VOICES OF THE POOR

SYNTHESIS AND RECOMMENDATIONS

Report produced for Urban LandMark by the Development Action Group

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Urban LandMark

MAKING URBAN LAND MARKETS WORK FOR THE POOR

22 June 2007

Acknowledgements

This report was produced for Urban LandMark by the Development Action Group (DAG) as part of the Voices of the Poor project. Warren Smit of DAG was the co-ordinator of the project and wrote this report. Other members of the Voices of the Poor team who were involved in organizing, documenting and facilitating the workshops on which this report is based included: Mercy Brown-Luthango (DAG); Ardiel Soeker (DAG); Susan Carey; Mzwanele Mayekiso; Clive Felix (USG); Adré Bartis (USG); Ben Hiles (USG); Vijoya Harri (USG); Pat Zondi; Cameron Brisbane (BESG); Khulekani Mfeka (BESG); and Vanessa Chetty (BESG). We would like to thank all the people who attended the Voices of the Poor workshops for their enthusiastic participation.

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1. INTRODUCTION

This report analyses the perspectives and experiences of civil society organizations with regard to access to urban land by the poor. It is based on a series of workshops undertaken with civil society organization representatives during May and June 2007 as part of the Voices of the Poor project for Urban LandMark.

First, this report looks at the process of engagement with civil society organizations. Second, the findings from the engagement process are discussed. Finally, some recommendations for Urban LandMark are made.

2. PROCESS OF ENGAGEMENT WITH CIVIL SOCIETY ORGANIZATIONS

The Voices of the Poor stakeholder engagement process is described below. This is followed by some reflections on the process.

2.1 Overview of the Engagement Process

Four workshops, covering the major urban regions of South Africa, were organized. These workshops were hosted by urban development NGOs active in the various regions.

The workshops undertaken were as follows:

- Port Elizabeth, 23 May 2007 – organized and facilitated by the Urban Services Group (USG)
- Cape Town, 26 May 2007 – organized and facilitated by the Development Action Group (DAG)
- Pietermaritzburg, 30 May 2007 – organized and facilitated by the Built Environment Support Group (BESG)
- Johannesburg, 2 June 2007 – organized by Susan Carey and Mzwanele Mayekiso; Planact collaborated in organizing the workshop and also participated in the workshop

Each workshop consisted of the following sessions (see Appendix A for a typical workshop programme):

- An input on the purpose of the workshop
- Presentations by civil society organizations on their experiences and perspectives with regard to access to urban land
- Small group discussions in which participants were divided into three groups to discuss key questions relating to access to urban land by the poor
- Report backs by the three groups
- Plenary discussion

In all, 105 participants from more than 30 different civil society organizations, participated in these events. A wide range of civil society organizations were represented at the workshops.

Umbrella organizations:

- Landless People's Movement – attended the Johannesburg and Pietermaritzburg workshops
- Coalition of the Urban Poor (CUP) [1] – attended the Johannesburg workshop
- Federation of the Urban Poor (FEDUP) – attended the Johannesburg workshop
- Anti-Privatization Forum (APF) – attended the Johannesburg workshop
- Sakhumnotho, iSandla Sethu and Qophindlela Co-operatives from Durban and their umbrella organization – attended the Pietermaritzburg workshop

Civic associations:

- SANCO Langa, Cape Town
- Alex Civic Organisation, Johannesburg

Informal settlement communities:

- Helenvale, Port Elizabeth
- Walmer (Airport Valley and G-West), Port Elizabeth
- Kliprand – Port Elizabeth
- Moegesukkel, Port Elizabeth
- Hangberg, Cape Town
- Mkhondeni, Pietermaritzburg
- Madiba Section, Pietermaritzburg
- Sizani, Johannesburg

Relocated communities:

- Delft Temporary Relocation Area (TRA), Cape Town
- Masisukume/ France settlement, Pietermaritzburg
- North East Sector 2, Pietermaritzburg

PHP housing projects:

- Ntuthukoville, Pietermaritzburg
- Lower Thornwood, Durban

Inner city tenants:

