

Land management and administration form an important backbone for urban management, as land is one of the major resources in a city. Participatory enumerations can contribute to the improvement of land management and land administration. However, changes are likely to be gradual and incremental, rather than occur suddenly. The situation on the ground is complex and changing rapidly, and land management itself involves a complex, interrelated set of functions. It is too much

to expect a single innovation (participatory enumerations) to result in immediate major improvements.

Nevertheless, participatory enumerations have an enormous potential for acquiring more and accurate data that can inform land management. Ways are needed to incorporate such data into land information management systems – the cadastre – making it easier to store and manage accurate, up-to-date data on land tenure, land value, land use and land development.

Here are some questions for land managers to ponder:

- **Data types and accuracy.** What types of data are needed in what situation? What levels of accuracy are required?

- **Units of analysis.** Who or what is enumerated: owners, renters, users, land parcels? What outputs are needed: household profiles, community profiles, a profile of the legal status of land?

- **Legitimacy.** Both local residents and the government must trust the data. How can the quality be checked and assured? What checks must be in place during the collection process?

- **Data merging.** How to use and combine "dirty" and "clean" data within existing land administration systems? Is it necessary to link the data to the formal system for any real improvements to take place?

- *De jure* and *de facto* **security.** Is security of tenure really improved (legally), or is only the perceived tenure security improved? Is that enough?

- **Scale.** At what scale can participatory enumeration collect data? How can planners link the data from various sources and use them to plan at higher scale levels – such as city-wide or nationwide? Which government levels can and should be engaged in participatory enumeration? Can participa-

tory enumeration be replicated with minimum adjustments in other communities?

- **Relevance to the poor.** What data will help the poor? How can the enumeration process include all groups, given existing gender and power relations? Do land management and administration processes promote equal rights for women and men?

- **Technology.** How can technology such as aerial photos, GIS software and GPS equipment best be combined with participatory approaches?

- **Administrative capacity.** What is the administrative capacity of the government? Are cadastral procedures and systems in place? Are there policies, rules and regulations for planning and taxation, and is there a restitution framework for relocation and resettlement?

Several steps should be undertaken simultaneously.

- **Governments** should work on improving their urban management and land management and administration framework. They should design regulations, policies and implementation mechanisms, and sys-

tems that help them manage information and guide development.

- **Communities** should become empowered. They should learn how to identify and formulate their needs, and present them in a form that governments can use, at times during the planning cycle when they will have the greatest impact on plans. They should increase their capacity to negotiate and operate as development partners.

- In parallel, the government should increase its capacity to work with local communities, and professionals should learn how to incorporate the needs of the communities in their plans. The frameworks they design should be informed by reality on the ground; they should build on the strengths of the communities' systems and eliminate their weaknesses.

In this ideal situation, participatory enumeration creates data for planning and administration purposes. At the same time it mobilizes the local residents, enabling them to become active partners in development in a co-management arrangement with the government and development professionals.

Part 5

Resources

GLOSSARY

THIS SECTION EXPLAINS some of the terms used in this book. It is not intended as a formal set of definitions. See also UN-HABITAT (1992) for further definitions.

Adjudication. A process to identify the existing land tenure relations (rights and other interests) for each particular spatial unit (parcel, house, etc.). The process is not aimed at altering existing relations and cannot create new ones. Often adjudication is undertaken to set up or modify a system of land registration, and is also known as "titling". If this land registration system takes the form of title registration, it is necessary that each relation is finally and authoritatively determined, which might involve a dispute resolution mechanism between conflicting claims. Even though the aim is not to alter existing relations, so-called "minor" or "secondary" rights might not be included – so may be extinguished.

Cadastre. "A cadastre is normally a parcel based, and up-to-date land information system containing a record of interests in land (e.g., rights, restrictions and responsibilities). It usually includes a geometric description of land parcels linked to other records describing the nature of the interests, the ownership or control of those interests, and often the value of the parcel and its improvements. It may be established for fiscal purposes (e.g. valuation and equitable taxation), legal purposes (conveyancing), to assist in the management of land and land use (e.g., for planning and other administrative purposes), and enables sustainable development and environmental protection" (FIG 1995).

City-wide slum upgrading. The planned and systematic improvement of land tenure security and environmental (water and sanitation) and housing infrastructure in poor or slum communities within a city. In contrast to community upgrading (which is focused on individual communities and implemented independently of infrastructure development in other parts of the city), city-wide upgrading takes the entire city as the planning unit such that upgrading is not limited to a few slum communities but becomes a programmatic process encompassing all poor areas of the city.

Co-management. The partnership arrangement between a community of local resource users and other primary stakeholders who share responsibility and authority for resource management (Macfadyen et al. 2005). In the context of participatory enumeration, the enumeration and their enumerated settlement can be identified as "(local) resources".

Co-governance. The participation by social actors in the core activities of the state, usually to achieve higher levels of state accountability.

Empowerment. The process of expanding the capacity and capability of the poor to participate in, negotiate with, influence, control, and hold accountable institutions that affect their lives (Narayan 2002).

