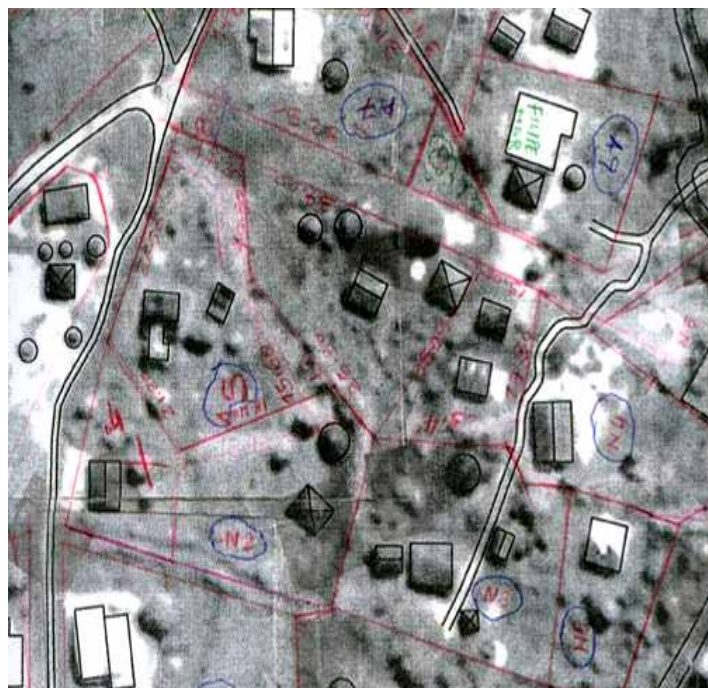


URBANIZATION AND MUNICIPAL DEVELOPMENT IN MOZAMBIQUE

CHAPTER 6

Urban Land Management and Low Income Housing Study

for
World Bank &
Development Planning Unit



by
Development Workshop
& Forjaz Associate Architects

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LIST OF ACRONYMS AND ABBREVIATIONS

Acronyms	English	Portuguese
ADA	Austrian Development Agency	Agência Austríaca de Desenvolvimento
ADC	Austrian Development Cooperation	Cooperação Austríaca para o Desenvolvimento
AECI	Spanish Agency for International Cooperation	Agência Espanhola de Cooperação Internacional
AGRESU	Support to Sustainable Management of Urban Solid Waste	Apoio a Gestão Sustentável de Resíduos Sólidos Urbanos
AJOVEM	Youth Association of Vilankulo	Associação dos Jovens de Vilankulo
AM	Municipal Assembly	Assembleia Municipal
AMIM	Association of Friends of Ilha de Moçambique	Associação dos Amigos da Ilha de Moçambique
ANAMM	National Association of Municipalities of Mozambique	Associação Nacional dos Municípios de Moçambique
ANAVIL	Association of Friends of Vilankulo Town	Associação dos Naturais e Amigos da Vila de Vilankulo
ANFP	National Authority for Public Administration	Autoridade Nacional da Função Pública
AWEPA	European Parliamentarians for Africa	Associação dos Parlamentares Europeus para África
CBO	Community Based Organization	Organização Baseada na Comunidade
CDS	Centre for Sustainable Development	Centro de Desenvolvimento Sustentável
CEFPAS	Centre for Training in Water and Sanitation	Centro de Formação Profissional de Água e Saneamento
CICUPE	Centro Interuniversitario per la Cooperazione Universitaria con i Paesi Emergenti	
CM	Municipal Council	Conselho Municipal
CMI	Christen Michelson Institute (Bergen, Norway)	
CSO	Civil Society Organization	Organização da Sociedade Civil
DANIDA	Danish Agency for International Development	Agência Dinamarquesa de Desenvolvimento Internacional
DEL	Local Economic Development	Desenvolvimento Económico Local
DNDA	National Directorate for Municipal Development	Direcção Nacional do Desenvolvimento Autárquico
DMCU-CMCM	Municipal Directorate of Construction and Urbanisation of the Municipal Council of the City of Maputo	Direcção Municipal de Construção e Urbanização, Conselho Municipal Cidade de Maputo
FAPF – UEM	Faculty of Architecture and Physical Planning of Eduardo Mondlane University	Faculdade de Arquitectura e Planeamento Físico Universidade Eduardo Mondlane
FCA	Municipal Compensation Fund	Fundo de Compensação Autárquica
FIIL	Investment Fund for Local Initiatives	Fundo de Investimento de Iniciativa Local
FIPAG	Fund for Investment and Assets for Water Supply	Fundo de Investimento e Património de Abastecimento de Água
GCM	Office for Municipal Capacity Building	Gabinete de Capacitação Municipal
GoM	Government of Mozambique	Governo de Moçambique
GTZ	German Technical Cooperation	Cooperação Técnica Alemã
IFAPA	Training Institute for Public and Municipal Administration	Instituto de Formação em Administração Pública e Autárquica
IGF	General Finance Inspection	Inspecção Geral de Finanças
IPA	Municipal Poll Tax	Imposto Pessoal Autárquico
IPPCs	Institutions for Community Participation and Consultation	Instituições de Participação e Consulta Comunitária
IPRA	Municipal Property Tax	Imposto Predial Autárquico
KSM	Association Kwaedza Simukai Manica	Associação Kwaedza Simukai Manica
LOLE	Law on Local State Bodies	Lei dos Órgãos Locais do Estado
MAE	Ministry for State Administration	Ministério da Administração Estatal
MDP-ESA	Municipal Development Partnership – Eastern and Southern Africa Region	Parceria para o Desenvolvimento Municipal – Região da África Oriental e Austral
MF	Ministry of Finance	Ministério das Finanças
MICOA	Ministry for Coordination of Environmental Affairs	Ministério para a Coordenação da Acção Ambiental
MOPH	Ministry of Public Works and Housing	Ministério das Obras Públicas e Habitação
NGO	Non-Governmental Organization	Organização Não Governamental
OE	State Budget	Orçamento do Estado
ORAM	Rural Organization for Help	Organização Rural de Ajuda Mútua
PACT	Programme for Accountability and Transparency	Programa de Responsabilização e Transparência
PADEM	Programme for Support to Decentralization and Municipalization (SDC)	Programa de Apoio a Descentralização e Municipalização
PADM	Programme for Support to Municipalities and	Programa de Apoio aos Distritos e Municípios,

	Districts, ADA	ADA
PAM	President of the Municipal Assembly	Presidente do Conselho Municipal
PARPA	Action Plan for the Reduction of Absolute Poverty	Plano de Acção para a Redução da Pobreza Absoluta
PCM	President of Municipal Council (Major)	Presidente do Conselho Municipal
PDM	Municipal Development Project (WB)	Projecto de Desenvolvimento Municipal (WB)
PDDM	Decentralization and Municipal Development Project (GTZ)	Projecto de Descentralização e Desenvolvimento Municipal
PEDD	Strategic Plan for District Development	Plano Estratégico de Desenvolvimento Distrital
PES	Economic and Social Plan	Plano Económico e Social
PPFD	Decentralized Planning and Finance Programme	Programa de Planificação e Finanças Descentralizadas
PRODER	Rural Development Programme (GTZ)	Programa de Desenvolvimento Rural (GTZ)
PROGOV	Project for Democratic Municipal Government (USAID)	Projecto de Governação Municipal Democrática (USAID)
SDC	Swiss Agency for Development and Cooperation	Agência Suíça para o Desenvolvimento e Cooperação
SIFAP	System of Training in Public Administration	Sistema de Formação em Administração Pública
SISTAFE	System for State Finance Administration	Sistema de Administração Financeira do Estado
SNV	Netherlands Development Organization	Organização Holandesa de Desenvolvimento
TA	Administrative Court (also Account Court)	Tribunal Administrativo
TAE	Municipal Tax on Economic Activities	Taxa de Actividade Económica
UN-HABITAT	United Nations Human Settlements Programme	Programa das Nações Unidas p/ os Assentamentos Humanos
USAID	United States Agency for International Development	Agência dos Estados Unidos para o Desenvolvimento Internacional
WB	World Bank	Banco Mundial

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EXECUTIVE SUMMARY

1 Mozambique began a process of decentralization in 1998. Thirty-three Municipalities were created in 23 cities (*ciudades*) and 10 towns (*vilas*). Most responsibility for urban planning now lies with these new Municipalities. The objective of this paper is to examine how the Municipalities have dealt with urban land management and low-income housing questions in the first 10 years of their existence. The paper is the product of a short consultancy which carried out a rapid review of the growing literature about urban planning questions in Mozambique, interviews with key informants during a two week mission to Mozambique in January 2008 and a field visit to Dondo and Beira Municipalities in Sofala Province.

2 The population of the 12 towns and cities defined as urban areas in the 1980 census doubled between 1980 and 1997, from 1.64 million in 1980 to 3.2 million. The preliminary results of the 2007 census suggest that population growth in all urban areas has continued. All Mozambican cities consist of two parts, a central “formal” core and the surrounding informal areas. About 75 per cent of the urban population lives in informal areas, which are defined as areas that have not been developed in accordance with an urban plan. It is in these areas that the population is growing more rapidly.

3 Visually the distinction between formal and informal is very clear, but the real difference between them is that formal areas are linked economically to the modern, globalizing economy and attempt to operate according to the rules and standards of the global economy, while the informal city has different rules and standards. These can include customary rules, modern rules and various combinations, which are continuously evolving. Classical urban planning developed in the cities of the developed world and adapts with difficulty to the Mozambican context, with its low capacity in State institutions for urban planning and the presence of a large informal sector. There has been a tendency in Mozambique to ignore planning questions in informal settlements, because they fail to operate according to preconceived rules and standards. There is also a tendency to develop expensive planning tools, such as full structure plans, which are then ignored in taking key decisions about the best use of land, preserving basic resources and reducing conflicts between adjoining land-uses. Planning is required to manage pressing environmental problems and the risks posed by new economic investment (such as heavy sands in Chibuto, and tourism and potential bio-fuel development throughout the country).

4 The written rules for land access in Mozambique are defined by the *Lei de Terras* of 1997. It was followed quickly by a Regulation for rural areas and together they established the right to use land acquired through occupation according to customary norms and practices. This followed an extensive popular consultation. The result is a law that gives legitimacy to practices already followed by the vast majority of the population, while also offering secure conditions for new private investment in rural areas. However the registration of land has been very slow and Ministers appear to be more concerned to fast-track access by private investors for agricultural land than register community land.

No regulations for urban land management and administration were ever approved after the previous (1979) Land Law and the process of developing them after the 1997 Law has taken almost 10 years. This process has been less transparent than the process for developing the Land Law and rural regulations and there has never been an equivalent discussion about urban land. The new Urban Land Regulations only recognize areas with an urban plan, seem to ignore current practices in informal urban areas, and seem to assume that land in informal areas will be regularized by the same processes used in formal urban areas.

Most research shows, however, that regularisation is not accessible to low-income groups because of lack of information and high costs (often illegal). Meanwhile elites have the knowledge, time and resources to register land in formal areas and increasingly in informal areas. All recent studies show that allocation of land by the State only occurs in limited areas of urban expansion or to respond to emergency situations (such as for victims of the 2000 floods). Access to land is usually achieved through informal mechanisms such as allocation by local levels of the city administration, inheritance, ceding within families, swapping, or outright sale. Illegal land markets thrive wherever land supports a price. Simple occupation

and customary land allocation are frequent around the smaller cities, while the market in land is important around the major urban centres such as Maputo and Matola.

