

## Chapter 5: Conclusions and trends



# Knowledge and political will needed to improve housing conditions

**D**o not underestimate the role secure tenure plays in the lives of poor people living in developing countries. With more than a fifth of the world's population in danger of not being able to find even the most modest of shelter, it is not someone else's problem. We must come together to address the injustices and sensitively offer continuous guidance and support during a long and, at times, rocky road. We have the opportunity, right now, to play a vital role in ensuring people can obtain – and retain – adequate and affordable housing as well as provide for themselves and their families.

Though income levels in some developing countries have risen in recent years, housing for the poor has declined. Issues surrounding secure tenure are becoming more dire as land, particularly in urban areas, becomes more scarce and more expensive; governments invest less in housing for the poor; and the poor are left to live in slums or squatter settlements with the fear of forced evictions and without services like water and sanitation.

The causes of tenure insecurity are diverse, ranging from insufficient legal protections and inadequate land administration, to political unwillingness and corruption, to the erosion of customary laws and the conflicting claims that can result. Tenure insecurity is both caused by and can cause, or exacerbate poverty, the marginalization of vulnerable groups like women and children, and susceptibility to violence and natural disasters. Tenure insecurity is both a symptom of poverty and a contributor to the widespread social, political and economic marginalization of the poor.

While improving tenure security will not, in itself, solve these underlying problems, a pro-poor secure tenure campaign can make significant inroads toward improving housing conditions for the world's poor. To be effective, any strategy needs to recognize – in principle and practice – the diverse factors that lead to tenure insecurity and to consider a spectrum of solutions rather than focusing only on individual property rights. This includes treating renting as equally important as homeownership and tackling the problem incrementally through informal land and housing options to meet the immediate needs of the poor while more formal solutions are sought. These alternatives, while not fail safe, deserve more attention for their practical ability to provide the poor with some perception of tenure security.

Varied work by Habitat for Humanity, other NGOs and the international aid community has made progress toward increased secure tenure for the poor. These efforts help the poor better navigate complex bureaucracies and understand and exercise their legal rights. They target assistance toward women and the poor, advocating for gender equity in both policy and practice, assisting the poorest of the poor in buying small land plots, helping people gain formal land titles or restore land documentation following a disaster or conflict, and helping improve government accountability and land administration.

Several United Nations bodies worked to elevate the importance of tenure security as a human rights issue, working with member states to replace forced evictions with negotiated slum upgrades and censuring state-sponsored forced evictions and development projects that have led to forced evictions and displacement. Several host governments improved the tenure security of the poor in their country through official proclamations against forced evictions, intermediate formalization of informal settlements, simplified registration procedures, and affordable, long-term leases of public lands.

This work requires increased support to help more of those in need. The international community must continue to seek better ways to address the underlying problems affecting secure tenure and to explore innovative, multi-pronged approaches toward the goal of tenure security for all.

In support of this goal, United States foreign assistance, through the funding priorities set by Congress should focus on the following strategies:

- building political will and political action at local, national, and international levels;
- implementing legal and regulatory protections for tenure security in stages, including integrating adverse possession into legal doctrine, with the final stage being individual, formal, regularized titles;
- enforcing existing laws and regulations that support tenure security for low-income households;
- streamlining laws and regulations and building administrative capacity and systems for registration of housing and land rights;
- developing legal and administrative frameworks that are fair, justly executed and better support tenure security for vulnerable groups, including women, children, and the poor; people living in post-disaster or post-conflict situations; low-income renters; and people living in urban slums and informal settlements;
- recognizing both the individual and collective land rights of low-income people; and
- understanding that the perception of tenure security is often more important to people than formalized legal security of tenure.

The next, and final, chapter of this report presents Habitat for Humanity's principles and specific policy recommendations for the U.S. Congress and for the executive agencies it funds.