- Willow Gardens Flats, Pietermaritzburg

Land restitution claimants:

- Ndabeni Trust

[1] The Coalition of the Urban Poor (CUP) is a grassroots network of organisations of the urban poor. CUP, and its rural counterpart, the Alliance of Rural Communities (ARC), are linked to the Federation of the Urban Poor (FEDUP), a social movement consisting of an estimated 700 housing savings schemes linked with a loan fund called the uTshani Fund, which is affiliated to Shack/Slum Dwellers International (SDI). CUP, ARC and FEDUP are supported by an NGO called the Community Organisation Resource Centre (CORC) which was previously called the Community Organisation Urban resource Centre (COURC). These organisations have their roots in the South African Homeless People's Federation (SAHPF), and its support arm, People's Dialogue on Land and Shelter, which were formed in the early 1990s.

NGOs:

- Association for Rural Advancement (Afra), Pietermaritzburg
- Centre for Applied Legal Studies (CALS), Johannesburg
- Planact, Johannesburg
- Yeast City Housing, Pretoria
- Inner City Resource Centre (ICRC), Johannesburg
- Built Environment Support Group, Pietermaritzburg (although they were not participants in the workshop, they subsequently made a written submission)

2.2 Reflections on the Engagement Process

The workshop methodology worked well, although a number of participants complained about having to attend too many workshops. In terms of numbers, participation at the workshops varied, with two workshops having 40-50 participants and two workshops having 10-20 participants. However, in terms of engagement with the issues, participation at all of the workshops was good.

The workshop findings can be regarded as being fairly representative of urban community organizations as a whole, as a wide range of different organizations attended (including all the major umbrella groups). Participation by NGOs was poor, though, and the workshop findings mainly reflect the views of community organisations.

The same issues and debates generally came up at each of the workshops, although sometimes with different regional emphases, e.g. inner city housing in the Johannesburg workshop and the importance of rural-urban linkages in the Pietermaritzburg workshops.

The process of identifying and engaging with civil society organisations showed that the state of civil society, specifically with regard to urban land issues, is relatively weak. There are few NGOs in the sector and some of them have major resource and capacity constraints. There are many community organizations involved in urban land issues, at all scales from the national scale to local community scale, but they are generally weak and fragmented, and lack information and resources.

3. KEY ISSUES EMERGING FROM THE ENGAGEMENT PROCESS

Key issues emerging from the engagement with civil society organizations are discussed below. It should be noted that participation in the workshops was dominated by community organizations. NGO participation in the workshops was limited. NGOs only attended two of the workshops, the numbers of NGO participants at these workshops was relatively small, and many NGO representatives did not stay for the whole event. The voices of NGOs therefore did not emerge clearly in the workshops (and in many cases it appears difficult to separate the views of NGOs and the community organizations that they are partnering).

The views of community organizations are analysed below, under the following key themes used to structure the workshops:

- Perceptions of the problem
- Formal market processes
- Local/informal land processes
- Access to finance
- Urban land and livelihoods
- Urban-rural linkages
- Gender issues
- Proposed solutions

3.1 Perceptions of the Problem

A wide range of issues were identified by community organizations as obstacles to access to urban land by the poor, but the following issues were the ones that were most frequently mentioned:

- Poverty and unaffordability, which results in the poor not being able to buy land
- South Africa's colonial and apartheid history
- Existence of a property market, which results in market forces setting land prices at high levels
- Government policies or implementation of policies are not seen as pro-poor
- Corruption
- Party politics and the self-interest of councillors
- Lack of participation by communities
- Lack of information
- Weak state of civil society

These issues are looked at in greater detail below.

Poverty and unaffordability

Poverty and unaffordability, which results in the poor not being able to buy land, was generally listed as the first issue in discussions about obstacles to land access by the poor. Over and above poverty and unaffordability restricting access to urban land and housing, it was often noted that this can also make it difficult for people to retain urban land and housing, as they are often forced to sell it. For example, it was noted that "rates and services are unaffordable even for properties with a very low value – as a result, people are being given finance with the one hand and the government then takes it back with the other hand. For example, in Inanda Newtown people are about to lose their properties due to non-payment".