5 There are a number of implications of the informality of land use rules in Mozambican cities. It is difficult to provide services to these areas as there has been construction in roadways and drainage lines and on land reserved for services. There is an increasing tendency for informal settlements to occupy environmentally sensitive areas and, in the larger cities, for relocation of lower income residents from land close to the urban core out to the fringe, though their survival strategies depend on being close to the core. Lower income residents tend to be pushed towards land that is more susceptible to flooding and erosion. There is also declining security of tenure: this discourages residents of informal settlements from investing in their properties, though some residents respond to insecurity by building in more durable materials as they assume this will make it more difficult to remove them. So, although the formal land access process is a barrier, it has been overcome by being ignored. However this leads to widespread unplanned occupation, often in inappropriate locations, which will have long term social, economic and environmental consequences.

6 It is widely believed that there is corruption at a local level in land management, and that this has a negative effect on the poor. Existing laws don't reflect social reality of informal areas. Laws contain lacunae because they don't reflect reality, but people in the system may be quite content to leave lacunae in the laws as it gives them more discretion.

7 The 33 municipalities have responsibilities in the areas of environmental management, physical planning, urbanization, land management, sanitation and hygiene, and may also collect taxes on urban land and buildings, including unused land. Municipal capacity for these tasks is low. It is greater in the larger cities but there the need for better planning is significantly greater. Municipalities inherited a low level of institutional capacity, suffer from shortages of resources and lack qualified staff. They inherited archaic systems of land registries, some damaged in the transition to Independence or poorly stored subsequently. In Maputo the cadastres were found to be very out of date, and recorded data was different in the various registers. Despite the time-consuming processes for registering land, most Municipalities have no clear visual record of land allocation. Vested interests have developed in maintaining opaque, complicated cadastres and land allocation systems.

8 Before the creation of Municipalities, there were a few examples of innovative simplified approaches in urban planning, such as in Maxaquene (Maputo) and the long-term support to Nacala City. Since 1998 there have been several pilot projects, almost always in Municipalities, which address environmental problems, develop simplified cadastre systems and involve local consultation and participation. An experience in Manica City has been replicated in Dondo and Marromeu, and then in other programmes. Although some key informants said that such projects were now becoming standard practice, they are still small and restricted to specific *bairros*. The rate of implementation decreases after the end of aid projects implying a lack of confidence of Municipalities to continue on their own, and *requalificação* has only slowly led to better services and then to income to Municipalities from land tax or service fees.

These pilot projects of participative "*requalificação*" and "*reordenamento*" focus on informal *bairro* upgrading with the minimum negative implications for the residents. Key features are transparent decision-making among key community stakeholders, rapidity, low cost and maximum use of local knowledge and community motivation. They involve participatory planning exercises around sketch maps derived from satellite images. The map is used for discussion of critical issues such as flooding or lack of services. This leads to draft land use and vulnerability reduction plans, which are subject to a second round of consultation and then to participatory interventions. In some of the pilot projects a simple preliminary cadastre system has been developed from the images, with plot demarcation and provisional titling. A cadastre can improve tenure security and eventually provide a basis for a municipal tax-base but there is little evidence that titling programmes lead to better access to credit.

9 It is important that such innovative projects should continue and expand, so as to consolidate the ideas and practice and to tackle at least some of the pressing problems of

urban informal settlements. They are opportunities of “planning for real” which can demonstrate to Municipalities through practical projects the importance of urban planning and how it can be used strategic decision-making. Decentralisation cannot be an end in itself.

However it is time to scale-up and replicate good-practices, and participatory “*requalificação*” and “*reordenamento*” of informal settlements need to be recognized as normal planning practice. The barriers to scaling-up would appear to be ambiguous signals from central government about such innovations, a lack of explicit urban development policy, a lack of central government vision of the linkage of these with poverty reduction, and the spreading of responsibility for urban issues over several Ministries. Mayors, *vereadores* and Municipal Assembly members appear unclear of the role of land use planning and to lack of confidence in the use of innovative methods. *Vereadores* tend to involve themselves in day-to-day management though they are usually not technically qualified. Party-based mechanisms are strong in Municipalities and the party-list voting system means that residents of informal settlements have little leverage. Municipalities appear to continue to pin their hopes on projects for urbanisation of new areas as this seems more modern and possibly because they may be a source of funds for political parties.

10 This is not an area that can be dealt with through sector-wide programmes or budget support. Responsibility has been decentralised and capacity will need to be built in each Municipality. Budget support aid with weak government has risks, especially in Municipal development. There needs to be a lot of attention to detail, correct sequencing and timing of activities, adjusting to circumstances. Key actors and decision-makers (including Mayors, *vereadores*, elected municipal assembly members their staff and the Association of Municipalities) need information and training about appropriate urban planning and about relevant legislation and its implementation. This could be through exchange visits, short courses, and training material, and should be linked to the implementation of practical projects of “planning for real”. The lessons of previous projects have been that attention to detail required in this kind of programme, each activity has to be accompanied with awareness-raising so that its logic is understood and so that politicians recognise the reality of the constraints and choices that planning deals with.

This will need to be backed up by regional centres of professional expertise that will provide a technical support structure for physical planning, mapping and legal issues, and to ensure that technical issues are understood locally. These centres could be in Maputo, Beira and Nampula. and would need to be capable of providing professional expertise and be a technical support structure for physical planning, mapping and legal issues, and to ensure that technical issues are understood by Municipalities. This institution could take the form of a public company, a government department (attached to MICOA) or be an institution created jointly by the Municipalities themselves.

There will be a need for continued training of intermediate level planning technicians to serve in each of the municipal administrations to manage local cadastres and implement municipal planning.

Local support programmes should assist Municipalities. Mayors, *vereadores* and Municipal Assembly members should be helped to understand the role of land use planning in poverty-alleviation and to gain confidence in the use of innovative methods. They should be assisted in understanding the role of new methods and practices and to move away from the culture of “*ordenamento*” as creating straight lines on the ground. Pilot projects should continue and be scaled-up, and the implementation of practical projects of “planning for real” should be linked to training and information sharing. Activities should be linked to awareness-raising so that the logic is understood and so that politicians recognise the reality of the constraints and choices that planning deals with.

A national programme should support local programmes and also try to ensure that support is available to all Municipalities. It should disseminate recent technological improvements that make low-cost “good enough” mapping possible using satellite imagery. It should help to develop and disseminate systems for cadastre that improve tenure security and eventually provide a basis for municipal financial sustainability through building a tax-base. A national

programme should assist Municipalities to understand applicable legislation and its implementation.

Government should give clearer signals that it recognises as normal planning practice “*requalificação*” and “*reordenamento*” of informal settlements and participatory planning. Government should be aware that most housing is self-built and that programmes such as the *Fundo de Fomento Habitacional* will not be able to assist with housing on a significant scale. Government should encourage Municipalities to address the lack of adequate housing by planning informal areas in a way that encourages the initiative of its inhabitants to improve the housing stock. Government should discourage corruption by encouraging procedures that limit the discretion of city and local official in the allocation of land. .

Government should encourage Municipalities to focus their planning and upgrading efforts on informal urban areas where there are the most pressing problems, and should seek better coordination with service-providers so that upgrading leads to provision of better public services such as water and energy. Government should encourage Municipalities to give more attention than at present to upgrading existing informal areas and give less attention to expansion areas.

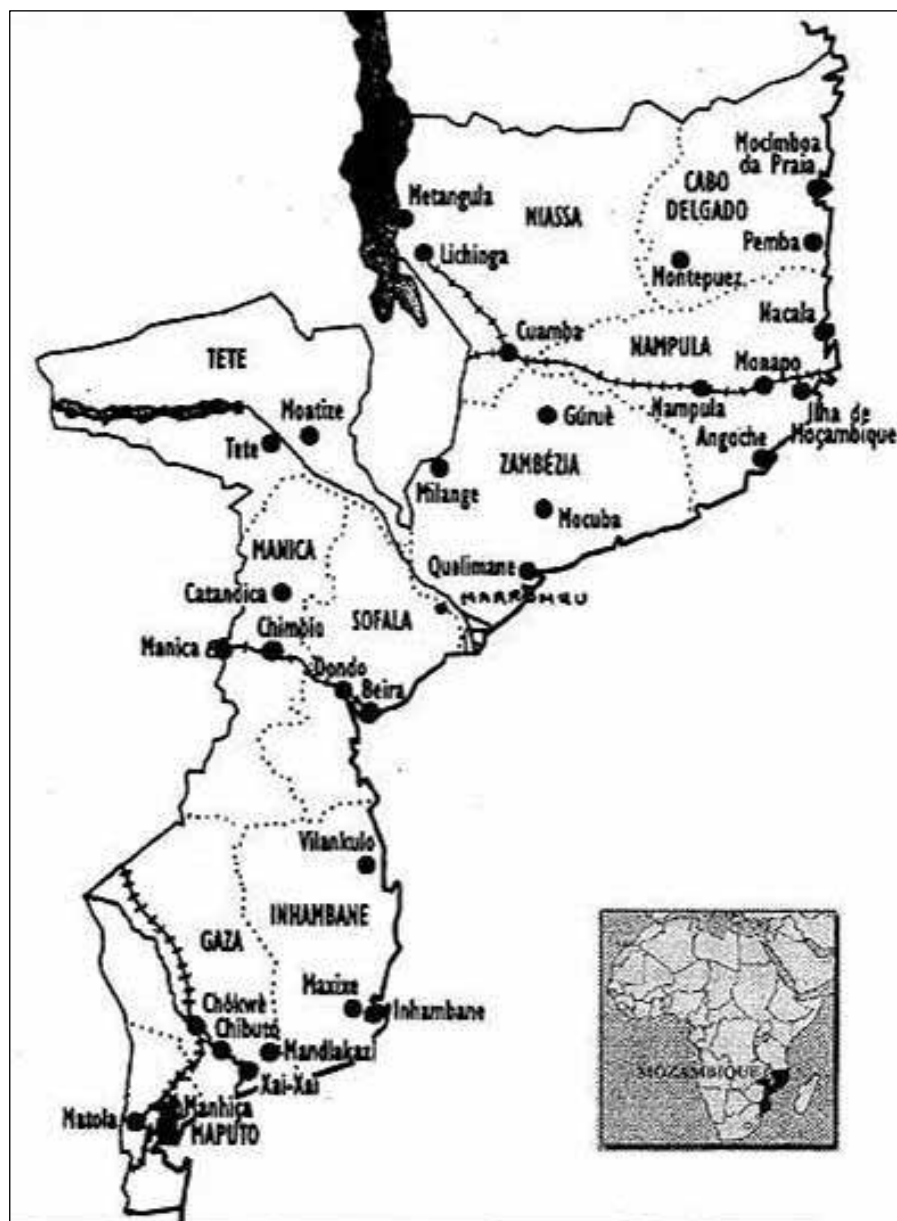
Adequate budget support needs to be mobilised in cooperation between donors and Government, and Government should continue to develop a strategy for urban physical planning, using the “Cities without Slums” draft strategy. Government should develop national guidelines for clear, transparent and simple processes for regularising land tenure and occupation, based on experiences from the Municipalities, from Development Workshop Angola (particularly its Huambo programme) and from international experts such as Professor MacAuslan of Birbeck College London.