Enumeration. A numbered list, or the act of counting. The term enumeration is often associated with periodic national census taking, with counting being done in geographic units called "enumeration areas". Census enumerations include the collection of a variety of data, including demographic characteristics (sex, age, marital status, etc.), health, access to services, employment, income, access to housing, etc. Enumerations are often spatially referenced, and linked to surveying, mapping and development planning processes. There are many other forms of enumeration, designed for specific purposes. Other directly related information gathering techniques would include "community mapping".

Forced eviction. The permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate form of legal or other protection. (See also UN-HABITAT 2002.)

Land administration. "Land administration is the process of determining, processing and disseminating information regarding the ownership, value and use of land, when implementing land management" (UNECE 1996). It "is an instrument for implementing and monitoring specific policies with regard to land. It has also been described as the operational component of land tenure which provides the mechanisms for allocating and enforcing rights and restrictions concerning land" (Dale and McLaughlin 1988).

Land management. Land management is about putting land resources into efficient use for producing food, providing shelter and other forms of real estate or preserving valuable resources for environmental or cultural reasons. In order to manage land properly, land professionals have developed policies and tools to implement policies. This includes urban planning, land readjustment, land taxation, land administration, and management of public spaces. It is thus concerned with making informed decisions on the allocation, use and development related to natural and built resources.

Land registration. Land registration is the process of recording rights and other interests in land and changes in these. The procedures used and legal effects can differ a lot. Registration of deeds and title registration are mentioned as two extremes of this. Registration of deeds allows for more flexibility and different sources of evidence, but does not have the notion of indefeasibility (that it cannot be disputed) that is often attributed to a registered title.

Land tenure. The way in which individuals, groups and societal interests relate to land and its resources. It is about the relationships among individuals and their behaviour relative to one another, in relation to their interest in land, to spatial units and to the resources they contain. A land tenure system does not have to be formal and/or contain registered titles or be written.

"Tenure takes a variety of forms, including rental (public and private) accommodation, cooperative housing, lease, owner-occupation, emergency housing and informal settlements, including occupation of land or property.

Notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats" (CESCR 1991).

Land tenure security. Can be defined in various ways:

- The degree of confidence that land users will not be arbitrarily deprived of the rights they enjoy over land and the economic benefits that flow from it.

- The certainty that an individual's rights to land will be recognized by others and protected in cases of specific challenges; or, more specifically:

- The right of all individuals and groups to effective government protection against forced evictions (GLTN 2008 p. 5).

In addition to formally registered tenure rights, less formal and often innovative tenure types should also be recognized by government. Similarly, given the time-consuming and expensive nature of formally registered tenure rights, a range of rights recording and recognition systems appropriate to particular situations is needed to realize the rights on a large scale.

Land tools. Resources for understanding how to carry out and perform actions which allow us to implement large-scale changes in the land arena. An example is the methodology of participatory enumeration to help implement land policies and realize changes in the land area. In the Global Land Tool Network's "land-tool-approach", tools are required to be pro-poor and gendered. Given the

nature of land they are best developed at country level, or at least would include country-specific attributes.

Participatory enumeration. An enumeration process (a process of "counting", "listing down" and/or "gathering data") which is to a significant extent jointly designed and conducted by the people who are being surveyed.

Relocation. The physical transfer of individuals or groups of people from their usual home (place of origin) to another location (place of relocation). Relocation may be voluntary, as with the migration of people from places of origin in the search for better economic opportunities in other places e.g. rural-urban migration, or involuntary as happens with forced displacement of people due to natural disasters or violent conflict. Relocations may also be temporary or permanent.

Resettlement. The provision of shelter, basic services and infrastructure, livelihood opportunities and security of tenure to displaced households in the place of relocation, or, on return, in their places of origin.

Security of tenure. The degree of confidence that land users will not be arbitrarily deprived of the rights they enjoy over land and the economic benefits that flow from it (GLTN 2008).

Urban management. Planning, organizing, staffing, directing, coordinating, reporting and budgeting (Gulick and Urwick 1937) to realize the most efficient (not wasting resources) and effective (using resources to their full potential) use of resources, including social, economic and financial, environmental and spatial resources, within a city.

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"The young man was scared. The city government had instructed him to count the shacks in the settlement. He arrived smartly dressed carrying a briefcase and clipboard with pen in hand and a list of the shacks. His job was to find any new shacks without the official number painted on the door.

But he immediately ran into problems. The local residents confronted him, asking what he was doing. Soon a small crowd had gathered. They took him into the community hall, where a meeting was under way. He explained that the city had sent him, but the local people were suspicious. The last time the shacks were counted, rumours flew that they would have to move. The young man tried to explain that the information was needed to plan for future development. The people had heard such stories before, and shouted him down. The discussion became so heated the local committee had to escort him back to his car for his own safety."

This book is about involving and engaging urban poor communities in one of the first steps of any participatory planning or upgrading initiative. It describes how we can use "participatory enumerations" a surveying method used to gain better knowledge of the needs and priorities of the community. It presents and analyses existing and novel applications of participatory enumerations to enhance tenure security and improve urban land management.

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