1 INTRODUCTION

Mozambique began a process of decentralization after the end of the civil war in 1992. In 1998 thirty-three Municipalities were created, 23 cities (*ciudades*) and 10 towns (*vilas*). It is planned to create a further ten Municipalities in 2009.

TABLE 1 CATEGORIES OF MUNICIPALITIES

CATEGORY	CITIES AND TOWNS
The capital city	Maputo
10 Provincial capitals	Matola, Xai-Xai, Inhambane, Beira, Chimoio, Tete, Quelimane, Nampula, Lichinga and Pemba
12 other cities	Chokwé, Chibuto, Maxixe, Dondo, Manica, Moatize, Mocuba, Gurué, Ilha de Moçambique, Nacala, Cuamba, and Montepuez
10 selected towns	Chokwé, Chibuto, Maxixe, Dondo, Manica, Moatize, Mocuba, Gurué, Ilha de Moçambique, Nacala, Cuamba, and Montepuez



Municipalities are collective public entities endowed with representative organs aimed at fulfilling the interests of their constituencies, without prejudice to the national interest and participation of the state. A Municipality has an Assembly with deliberative responsibilities, elected by the adult citizens, and the Executive branch. The Executive branch is responsible to the Assembly and is made up of a Mayor (directly elected by the adult citizens) and *vereadores* appointed by the Mayor, half of whom have to be members of the Assembly. The meetings of the Assembly are open to the public. State tutelage consists of the verification of the legality of the administrative acts made by Municipalities. Municipalities have responsibilities in the areas of environmental management, physical planning, urbanization, land management, sanitation and hygiene.

The creation of Municipalities is planned to be incremental, meaning that in the initial phase 33 municipalities were created but further Municipalities will be created later (including another 10 Municipalities in 2009). It also means that the transfer of responsibilities from central government to the new entities is gradual; when municipalities prove to have institutional capacity they will get more power from central government. However a great deal of the responsibility for urban planning now lies with the new Municipalities. The objective of this paper is to look at how the Municipalities have dealt with urban land management and low-income housing questions in the first 10 years of their existence.

The paper forms part of the broader study named "Ten Years of Urbanization and Municipal Development in Mozambique", and is based on a short consultancy in January 2008. The overall objectives of the broader study of "Ten Years of Urbanization and Municipal Development in Mozambique" are

- to document and analyze the situation in Municipalities in Mozambique
- to draw lessons from past and present interventions
- to identify the challenges and strategic options for policy-making
- to identify specific support for municipal authorities to improve institutional development, municipal finance and service delivery.

The present paper presents the relevant results and the main findings of the study, which carried out a rapid review of the growing literature about urban land management and low-income housing issues in Mozambique, interviews with key informants during a two week mission to Mozambique and a field visit to Dondo and Beira Municipalities in Sofala Province. The specific objectives of this study are

- to apply the framework of the broader study to urban land, housing and building
- to diagnose of the current conditions and the experiences to date of urban land, housing and building issues in Municipalities
- to examine how the urban poor access land for housing and economic activities
- to identify bottlenecks in access to land
- to examine policies and implementation of policies linked to these issues
- to identify examples of good projects and services
- to identify models of improved land management, and support to low-income housing
- to examine how responsibilities have been transferred to Municipalities in this area
- to examine how capacity has been built for these responsibilities.

The present paper includes conclusions and recommendations that probably will be useful for the municipalities, its National Association, the Government of Mozambique and the group of partners supporting the existence of democratically elected local governments within the country.

2 HOUSING DEMAND AND THE RAPID GROWTH OF URBAN POPULATION

The population of the 12 towns and cities that were defined as urban areas in the 1980 Census doubled between 1980 and 1997, from 1.64 million in 1980 to 3.2 million. This represented an overall average annual rate of population increase of about 4% and indicates significant immigration into urban areas, given that the estimated natural growth rate for urban areas is 2.7 per cent per year. According to the 1997 population census of Mozambique, 4.6 million people lived in the 23 cities and 68 towns of Mozambique, 29 per cent of the population. Maputo's population grew from around 250,000 in 1975, to around 800,000 by 1980 and to around 1.7-2.0 million by 1990. However the 1997 census data indicated that overall growth rates were highest in the medium-sized provincial capitals such as Chimoio, Quelimane and Inhambane-Maxixe, with average increases of more than 5% per year.

The preliminary results of the 2007 census suggest that urban population growth has continued, that 30.5 per cent of the Mozambican population live in these urban areas and that the proportion of the population living in the 33 Municipalities of Mozambique increased from 23 per cent to 25 per cent between 1997 and 2007. However UN estimates are that 40 per cent of the population of Mozambique live in urban areas (UNCHS, 2001), and a number of interviewees were of the opinion that urban growth has continued at a faster rate than is suggested by the census data.

Mozambican cities consist of two parts. On the one hand there is a formal part built originally for the colonial settlers and provided with infrastructure and services. These areas are mapped and have a cadastre, though it may not be up to date. On the other hand there is an informal part in which about 75 per cent of the urban population live and which have not been developed in accordance with a plan. Since 1975 the population has grown more quickly in areas of informal, unplanned occupation than in the formal, planned areas.

Forjaz (2006) estimates that there are about 1,500,000 urban families, and that of these 1,000,000 families live in informal areas. He estimates that urban population growth in one year (2007) will be about 51,350 families, of whom 36,750 will be in informal areas. For the residents of informal urban areas the major problems are poor access to water, to energy and to basic sanitation, poor drainage, poor security and difficult access from their homes to employment or services. They are also affected by insecurity about the legitimacy of their rights of occupation of the land and construction where they live. Richer social strata, who mainly live in areas of formal housing, notice the problem of housing through overcrowding, through occupation of housing that doesn't fit with their social expectations or through the high costs of housing compared to their income.

The 1997 census showed that 70 per cent of urban housing was built of "precarious materials" (mud block, sticks and mud, reeds or metal sheeting), eighty per cent of urban households lacked electricity, 70 per cent of households had no piped water to the plot or house. Thirty-five per cent of urban households had no form of household sanitation. The lack of maintenance has left drainage systems not functioning, even in the urbanised areas of cities, so that flooding and accumulation of stagnant water are major issues after any significant rainstorm. Municipalities have difficulty in providing a service of waste collection, treatment and disposal. Together, these factors lead to constantly high rates of malaria and repeated outbreaks of cholera (such as Maputo in 1997 and 2000, Nampula in 2001 - 2002 and regularly in Beira). In the informal part it is common to find that there is less than one public tap for 250 families and 10% of the population depends on surface water (Bhikha and Bruschi, 1999a).

Urban problems in Mozambican cities are thus significant though not as yet unmanageable. Forjaz (2006) estimates that merely to deal with the annual increase in urban population would require an investment of 185 million US Dollars per year in infrastructure and 835 million US Dollars per year for housing. As Forjaz points out, the Mozambican State does not have resources in this scale: it is not going to be able to resolve directly the problem of urban housing, technically or financially, so will need to facilitate and guide private and municipal activities. The only State institution providing housing is the *Fundo de Fomento Habitacional*, but its contribution to the upgrading of Mozambique's housing stock is so small (170 houses

built in the last year) that it perhaps only gives the illusion that the State is doing something about housing. It benefits only a small number of middle income clients and Government functionaries, who have salaried jobs and can afford this level of payments (although default rate is high).



Fundo de Fomento Habitacional (FFH)

There are two Mozambican institutions that deal with housing. They are the *Direcção Nacional de Habitação* (which focuses on housing policy) and the *Fundo de Fomento Habitacional* (which invests in housing construction).

The FFH was created in 1975 and until the end of the 1980s directly administered its programmes, which were largely focused at promoting “*auto construção*” or self-help owner house-building. The programme was judged to result in poor standards of housing due to the fact that the FFH had little control over quality. In the 1990s the FFH adopted a policy of indirect administration: eligible contractors were contracted to build housing. After 2000, in-line with prevailing decentralisation policies, the FFH has used Municipalities and Districts as intermediaries. Funding is currently channelled through third parties such as municipal and district administrations who in turn sign contracts with individual clients, construction companies or commercial housing developers. While it is a national programme, the FFH is not present in all provinces at the present time.

The FFH is a social housing fund serving young families and civil servants with low-cost housing loans. 50% of the Fund comes from income from the state housing stock in the form of income from the sell-off or privatisation of government patrimony and from rentals. The FFH aims to achieve a return on its investment through two principal products. The first is housing loans valued at about US\$ 30,000. The second is site/plot development loans valued at between US\$ 400 and US\$ 1,000 per lot. Re-payments of loans are usually through a direct debit from the salaries of clients over a 12 month period, though capped at 33% of monthly salary. Repayment rates on loans are about 70% (implying a 30% loss). Interest rates are subsidised and charged at only 12% as compared with commercial market mortgage rate of 25% per annum.

The FFH has carried out some targeted social projects for vulnerable groups such as housing improvement loans for rural families in Cabo Delgado of between MT 10,000 to 25,000. A further special project for handicapped persons loaned funds to buy block-making machines to support self-help house-building. The loan had a 5 year payback period.

In the last fiscal year for which data is available 2006-2007, the FFH was allocated MT 500,000,000 in the state budget (US\$ 20,000,000) but only MT 140,000,000 (5.6 million dollars) were actually made available. With these funds only 172 houses were built and about 5000 building lots were laid out. The distribution of projects was as follows:

TABLE 2 HOUSING AND PLOTS PROVIDED BY FFH IN FISCAL YEAR 2006-7

Province	Housing	Plots
Maputo	100	1050
Gaza	5	400
Inhambane	20	
Sofala	12	500
Manica	10	400
Tete	5	
Nampula	20	600
Niassa		400
Cabo Delgado		400
Zambezia		400
Others		850
Total	172	5000

3 FORMAL AND INFORMAL

3.1 WHAT IS THE DIFFERENCE BETWEEN FORMAL AND INFORMAL AREAS?

Visually the distinction between formal and informal is very clear. However none of the terms that are used to describe the two distinctive parts of Mozambican cities correspond strictly to their reality. The “formal, planned areas” of cities do have a plan but may not have been developed strictly in accordance with that plan and some buildings may not have been built legally. The names used for the “informal, unplanned areas” (*caniço*, precarious, illegal, spontaneous, peripheral, suburban, irregular) may not be strictly accurate either. In Maputo few houses are now built of *caniço* and throughout the country many houses in these areas are now built of durable materials. Some parts may not be completely illegal and they may have had some planning interventions. They may neither be peripheral nor totally spontaneous. Formal and informal are the terms which will be used here as they are the most frequently used term in Mozambique though with the reservations mentioned above (Bhikha and Bruschi, 1999b; Carrilho, Di Nicola and Lage, 2005).

The real difference between formal and informal parts of a Mozambican city is that formal areas are linked economically to the modern, globalizing economy and attempt to operate according to the rules and standards of the global economy, while the informal city has different rules and standards. The formal areas are obliged to aim for the rules and standards of European or North American cities as they have to compete with other cities of the world and most people in the formal areas of cities have formal employment. The rules and standards of the informal areas can include customary rules, modern rules and various combinations, which are continuously evolving as the linkages of its own inhabitants with the formal city and thus the modern economy evolve. Most families gain their living through subsistence agriculture (outside or on the outskirts of the city) and informal activities, mainly in small-scale trading and services. Most cities and towns of Mozambique have significant rural characteristics, with large areas of agricultural land within their areas of jurisdiction, and according to the 1997 census, more than half of economically active population of urban areas work in the agricultural sector.

3.2 URBAN LAND MANAGEMENT AND INFORMALITY

Classical urban planning developed in the cities of the developed world and as developed in that context aims to optimize the use of land, preserve basic resources and reduce conflicts between adjoining land-uses. Urban planning starts by understanding the present use of land, basic resources and long-term needs and looking at how these can be achieved with the least conflict. It requires knowing what decisions have been taken in the past and whether they have been implemented.

Classical urban planning is time-consuming and the capacities of the State in Mozambique (and in Africa generally) in urban planning are limited. Classical urban planning adapts with difficulty to the Mozambican context of low capacity and the presence of a large informal sector. It has been found local administrations and Municipalities are aware of the need for “a plan” to deal with various problems (rapid population growth, lack of services, environmental problems) but have not shown awareness of the hard work that would be required to implement a plan (Bhikha and Bruschi, 1999a).

There has been a tendency in Mozambique to ignore planning questions in informal settlements, because they fail to operate according to preconceived rules and standards. There has also been a tendency to spend considerable amounts of money on outside consultants for long-term city master plans that try to visualise what cities will be like in 10 or 20 years time: these are unlikely to be put into effect because of the scale of transformation that they imply. However at the same time decisions are often taken that contradict these plans in important areas, and there appears to be a lack of capacity, or willingness, to implement “spatial discipline”. The consultants witnessed in Beira a case where new areas for housing were being set out by the Municipality in a marshy area a long way outside the corridor that had been defined for development. Interviewees mentioned other cases where

master plans had been changed so as to accommodate ad-hoc developments rather than follow the discipline of the plan. It was reported that in Xai-Xai and Nampula the city plans could not be located less than five years after they were developed. More appropriate would be simplified structure plans that clearly indicate the environmental and social constraints on development in the various areas of the city, the preferred land use in each area and the priorities for development. These could be more easily understood and enforced.

Urban planning in Mozambique ought to be directed to the most urgent policy questions. Planning is required to manage pressing environmental problems, and to manage the risks and opportunities posed by new economic investment (such as heavy sands in Chibuto, and tourism and potential bio-fuel development throughout the country). Urban planning also needs to take into account the fact that in countries like Mozambique there are two different parts to every city, with two different sets of rules. Different sets of rules and standards will need to be developed for urban planning in the two parts of the Mozambican cities and these will need to adapt to the local reality and evolution of the situation. A form of urban planning is required that takes into account the limited capacity for urban planning, that assists in building the capacity for urban planning and that addresses the most pressing problems (such as environmental constraints and pressures from new economic development). The main priority should be to ensure that Municipalities have the capacity to maintain a record of land-use and occupation, to record decisions that are taken about land-use occupation at the time that they are taken (for instance in structure plans), and to monitor the implementation of those decisions. There is a need to identify precisely the areas that need to be kept in the public domain for future low-cost housing and areas that cannot be developed for any reason (Bhikha and Bruschi, 1999b), which implies simplified structure plans rather than master plans.

Government will not be able to directly assist people with housing, nor even provide sites for housing on significant scale. The only solution to the problem of housing in such cities is a process of planning the informal city in a way that encourages the initiative of its inhabitants. People will only invest in their housing, and in economic activities on their plot if they have some security (Bhikha and Bruschi, 1999b). Houses in informal settlements are almost always self-built.

Building costs can be a barrier. In the south an increasing amount of construction is in bricks and cement, and not caniço (which is becoming inaccessible) but formal building material costs are high. This is overcome by self-build of houses in stages. In some cities where traditional building materials are still used, access to them is becoming more difficult as the cities grow.

4 RULES OF LAND ACCESS AND USE

4.1 FORMAL RULES OF LAND ACCESS AND USE

A land use system is the totality of norms, rules and legal rights, written or unwritten, that determine the way in which people have access to land, the way in which land is used, the way in which the products deriving from that land are used and the way in which rights to use and occupy the land are transmitted (Negrão, 2004). The written rules for land access in Mozambique are defined by the Lei de Terras of 1997 (19/97), which was passed after extensive popular consultation. The passing of this law was followed quickly by a Regulation for rural areas. Together they established the right to use land acquired through occupation according to customary norms and practices (provided that they did not contradict the constitution). This was a marked rupture with previous Mozambican practice as Mozambique never codified customary laws and practices (Negrão, 2000). The result is a law that gives legitimacy to practices already followed by the vast majority of the population, while also offering secure conditions for new private investment in rural areas. However the registration of land has been very slow and Ministers appear to be more concerned to fast-track access by private investors for agricultural land than register community land (Hanlon, 2002). This illustrates how passing new laws and legal instruments is only the first part of a complex transformation. Case studies in Mozambique and Kenya show that legislation and regulations can be modified, reinterpreted or simply ignored when it comes to implementation, when local level power relations become critical. (Kanji, Braga and Mitullah, 2002). It is only when any new legal package is actually implemented that specific interests emerge, such as in this case the vision of development through private, often foreign, investment rather than transformation of small-scale agriculture. Changing deeply rooted ideas is an extremely complex challenge (Tanner, 2002).

4.2 URBAN LAND LAW

No regulations for urban land management and administration were approved after the previous (1979) Land Law. However after the passing of the 1997 Land Law it was agreed in 1998 that a specific Urban Land Use Regulation was required and a Working Group was formed. This Working Group met 14 times between March and June 1999 and produced a draft of the Regulation for public discussion in late July 1999. Written comments received on the above were published in October 1999. From then on the process of developing the Regulations for Urban Land was much less open and transparent than the process for developing the 1997 Land Law itself and its rural regulations. There has never been a similar wide-ranging discussion about land in the urban context and, until the 1997 Land Law had been passed, there had been no serious consideration of the implications of this for the informal areas of urban land occupation, which make up the majority of urban land.

The Regulation for Urban Land was published only in late 2006, almost 10 years after the 1997 Law and is thus very recent. The Regulation has been developed from a technical viewpoint in that it only recognises areas with an urban plan and requires the intervention of formal survey and planning before rights of occupation can be acknowledged. It has ignored the legal viewpoint that the state has to implement the 1997 law as it stands and has to find mechanisms to recognise the occupation rights in the Law. Some of those interviewed for this study stated that the legality of the Regulation is questionable as it contradicts the 1997 Land Law in a number of places. Overall, informally settled areas have never had a set of written rules for land access and the new Regulation appears not to change this. Mozambique legislation has evolved to the point where customary rights and occupation-in-good-faith are recognized after ten years but not to the point of clarifying how this applies to the informal city and how people can be given titles (Bhikha and Bruschi, 1999b). The new Urban Regulation ignores (and avoids legitimising) practices in informal urban areas, and appears to assume that land in informal areas will be regularized by the same processes used in formal areas of towns and cities (Tanner, 2002).

4.3 REALITY OF INFORMAL LAND ACCESS

Most research shows, however, that registration is not accessible to low-income groups because of lack of information and high costs, many of which are illegal. The formal process of obtaining land accounts for only a small proportion of land plots occupied because the formal process is highly complex and expensive. Meanwhile elites and business people have the knowledge, time and resources to register land in formal areas and increasingly in informal areas (IIED, 2005b)¹. Even in formal areas there is a great deal of informality. Thus, as the data from Jenkins (2002) in Table 5 shows, three-quarters of urban land plots are accessed by means that can be classified as informal. Formal provision and allocation of plots was greatest in the 1975 – 1985 period, though still less than the demand. From 1985 onwards there has been almost no provision of plots until recently, when the *Fundo de Fomento de Habitação* began provision of plots on a very small scale². All recent studies show that allocation of land by the State only occurs in a few, limited areas of urban expansion or to respond to emergency situations (such as *bairros* like Magoanine “C” in Maputo set up to accommodate victims of the floods of 2000), though this is the only formal land allocation mechanism in urban areas (IIED, 2005a) (Negrão, 2004).

Access to land in informal areas is thus usually achieved through informal mechanisms such as unofficial allocation by local levels of the city administration, inheritance, ceding within families, swapping, or outright sale. Simple occupation and customary land allocation are frequent around the smaller cities, while the market in land is important in the suburban areas and green belts around the major urban centres such as Maputo and Matola, with high levels of speculation and informal price levels for the acquisition of land (even although land belongs to the state) (IIED, 2005b). There is a trend away from customary mechanisms and simple occupation towards market mechanisms. Illegal land markets thrive wherever land supports a price (Negrão, 2004), along roads and railways and where there are other basic economic and social infrastructures (IIED, 2005a).

The market is not just a phenomenon of formally urbanised areas: it is as important, or even more so, in peri-urban areas and the Green Zones as in urban areas, as shown by the data from Negrão (2004) in Table 4. The overall urban land market is not an organized market with a focal point for buying and selling, but the aggregation of numerous transactions that involve many different types of land plots and constructions (Negrão, 2004). The market is unregulated, lacks free competition and encourages speculation as the provision in the land law which demands compliance with deadlines for the investment plan on registered land is ignored (IIED, 2005a).

¹ Small farmers in the Green Zones have also registered land when they are in Associations and receive outside support (IIED, 2005a)

² About 18,000 plots have been provided in Maputo since Independence but between 1980 and 1997 the population of Maputo grew from 550,000 to nearly 960,000 (4.4 per cent per year). The number of households grew from some 117,000 to 178,000 (3.1 per cent per year) because the average number of inhabitants per household increased from 4.7 to 5.4. The provision of 18,000 plots in this period thus represents only 30% of the potential growth in demand of 61,000 new households (and 20% of the demand if household size had remained the same).

TABLE 3 ACCESS TO LAND IN FOUR BAIRROS OF MAPUTO (ASSULAI, 2001)

	3 de Fevereiro	Polana Caniço	Mavalane	Mafalala
	%	%	%	%
Purchase	32	43	71	28
Renting	2	2	9	39
Inheritance	9	16	14	17
Municipality	48	1	1	1
Administration	8	37	6	17
	100	100	100	100

TABLE 4 ACCESS TO LAND IN URBAN MOZAMBIQUE (NEGRÃO, 2004)

	Urban	Peri-urban	Green zones	Total
	%	%	%	%
Customary	15	18	28	19
State	20	10	15	13
Market	60	65	50	62
Occupation	6	5	9	6
	100	100	100	100

TABLE 5 ACCESS TO LAND IN MAPUTO AND MATOLA (JENKINS, 2002)

	Four <i>bairros</i> of Maputo and Matola
	%
Formal through Maputo City Council	16
Formal through relocation	7
Informal through Maputo City Council	2
Informal through local administration	22
Informal purchase	29
Informal ceded	11
Informal rented	2
Informal pre-Independence	11
	100

5 IMPLICATIONS OF LAND ACCESS IN INFORMAL URBAN AREAS

There are a number of implications of the informality of land use rules in Mozambican cities. It is difficult to provide services to these areas as there has been construction in roadways and drainage lines and on land reserved for services. There is an increasing tendency for informal settlements to occupy environmentally sensitive areas. There is a tendency in the larger cities for relocation of lower income residents from higher value land close to the urban core further out to the urban fringe or to environmentally unsuitable locations, either officially or through market mechanisms, while their household survival strategies may in fact depend on physical location in inner urban areas. Lower income residents tend to be pushed towards land that is more susceptible to flooding and erosion. Urban agricultural land use in Maputo diminished (from 37 per cent to 16 per cent of the overall metropolitan area since the 1985 Structure Plan) as marginal land is increasingly used for residential use (Negrão 2004) (IIED, 2000) (Jenkins, 2002).

Settlement in informal urban areas is increasingly characterized by a high degree of insecurity in the rights of occupation and land-use. "Informal" implies a lack of clear administrative principals for occupation and difficult access to administrative entities³. This leads to a lack of correct information, a lack of transparency and a hesitation to enter into administrative procedures.

There is also a lack of juridical instruments for regularization and citizens are not involved in clear and transparent processes and information about regularizing tenure and what advantages this may have. Existing occupiers are unaware of their rights and unable to pursue them through the legal system, which is slow, expensive and heavily affected by corruption (UNCHS, 2006). Responsibilities for administering land are onerous and too broadly dispersed among multiple agencies, and too few resources are spread too thinly to effectively administer legal and land-administration systems, creating a system of unclear, overlapping, and contradictory land rights (Roth, Boucher, and Francisco, 1995).

Going to meet representatives of the Municipalities implies costs of time, transport and documentation that are significant for the poor. The serious delays lead to poor people giving-up the idea of legally constructing a house. On the one hand this discourages residents of informal settlements from investing in their homes or in income-generating activities on their properties, though on the other hand some residents of these areas respond to insecurity by building in more durable materials as they assume it will be more difficult for them to be removed if they have built in cement blocks. (Carrilho, Di Nicola and Lage, 2005). Disputes appear to be now more common. There are frequent appeals and discussions about irregularities in access to urban land, dual authorisations for land use, illegal occupation of urban land, land transactions without the knowledge of the municipal authorities, occupation of reserved areas, and failure to honour purchase agreements. There are local committees for dispute resolution in some informal urban areas, though not all; furthermore some are not strong enough to enforce their judgements against powerful individuals so poorer and more vulnerable individuals may be forced to move (IIED, 2005a).

So, although the formal land access process is a barrier, it has been overcome by being ignored. Incoming migrants build their houses on whatever land is available. However it is becoming ever more difficult for low-income households in the larger cities to obtain land for building a house. There is little suitable unoccupied land left in the towns, there is an almost complete lack of serviced land and the few serviced plots are increasingly far from employment centres. Unplanned settlements are therefore often built on land which is unsuitable for building, such as steep slopes liable to erosion, areas prone to flooding and

³ Land tenure security refers to the degree of confidence that people have that they will not be arbitrarily deprived of the land rights or of the economic benefits deriving from them. It includes both 'objective' elements (nature, content, clarity, duration and enforceability of the rights) and 'subjective' elements (landholders' perception of the security of their rights). People perceive their rights to be less secure due to the rapid growth of land markets.

other hazards, polluted land, and areas reserved for other purposes⁴. Widespread unplanned occupation in inappropriate locations will have long term social, economic and environmental consequences.

6 CORRUPTION

It is widely believed that there is corruption at a local level in land management, and that this has a negative effect on the poor. Existing laws don't reflect social reality of informal areas. Laws contain lacunae because they don't reflect reality, but people in the system may be quite content to leave lacunae in the laws as it gives them more discretion. One study encountered many informants who held strong opinions about the degree of corruption among bureaucrats at the local level the fact that the poor often lose out in important land and asset disputes. They concluded that research was required on the extent this allegation might be true, whether this aspect of land allocation creates or maintains poverty, the impact of land use planning and management on poverty reduction and to what extent and how systems may be cleaned up and improved so as to produce positive effects for poverty reduction (Isaksen, Staaland and Weimer, 2005).

In informal areas of cities *Grupos Dinamizadores* took over the role of allocating land from the former traditional authorities in the post-Independence period, even though they had no legal right or authority to do so (Jenkins, 2000). In the immediate post- Independence period this was non-monetary and generally accepted. More recently the involvement of *bairro* level authorities appears more often to involve a fee and to be less socially acceptable as it often involves construction in drainage ditches and areas liable to erosion and to involve putting the most vulnerable people in these difficult situations (Negrão, 2004). Where local leaders are involved in acts that are illegal but are initiatives to resolve an important problems they are usually considered positively, though it is not always the case that illegal acts have this objective (Nielsen, 2005).

Vague rules are seen as often being manipulated and leading to many members of communities relying on self-promoting, deceptive tactics (Boucher, Francisco, Rose, Roth, and Zaqueu 1995). There are vulnerabilities to corruption in the municipalities, such as the discretion for city officials on how to allocate land access permits, despite the requirement for a land use plan (Nuvunga and Mosse, 2007).

⁴ Settlement in areas close to the arms' dump in Maputo led to many deaths and injuries and significant loss of property when the dump exploded.

7 MUNICIPALITIES AND PLANNING

The Municipal Finance Law (Law 11/97) gives Municipalities the power to prepare and approve general and detailed land use plans, urban development programmes, and land development schemes, in collaboration with relevant central government bodies. Approval of such plans is subject to ratification by the government. Municipalities may also collect taxes on urban land and buildings, including unused land which has been provisionally attributed. This is in addition to a wide range of other responsibilities including local public transportation, libraries, museums, leisure installations and protection of vulnerable people. Municipalities are thus now responsible for dealing with the significant urban problems of poor access to water, energy and basic sanitation, poor drainage, poor security and insecurity of tenure. Municipalities are now the key actors in urban poverty reduction and have the opportunity to improve security of tenure and to use urban land management to improve conditions in informal settlements.

Municipal capacity for tackling these issues is low as they inherited a low level of institutional capacity. They suffer from shortages of financial and material resources and lack qualified staff. There are less than 350 survey staff throughout the whole country and less than 20 professionals (DfID, 2003). They inherited cadastres and land registries in a poor state with archaic systems and very poor facilities. Some had been damaged in the transition to Independence and had not been reconstituted. Cadastral records from the colonial period were exposed to damp and vermin in Executive Councils. The Maputo Cadastre Project studied land records and found them completely out of date, while recorded data was very different in the different registers (DCU, 1999). Despite the time that is invested in the process of registering land, in most Municipalities do not have a clear visual record of what land has been allocated, and what is on the cadastre is almost never made public. Vested interests have developed in maintaining opaque, complicated cadastres and land allocation systems. They require a major programme of capacity building, training, equipment and refurbishing of office facilities to deal with the problems of outdated registration procedures and techniques, buildings and books in a state of disrepair, under-trained and insufficient staff.

Maputo, the capital of Mozambique benefits from greater human and material resources than other Municipalities, because of its status as capital, but has insufficient institutional capacity to deal with the problems of a city of its size. The provincial capitals benefit from staff from the previous Executive Councils, though they often have low technical qualifications and are old. They have serious management problems and heavy staff structures. The country's other 12 cities vary in size and institutional capacity as they have evolved in different ways and have benefited from various assistance projects. The major problems are a lack of skilled staff and low financial capacity to sustain the technical and management strengthening arising from the previous projects. The smaller towns tend to have fewer problems but very few resources. They have a low financial potential to fund the municipal apparatus and development. Some may develop strongly where there are local resources (such as Moatize and Chibuto), but others depend on agro-industry, which is in difficulties, and without strong state support these towns face serious difficulties (Allen and Johnsen, 2006).

Municipalities depend to a large extent on the management skills of the President of the Municipal Council and the nominated *vereadores*, and the most successful municipalities are those with a strong personal leadership, with ideas about development. Capacity also depends on the kind of previous support received. Nacala is perceived as having better control than other Municipalities over use of space and a significant development of both the market and management by the state. This is due to long-term outside support in programmes that included the residents. Negrão contrasts Nacala with Manica, where there is no control on land use or collecting wood on slopes. The difference between Manica and Nacala is more noticeable in peri-urban areas (Negrão, 2004). However there are differences in level of support: in 2006 five Municipalities were receiving support from 3 donors (Nacala, Quelimane, Pemba, Maputo and Nampula) while eight municipalities were receiving no donor support.

Municipalities inherited structure plans that had been elaborated by DNH/INPF in the 1980s though there was very little implementation, due to a lack of understanding and ownership of

plans by the Executive Councils, lack of technical capacity and funding, and the unclear status of the plans. There was substantial effort by the Government and by donors during the 1980s and 1990s to elaborate structure plans. There were usually comprehensive and technically elaborate plans by outside consultants. The status of structure planning in the municipalities in early 2005 was as follows

TABLE 6 STATUS OF STRUCTURE PLANNING (ALLEN AND JOHNSEN, 2006)

Status/decade	Municipality
1980s	Nacala (being revised), Chimoio, Mocuba, Tete, Xai Xai, Chokwe
1990s	Pemba, Nampula, Quelimane, Beira-Dondo, Maputo Matola, Inhambane, Maxixe, Vilanculos, Manhiça
2000+	Montepuez, Lichinga, Angoche, Manica, Milange, Moatize, Chibuto
Under elaboration	Catandica, Metangula, Mocuba
No plan	Mocimboa da Praia, Monapo**, Cuamba**, Ilha de Mocambique**, Gurue, Marromeu, Mandjacaze

** A rapid diagnostic has been elaborated in these municipalities

Development of master plans and structure plans has been time-consuming and costly, but in general they have not been used for strategic decision-making. There has been a tendency for city and town departments of construction and urbanism to produce ambitious structure plans, or master plans which are nothing but dreams, and then to plan in detail very small enclave schemes. This means that the most pressing problems are ignored (Muchanga, 2001).

This has been because of a lack of political will and understanding of the objectives of structure planning. The plans lack legal status so may be difficult to enforce. The existing capacity for the enforcement and inspection is weak. There is a lack of guidance for putting plans into practice, and a lack of understanding of a flexible and phased approach to implementation, adapted to the diverse problems and needs of the urban agglomerations. There has been a lack of understanding and ownership of the technically sophisticated plans by the local government, local urban communities and other stakeholders, due to lack of participation and inadequate information, and few funds for implementation of the plans (Allen and Johnsen, 2006). Thus in the majority of cases urban land management has not yet had a noticeable impact on poor access to water, energy and basic sanitation, poor drainage, poor security and insecure tenure.

8 INNOVATIONS AND PILOT PROJECTS

8.1 HISTORY OF PILOT PROJECTS

Before the creation of Municipalities, there were a few examples of innovative simplified approaches in urban land management. The Maxaquene Project in Maputo immediately after Independence and the long-term support to Nacala city are two examples. In the last 10 years there have been several pilot projects, almost always in Municipalities, which address environmental problems, develop simplified cadastre systems and involve local consultative and participation, which open opportunities for better access to services and improved land tenure security.

An important pilot project was in Bairro Josina Machel in Manica City (PRODER/GTZ). This experience has been replicated in Bairro Mafarinha in Dondo and in Marromeu (Austrian Cooperation), and is now being further replicated in programmes of the Cities Alliance, Cities Without Slums, a joint Austrian, Swiss and Danish programme in northern and central Mozambique and PROGOV/USAID. Although some key informants said that such projects were now becoming standard practice, they are still very localized and restricted to specific *bairros* in a few Municipalities. The rate of implementation decreases after the end of aid projects implying a lack of confidence of Municipalities to continue on their own, and *requalificação* has only slowly led to better services and then to income to Municipalities from land tax or service fees.

8.2 KEY FEATURES OF PILOT PROJECTS

These pilot projects of participative "*requalificação*" and "*reordenamento*" focus on informal *bairro* upgrading with the lowest possible negative implications for the residents and without forced removal. Key features are transparent decision-making process among key community stakeholders, rapidity compared to the standard land use planning procedures, low cost and maximising the use of local knowledge and community motivation. They involve participatory planning exercises using sketch map of the area, based on aerial photos or satellite images⁵. The map is used as point of departure for discussion of critical issues such as flooding or lack of services. These lead to draft land use and vulnerability reduction plans, which are subject to a second round of local consultation and which lead to implementation interventions, involving as much as possible the resident community. The Cities' Alliance and Cities Without Slums⁶ pilot projects emphasise environmental protection and reducing vulnerability from floods and other environmental hazards. Other pilot projects emphasise a simple preliminary cadastre system developed from aerial photos and satellite images, with plot demarcation and provisional land titling. A cadastre can improve tenure security and eventually provide a basis for municipal financial sustainability through building a tax-base⁷.

The pilot projects aim to improve understanding of the needs of multiple local stakeholders, maximize use of local knowledge and improve the sense of ownership among local stakeholders. They are action oriented, identifying and prioritizing actions and implementing them. They link planning directly with intervention, with funds available for implementation. This provides practical training for Mayors, Assembly members and Municipality staff in planning and implementation and the link between them. They simplify the way in which essential planning objectives are achieved. They are flexible and phased to meet the different needs of different cities, for example according to size or environmental conditions and taking into consideration previous plans. Transparency, accountability and conflict resolution are key elements of these pilot projects and are more important than titling. They also aim to strengthen the local institutions responsible for land management. They avoid costly, high

⁵ Recent technology advances, using satellite imagery, make low-cost "good enough" mapping possible.

⁶ Cities Alliance: Maputo, Choke, Tate and Suleiman; Cities without Slums: Maputo, Maniac, Nicola. The Cities Alliance programme contains a specific flood contingency planning component.

⁷ There is, however, little evidence that titling programmes lead to better access to credit. Loans based on mortgaged land are unlikely to be forthcoming for the majority of Mozambicans, who will be perceived as a high risk, high administrative cost lending portfolio (Jenkins, forthcoming). Whether or not their land is registered the poor are not attractive to most financial institutions because their plots of land are not readily 'marketable' in practice, and donor agencies are less attracted to this idea than in the past (Dinner 2003).

technology options for land registration which may create barriers to access for poor groups and which are only relevant where precise clarification of boundaries is needed. Rapidly developing technology and lower costs provide opportunities for more cost-effective land survey and registration (IIED, 2005b). They usually employ new university graduates on one year contracts in municipalities using external funding. They have been linked to highly qualified and mobile national level team in the Faculty of Architecture and Physical Planning at UEM. They address at a small-scale key issues in urban planning:-

- cadastre systems, the development of systems of registers and maps
- land administration, the administrative processes of issuing titles and maintaining cadastral registers
- land management, definition of appropriate use of land and the control of its use according to these definitions.
- facilitating the building of suitable housing, in projects where new plots are laid out.

Bairro Josina Machel of the town of Manica (Province of Manica) had a pilot project of participative re-modelling of informal areas, with the assistance of GTZ. This was part of the PDDM and also involved FAPF/UEM as part of the research projects financed by Italian Cooperation. The first actions of this pilot-project were training seminars for the local Municipal technicians and a series of seminars to explain the project to local politicians and civil servants. This was followed by a series of meetings with local residents to explain the project.

There then followed a rapid and low-cost survey of the area, carried out by local technicians. This rapid survey used aerial photographs from 1985 and resulted in an approximate mapping of the area that was sufficient to evaluate the local situation, identify an outline plan of priority actions and prepare an initial register of actual land-use. Using a rapid survey it was possible, in one month, to collect information about 800 plots, approximately a sixth of the plots in the Municipality.

A plan in informal areas is aiming to aid small-scale re-adjustments of *bairros*, not create a programme for large-scale development activities. In this case the main activity was the improvement of existing pathways, turning some of them into streets, and marking the limit of plots. In a few cases it was necessary to change the shape of plots so as to improve access roads, and to request that people moved from areas that were defined as being unsuitable for habitation (underneath high-power electricity lines and on steep slopes). The decisions were taken on site and in discussion with the residents. The plots were then mapped and areas that cannot be occupied (for security or environmental reasons) were defined.

On the basis of the possibilities offered by the 1997 Land Law, the best way of improving the occupation rights of residents was sought. This led to the attribution in November 2004 to each resident of a document registering the right to use the plot. This improves the perception of security as it is recognition of effective occupation and of a provisional concession of the plot by the Municipality. It is not however a title and the land has not yet been officially demarcated and registered.

Source: Carrilho, Di Nicola and Lage, 2005.

TABLE 6 INNOVATIVE PROJECTS FROM 2000 ONWARDS,
ADAPTED FROM ALLEN AND JOHNSEN, 2006

Donor or promoter	Methodology	Municipality	Bairro, area
Cities Alliance/UN-Habitat	Rapid simplified participatory urban (bairro level) land use plan integrating environmental component & action plan and Flood disaster contingency plan and implementation of priority actions in informal settlements	Maputo	DM2, Bairro Malanga
		Chokwe	3' Bairro
		Quelimane	4' Bairro, unidades Manhaua A and B
		Tete	Bairro Mateus Sansao Mutemba; Josina Machel; Fransisco Manyanga
Cities without Slums/UN-Habitat	Rapid simplified participatory urban land use and action plan (bairro level), cadastre and simplified cadastre system for informal settlements	Maputo	Bairro Maxaquene
		Nacala	Bairro Mocone
		Manica	Bairro Josina Machel
PRODER/GTZ	Rapid simplified participatory urban (bairro level) land use and action plan, cadastre and simplified cadastre system for informal settlements	Manica	Bairro Josina Machel
7 cities/DANIDA	Guidelines for municipal environmental management plans Guidelines for structure plans integrating consultation	Quelimane	
		Mocuba	
		Ilha de Moçambique	
		Pemba	
		Montepuez	
		Nampula (from 2005) Nacala (from 2005)	
PADM/Austrian Development Corporation	Rapid simplified participatory urban land use and action plan cadastre and simplified cadastre system	Dondo	Bairro Mafarinha
		Marromeu	Bairro 1 de Maio Bairro 7 de Abril
PADEM/Swiss Development Corporation	Participatory economic planning	Mocimboa da Praia	
		Montepuez	
		Ilha de Moçambique	
		Cuamba	
		Metangula	
PROGROV/USAID		Nacala	
		Monapo	
		Gurue	
		Chimoio	
		Vilankulo	
13 cities, DANIDA, Austrian Development Corporation, Swiss Development Corporation	Starting 2008		

9 CONTINUING TO INNOVATE AND SCALE-UP

Innovative projects have been shown to be viable and it is important that they continue and expand, so as to consolidate the ideas and practice and to tackle at least some of the pressing problems of urban informal settlements. They are opportunities of “planning for real” which can demonstrate to Municipalities through practical projects the importance of urban planning and how it can be used strategic decision-making. Decentralisation cannot be an end in itself.

However it is time to scale-up and replicate good-practices, and participatory “*requalificação*” and “*reordenamento*” of informal settlements need to be recognized as normal planning practice. In practice a lot of effort has gone into getting these pilot projects going, particularly in persuading Mayors and assembly members of their validity. Momentum tends to be lost after the end of pilot projects and the withdrawal of donor funding, so the initiatives remain as pilots covering one *bairro* or part of a *bairro*. Mayors, *vereadores* and Municipal Assembly members appear unclear of the role of land use planning and to lack of confidence in the use of innovative methods. The culture of “*ordenamento*” as creating straight lines on the ground is still quite strong.

Vereadores have an ambiguous role and often involve themselves in day-to-day management, and in technical and administrative matters, although they are usually not technically qualified. As elected officers they should be conducting the policies of their designated areas not implementation. Besides, being elected officers, they have fixed terms of service and their periodic change could generate instability among subordinated technical and administrative staff.

Party-based mechanisms are strong in Municipalities and the party-list voting system means that residents of informal settlements have little leverage. Municipalities appear to continue to pin their hopes on projects for urbanisation of new areas (expansion areas) rather than in shanty-town upgrading, as expansion areas seem more modern and possibly because they may be a source of funds for political parties. There are still vested interests in maintaining opaque, complicated cadastres and land allocation systems. There is a risk that party politics becomes another vested interest, as parties require funds which, in many parts of the world, come from land and building. Service improvement does not necessarily follow on from upgrading, due to lack of coordination with other institutions, so some of the advantages of objectives are not achieved.

Behind these local problems lie others at the national level. The signals are ambiguous from central government about such innovations. There is a lack of explicit urban development policy, and a lack of a central government vision of the linkage of urban planning issues with poverty reduction. Mozambique has never had a specific urban development policy. In the two PARPAs there was very little about urban issues. The Government’s Five Year Plan emphasises that rural development is the fundamental basis for the overall social and economic development of the country and contains no references to urban development. Cities Without Slums has produced a strategy document (CEDH, 2006) that is being considered and, if approved by the Council of Ministers, may provide policy framework for peri-urban development but this is taking a long time. The political ambiguities of the national government regarding the parallel decentralization and de-concentration processes have created new uncertainties, which can cause friction between elected Municipalities and appointed District authorities. The two systems can be made compatible though this would require a concerted effort and, despite decentralisation, there are still dependency on different Ministries and programmes.

Responsibility for urban issues is spread over four programmes in four Ministries (MEA, Ministry of Agriculture, MICOA, and MOPH) and these which may have differing visions. In MAE there are two Directorates which touch on decentralisation, dealing with Municipalities, and de-concentration, dealing with Districts. The Directorate dealing with Municipalities is less dynamic than it was in the 1990s and has been further weakened by creating a *Ministério de Função Pública*, and the impression is that the momentum of decentralisation has been lost. There is a single programme (PPFD) for de-concentration to Districts but no single

programme for Municipalities. Government as a whole is highly centralized and compartmentalized into sectors, with difficult coordination between sectors, and weak coordination by the Government of Mozambique results in donors often taking the lead.

There is controversy about the ideal size of plot when new plots are marked out or when old plots are re-demarcated. Forjaz estimate that the present population density in informal areas is about 100 inhabitants (or 20 families) per hectare, which means a plot size of about 250 square metres. Forjaz considers that this is a low urban population density. The costs of provision of services are higher when the density is lower and the plot size is greater: the length of roads, water pipes, drainage pipes and electricity lines will be greater to serve the same number of people. The distance to walk to a public water tap will be higher. The length of the journey to the centre of town will be greater, so public transport costs will be higher. This can be attenuated to some extent by creating plots with a short front (for example 10 metre front and 25 metres depth) which will reduce some of the costs of services: however this does not increase the overall density and so does not reduce all costs. Others commentators however are of the opinion that plots should be larger so as to accommodate informal economic activities on the plot.

The authors have seen no literature discussing this question and were not able to gather systematic information about plot sizes and the use of land on the plot for economic activities. Informal economic activities in Mozambican cities are mainly agriculture and informal commerce. Both of these activities take place mainly away from the house plot. Reduction of poverty through support to informal economic activities would thus seem best accomplished by clarifying security of tenure for small plots of agricultural land in the green belts of the cities and by a clearer policy on kiosks and markets.

MICOA/DINAPOT is responsible for overseeing territorial planning throughout the country, including elaboration of policies and legislation, development of methodologies and ratification of land use plans. DINAPOT is essentially the former National Institute of Physical Planning (INPF). As an old-established institution, DINAPOT is relatively well-endowed with buildings, and in recent years has acquired GIS equipment and software which serves the whole of MICOA. MICOA is a coordinating ministry of actions. However, the capacity of Municipalities and other local government bodies is extremely limited, and therefore many of the urban plans prepared in Mozambique in recent years have been elaborated by the Urban Planning Department of DINAPOT itself, using its staff from central and provincial level.

MAE/DNDA is responsible for the establishment of new municipalities, and for capacity-building of municipalities. DNDA was created in 2000 and still being established. In 2003, it had 23 staff, including 16 technicians of various levels, considered insufficient for the process of building autonomous local governments.

MOPH has been responsible for preparing the Regulations for Urban Land. Inside MOPH is the National Directorate for Housing and Urbanism (DINAHU) that has responsibilities in the area of urban development which seem to overlap with those of DINAPOT. However in practice it seems to concentrate on formal settlements with DINAPOT focusing more on informal settlements. An autonomous institution under MOPH, the Housing Development Fund (*Fundo de Fomento de Habitação – FFH*), was set up to provide access to housing for people with few resources. It develops and sells sites for construction of basic housing, though in practice the beneficiaries have been middle-income households, since they are required to build or pay for houses of formal standards.

It is important that these innovative projects are scaled-up. However this is not an area that can be dealt with through sector-wide programmes or budget support. Coordination between different programmes working in this area is a better approach, exchanging experiences and

working jointly on policy issues with Government. Responsibility has been decentralised and capacity will need to be built in each Municipality. Budget support aid with weak government has risks, especially in Municipal development. There needs to be a lot of attention to detail, correct sequencing and timing of activities, adjusting to circumstances. Key actors and decision-makers (including Mayors, *vereadores*, elected municipal assembly members their staff and the Association of Municipalities) need information and training about what is physical planning, appropriate urban planning and about relevant legislation and its implementation. This should be general orientation for all members of the Assembly, in more depth for *vereadores* and specific training for technical commissions with direct responsibilities for urbanism, land and housing.

This could be through exchange visits, short courses, and training material, and should be linked to the implementation of practical projects of "planning for real". The lessons of previous projects have been that attention to detail required in this kind of programme, each activity has to be accompanied with awareness-raising so that its logic is understood and so that politicians recognise the reality of the constraints and choices that planning deals with.

Public information will also be needed, such as illustrated pamphlets and posters outlining the basic principals of new legislation, regulations and procedures. This will need to be posted in public places and in the media.

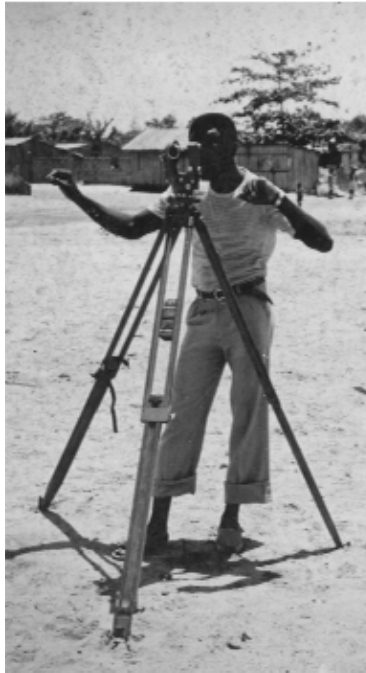
Municipalities will need to be backed up by regional centres of professional expertise that will provide a technical support structure for physical planning, mapping and legal issues, and to ensure that technical issues are understood locally. These centres could be in Maputo, Beira and Nampula. There will be a need for continued training of intermediate level planning technicians to serve in each of the municipal administrations to develop rapid cadastres, carry out titling and registration, maintain data-bases and local cadastres service providers, implement municipal planning and monitor contracted work.

There will also need to be continued dialogue with the Government to ensure take it takes *requalificação* seriously and assists Municipalities with their planning responsibilities. The "Cities without slums" situation analysis and draft strategy provide a basis for dialogue to promote a sector-wide strategy.

Greater cooperation between the various entities involved could be useful for

- exchanging experiences
- document more thoroughly the experiences of the pilot projects
- developing training material (manuals, guidelines and curricula) for Mayors, assembly members etc
- developing strategies to build capacity within central and local government and civil society
- developing a regional support structure for physical planning
- pushing shanty-town upgrading up the policy agenda, getting strategy documents adopted and implemented
- addressing the legal lacuna
- influence the content and the practical application of the laws, regulations and guidelines relating to urban planning and land use.

Most of the pilot projects have been documented only superficially, which hinders replication. More detail is required about the process, results, impact, costs, lessons learned, guidelines and tools.



10 CONCLUSIONS AND RECOMMENDATIONS

Thirty-three Municipalities were created in Mozambique in 1998 and another ten will be created in 2009. , Most responsibility for urban land management will lie with these Municipalities. Urban land management in Mozambique is required to manage pressing environmental problems, to manage the risks and opportunities posed by new economic investment, to improve conditions in informal areas and improve land tenure security. Municipalities are now key actors in urban poverty reduction and have the opportunity, through urban land management, to improve conditions in informal settlements and to facilitate the provision of better services. Most housing is self-built so urban land management can be used to improve security of tenure and thus facilitate increased investment in housing. Municipal capacity however is low in these fields.

In the last 10 years there have been several pilot projects, almost always in Municipalities, which have developed low-cost approaches to addressing environmental problems, developing simplified cadastre systems and developing local consultative and participation. These pilot projects have opened opportunities for better access to services, improved land tenure security and managing the risks and opportunities of economic development projects. However in practice momentum has been lost at the end of pilot projects, so the initiatives remain as pilots covering one *bairro* or part of a *bairro*. Mayors, *vereadores* and Municipal Assembly members appear unclear about the opportunities presented by land use planning and to lack confidence in the use of innovative methods.

Pilot projects should continue and be scaled-up, and to be recognised as normal good planning practice. Key actors in Municipalities require information and training about appropriate urban land management and about relevant legislation and its implementation. This could be through exchange visits, short courses, and training material, and should be linked to the implementation of practical projects of “planning for real”. An important lesson of previous projects has been that attention to detail is required, and that each activity has to be accompanied with awareness-raising so that its logic is understood and so that politicians recognise the reality of the constraints and choices that planning deals with. Public information will also be needed, such as illustrated pamphlets and posters outlining the basic principals of new legislation, regulations and procedures. This will need to be posted in public places and in the media.

There will be a need for continued training of intermediate level planning technicians to serve in each of the municipal administrations. There is also the need to create an institution, at the national level, to assist Municipalities in the elaboration of plans and, during this process, create Municipal capacity to develop and implement plans. This institution would need to have regional centres with adequate human and material resources, within reach of all parts of the country. They would need to be capable of providing professional expertise and be a technical support structure for physical planning, mapping and legal issues, and to ensure that technical issues are understood by Municipalities. This institution could take the form of a public company, a government department (attached to MICOA) or be an institution created jointly by the Municipalities themselves.

Any programme will also need continued dialogue with the Government to encourage adoption of innovative methods as recognised good practice, to encourage a focus on *requalificação* of informal housing areas recognising their informality and the need to innovate, and to ensure that Government assists Municipalities with their planning responsibilities. The “Cities without slums” situation analysis and draft strategy provide a basis for dialogue to promote a sector-wide strategy, which should be taken up by any programme in this area.

This is not an area that can be dealt with through sector-wide programmes or budget support. Responsibility has been decentralised and capacity will need to be built in each Municipality. It is as yet unclear how committed Government is to innovative approaches in informal urban areas. There will need to be a lot of attention to detail, correct sequencing and timing of activities, adjusting to circumstances. Coordination between different programmes working in

this area is a better approach, exchanging experiences and working jointly on policy issues with Government.

Actions at a local level

Municipalities should avoid master plans that try to visualise what cities will look like some years in the future. Municipalities should make simple structure plans that indicate clearly social and environmental constraints on development in different areas, and update and improve these plans when the need or opportunities arise. Simple structure plans should be used to implement spatial discipline, for example preventing the occupation of dangerous or environmentally sensitive areas and directing development to areas best suited for that type of development. Municipalities should adapt urban planning to the local conditions especially in informal settlements, which do not operate to preconceived rules and standards.

Municipalities should be aware that most housing is self-built and that programmes such as the *Fundo de Fomento Habitacional* will not be able to assist with housing on a significant scale. Municipalities can best resolve the lack of adequate housing by planning informal areas in a way that encourages the initiative of its inhabitants to improve the housing stock. Municipalities can encourage norms for access to land in informal areas which fit the local reality, and can discourage corruption by reducing the discretion of city and local official in the allocation of land. .

Municipalities should focus their planning and upgrading efforts on informal urban areas where there are the most pressing problems, and should seek better coordination with service-providers so that upgrading leads to provision of better public services such as water and energy. Municipalities should give more attention than at present to upgrading existing informal areas and give less attention to expansion areas.

Municipalities should develop cadastres based on simple, new technologies and should ensure that there are clear, visual, public records of land that has been allocated and of the planning strategy for their areas. Municipalities should develop urban regulations and local by-laws (*posturas*) that incorporate “*requalificação*” and “*reordenamento*” of informal settlements and participatory planning and recognise them as normal planners’ tools.

Local support programmes should assist Municipalities to put these actions into practice, adopting good practices. Mayors, *vereadores* and Municipal Assembly members should be helped to understand the role of land use planning in poverty-alleviation and to gain confidence in the use of innovative methods. They should be assisted in understanding the role of new methods and practices and to move away from the culture of “*ordenamento*” as creating straight lines on the ground. Pilot projects should continue and be scaled-up, and the implementation of practical projects of “planning for real” should be linked to training and information sharing. Activities should be linked to awareness-raising so that the logic is understood and so that politicians recognise the reality of the constraints and choices that planning deals with.

Actions for a national programme

A national programme should not be a sector-wide programmes or budget support programme. A national programme should encourage coordination between different local programmes, exchanging experiences and working jointly on policy issues with Government and encouraging good practice. The emphasis should be on:-

- exchanging experiences
- document more thoroughly the experiences of the pilot projects
- developing training material (manuals, guidelines and curricula) for Mayors, assembly members etc
- developing strategies to build capacity within central and local government and civil society
- developing a regional support structure for physical planning

- pushing shanty-town upgrading up the policy agenda, getting strategy documents adopted and implemented (for example the “Cities without Slums” draft strategy)
- addressing the legal lacuna
- influence the content and the practical application of the laws, regulations and guidelines relating to urban planning and land use.

Key actors and decision makers including Mayors and elected municipal assembly members and their staffs need information and training through:

- exchange visit experiences
- short courses
- training material

A national programme should also try to ensure that support is available to all Municipalities and that overlap between different support programmes to Municipalities is minimised. It should disseminate recent technological improvements that make low-cost “good enough” mapping possible using satellite imagery. It should help to develop and disseminate systems for cadastre that improve tenure security and eventually provide a basis for municipal financial sustainability through building a tax-base. A national programme should assist Municipalities to understand applicable legislation and its implementation.

Legal and policy recommendations

Government should give clearer signals that it recognises as normal planning practice “*requalificação*” and “*reordenamento*” of informal settlements and participatory planning. Government should recognise these as planners’ tools with wide applicability. Government should ensure that legislation allows these practices to be incorporated into Municipal regulations and by-laws (*posturas*). Government should recommend that Municipalities avoid master plans and that they should make simple structure plans that indicate clearly social and environmental constraints on development in different areas.

Government should be aware that most housing is self-built and that programmes such as the *Fundo de Fomento Habitacional* will not be able to assist with housing on a significant scale. Government should encourage Municipalities to address the lack of adequate housing by planning informal areas in a way that encourages the initiative of its inhabitants to improve the housing stock. Government should discourage corruption by encouraging procedures that limit the discretion of city and local official in the allocation of land. .

Government should encourage Municipalities to focus their planning and upgrading efforts on informal urban areas where there are the most pressing problems, and should seek better coordination with service-providers so that upgrading leads to provision of better public services such as water and energy. Government should encourage Municipalities to give more attention than at present to upgrading existing informal areas and give less attention to expansion areas.

Adequate budget support needs to be mobilised in cooperation between donors and Government.

Even though there is no central government institution focused solely on decentralisation, a sector-wide strategy needs to be promoted by Government.

Government should develop a regional support structure for municipal physical planning, with professional expertise pools. These centres could be in Maputo, Beira and Nampula. This should be through an institution, at the national level, to assist Municipalities in the elaboration of plans and, during this process, create Municipal capacity to develop and implement plans. The regional centres of this institution would need to have adequate human and material resources, within reach of all parts of the country. It would need to be capable of providing professional expertise and be a technical support structure for physical planning, mapping and legal issues, and to ensure that technical issues are understood by Municipalities. This

institution could take the form of a public company, a government department (attached to MICOA) or be an institution created jointly by the Municipalities themselves.

Government should ensure that training continues for intermediate level planning technicians to serve in municipal administrations to manage local cadastres and implement municipal structure plans.

Government should continue to develop a strategy for urban physical planning, using the "Cities without Slums" draft strategy. It should address legal lacuna and use the experience from local actions to improve the legal framework.

Government should develop national guidelines for clear, transparent and simple processes for regularising land tenure and occupation, based on experiences from the Municipalities, from Development Workshop Angola (particularly its Huambo programme) and from international experts such as Professor MacAuslan of Birbeck Collee London.

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ANNEX 2: TERMS OF REFERENCE

Mozambique: Urbanization and municipal development in Mozambique Chapter: Land and Housing

Background

Urbanization is a broad trend across the African continent and around the globe. Mozambique is not exempted from the challenges and opportunities of urbanization. Despite the recent creation of urban municipalities in 1997 and new ones planned for 2008, and the growing demographic and economic weights of urban centers in the country, there is no comprehensive study of the urban landscape in Mozambique. Furthermore, with the 10 year anniversary of the creation of the municipalities approaching in 2007, there is a need to document and analyze the situation in Mozambique's municipalities, their experiences during these first ten years, and the trends associated with urbanization and their implications for policy makers, mayors and citizens. This study will fill existing gaps in our knowledge of urban centers themselves, their interaction with rural areas, and their role in poverty alleviation and economic growth. The analysis will identify the key challenges and opportunities presented by urbanization, and will draw lessons from the relevant experiences in the municipal and urban areas to date in Mozambique, including those with partner support. The study will also develop guidelines for action that would inform the preparation of a future national municipal development program.

Objectives of Overall Study

The overall objective of the study is to provide policy makers and municipal authorities in Mozambique with an analysis of the challenges and opportunities for municipal development in Mozambique as the basis for an effective and integrated program of action. It will also assist the development partners in determining how best to support municipal service delivery to support growth and reduce poverty in Mozambique. Specifically, the study will seek to:

- (i) Document and analyze the situation of Mozambique's municipalities and trends associated with urbanization from a cross-sector perspective.
- (ii) Draw lessons from past and ongoing interventions in the municipal and urban sectors.
- (iii) Identify challenges and strategic options for policy-making aimed at ensuring the sustainability of urban areas.
- (iv) Identify specific opportunities for municipal authorities to improve institutional development, municipal finance and service delivery.

The overall Study will be divided into the following chapters (titles not yet final) and financing agencies:

1. Introduction and urban trends (World Bank in-house)
2. Lessons learned from first 10 years of municipal development (GTZ)
3. Legal, Institutional and Policy context (SDC)
4. Local Governance and Planning (DANIDA)
5. Municipal Finance (World Bank in-house)
6. Poverty and Rural-Urban Linkages (World Bank)
7. Land and Housing (Austrian Development Corporation)
8. Water and Sanitation (Austrian Development Corporation)
9. Solid Waste Management (UN-Habitat)
10. Conclusions and Guidelines for Action (World Bank/other)

Specific Objective of this Consultancy:

The main objective of this consultancy is to provide an in-depth diagnosis of the current condition and experiences to date of the urban land and Building sector and to provide recommendations to municipalities to improve the performance of the sector and its potential to contribute to an enabling environment for urban land and housing delivery.

Technical aspects

A central hypothesis for this chapter is that access to land not only for residential housing but *primarily* for existing and future urban activities, such as street traders, small scale shops, micro industrial zones, markets or urban agriculture is a key element for a shared growth and a major vehicle to link up positively economic development and social inclusion. It might be a central strategy to reach an economic local development of the poor, or in other words to have at a same time and inclusive and a productive city.

The chapter will have to take into consideration the opportunities that are made possible with the newly enacted Bill on Territorial Ordering, that might generate an enabling environment for the sector.

Scope of Work

- (i) Identify and analyze critically how the urban poor are accessing housing, the opportunities that they have and the barriers that they encounter.
- (ii) For each of the inputs of the urban land and building system (legal framework, access to credit, formal and informal building industry) assess the key bottlenecks and the existing potentials. This should include an examination of land markets, of the evolution of land and building costs in relation to income, of access to credit and of access to building materials.
- (iii) Review and assess past policies and practices in the sector, including innovative policies and practices and experiences that failed.
- (iv) Identify good projects, programmes and policies from Mozambique and other similar countries that could be considered possible options or models for adoption or scale-up. These should include experiences in Mozambique and a comparative analysis of good practice in similar contexts outside of Mozambique.
- (v) Examine government-provided services, institutional management, financial sustainability, stakeholder involvement, community based organization activity, informal sector activity and private sector activity in municipalities for which information is available and at national level. Assess the constraints associated with each, the support being provided and unmet needs.
- (vi) Discuss feasible models at the municipal level for the provision of land management and low-income-housing in the different categories of municipalities, taking into account the size of the municipality, the specific bottlenecks for housing and land provision for the poor, both for residential and productive uses (urban agriculture, markets, industrial and small productive areas).
- (vii) Examine the roles of municipalities and the process of transfer of functions to the municipalities from provincial and national government. This should include an examination of how local capacity is being strengthened and how local communities are being involved.

ANNEX 3: LIST OF PEOPLE MET

Date	Day		
13th January 2008	Sunday		Arrival in Maputo of Paul Robson and Allan Cain
14th January 2008	Monday	Am	Meeting with Ali Y. Alwahti, (Urban Specialist) and Anne Louise Grinsted (JTO), World Bank
		Am	Introduction to World Bank office staff and installation in visiting missions' area
		Pm	Meeting with Vibe Johnsen, Massala
15th January 2008	Tuesday	Am	Meeting with Fion de Vletter, micro-enterprise expert
		Am	Meeting with Mário Rosário, Architect and urban planner
		Am	Meeting with José Forjaz
		Pm	Meeting with Arlindo Dgedge, National Director, and Samuel Xadreque, Urban Planning: DINAPOT, MICOA
		Pm	Meeting with Irene Nvotny (Representative) and Zacarias Zicai (Governance), Austrian Development Cooperation
16th January 2008	Wednesday	Am	Meeting with Francisco Mabjaia, General Secretary, ANAMM
		Am	Meeting with Jean-Paul Vermeulen and Nicholas Lamadi, GTZ
		Am	Meeting with Marc de Tollenaere, Head of Governance, Swiss Agency for Development and Cooperation
		Pm	Meeting with José Forjaz and Bruno Vedor
17th January 2008	Thursday	Am	Meeting with Mathias Spaliviero, Technical Adviser, UN-Habitat
		Pm	Meeting with José Forjaz and Bruno Vedor
18th January 2008	Friday	Am	Meeting with Christopher Tanner, CFJJ
		Am	Meeting with Maria Helena Ribeiro, Director, Fundo de Fomento de Habitação
		Am	Meeting with José Forjaz and Bruno Vedor
		Pm	Meeting with Simon Norfolk, TerraFirma
		Pm	Departure from Maputo of Allan Cain
21st January 2008	Monday		Phone calls and e-mail messages to arrange meetings, arrange visit to Beira and Dondo and recheck interviews

22nd January 2008	Tuesday	Am Pm	Phone calls and e-mail messages to arrange meetings, arrange visit to Beira and Dondo and recheck interviews Meeting with José Forjaz and Bruno Vedor
23rd January 2008	Wednesday	Am Pm Pm	Meeting with Simon Norfolk, TerraFirma Meeting with Johan Boerskamp and Jan Reimer, DANIDA Meeting with Mayor of Dondo (in Maputo)
24th January 2008	Thursday	Am Am pm pm Pm	Meeting with Bernhard Weimer, USAID Travel by air to Beira Arrival in Beira and continue to Dondo Meeting with Vereadores and technicians, Dondo Meeting with Sandra Esser, Beira
25th January 2008	Friday	Am Am Noon Pm Pm	Visit to bairros of Dondo with technicians Visit to offices Dondo Municipality incl. cadastro Meeting with land planner and technicians, Beira Visit to offices Beira Municipality incl. cadastro Visit to bairros of Beira with technicians
26th January 2008	Saturday		
27th January 2008	Sunday	Am Pm	Meeting with Abdul Ilal, IPAM Departure from Maputo of Paul Robson