South Africa's colonial and apartheid history

Although this issue did not explicitly come out in all of the workshops, in the Pietermaritzburg workshop it was highlighted by a number of speakers that indigenous people had been dispossessed of their land during the colonial and

apartheid period, and this is one of the key causes of current inequity in access to land.

Existence of a property market, which results in market forces setting land prices at high levels

There was a feeling that the very existence of a private land market results in high values for land, which then excludes the poor. This issue was first raised by a member of the South African Communist Party (SACP) in the Port Elizabeth workshop, but was frequently repeated in all of the other workshops. Typical comments included: "Market values, especially in urban areas, are set ridiculously and intentionally high. They are not accessible to the poor and working class" (community presentations, Cape Town workshop); "Buyers are unwilling to sell and when they are approached they want inflated prices for their land… The willing buyer – willing seller principle does not work" (Group 1 discussion, Johannesburg workshop); "Speculation in land - people sit on vacant land for years, for example, because they know that something will be happening in the future. This results in increased land values" (Group 2 discussion, Johannesburg workshop).

Government policies or implementation of policies are not seen as pro-poor

The perception that some government policies do not support the poor came up in all of the workshops. A key example that was frequently mentioned was the property clause in the Constitution and the "willing buyer-willing seller" approach to land acquisition by the state. Some participants, however, felt that although the policies may be aimed at the poor, implementation at a local level was inadequate: "National government policies are not implemented at a local level" (Group 1 discussion, Pietermaritzburg workshop).

The overwhelming view of community organizations of the state was negative. Numerous representatives of community organizations made comments such as: "Government does not care for the poor". Officials and councilors were often characterized as being corrupt or as not understanding the real problems of the poor. Comments about the government included:

- "There is a lack of transparency by government" (plenary discussion, Cape Town workshop)
- "The government seems to respond to those who have money while the poor are neglected" (Group 3 discussion, Johannesburg workshop)
- "The interests of the poor are not prioritized by government, particularly local government. Government is more concerned with recovering rates and making money" (Group 1 discussion, Johannesburg workshop)
- "Government is only interested in making money and so sells their land to those willing to pay the most rather than to the groups who need it the most" (plenary discussion, Johannesburg workshop).
- "The municipality makes promises but does not deliver" (Group 3 discussion, Pietermaritzburg workshop)
- "Government keeps on promising delivery but people are not seeing any changes. People are still getting evicted by landlords and farmers, and houses continue to be given to wrong beneficiaries and government is

not stepping in to help the poor" (Group 1 discussion, Johannesburg workshop).

This perceived lack of concern for the poor is seen as manifesting itself in slow delivery: "Government budgets for development and tells people that there is money for development but it takes forever for things to happen. People begin to lose hope as development never arrives" (Group 1 discussion, Johannesburg workshop).

Paradoxically, however, many of the proposed solutions see a greater role for the state. As one participant in the Johannesburg workshop (Group 2 discussion) remarked, at least the government is easier to engage with than the private sector, as there are various processes for engagement and government is accountable to citizens/taxpayers/ratepayers.

Corruption

Corrupt officials and councillors who sell off land to the highest bidder rather than making state land available to the poor were seen as a major obstacle to access to urban land by the poor. In the Cape Town workshop, "corrupt administration and very poor management by government" was identified as a major obstacle in the plenary discussion. Typical statements from participants in the workshops included:

- "Corruption is a big obstacle. Local government and provincial officials sell land to private developers for a cut, and evict poor people" (Group 1 discussion, Johannesburg workshop)
- "Officials responsible for land look for ways to benefit from people's needs to access land, for example through bribes" (Group 3 discussion, Johannesburg workshop).
- "Politicians have a conflict of interest – there are those who are either landowners themselves or want to acquire land" (plenary discussion, Cape Town workshop).

In the Port Elizabeth workshop, specific councillors on the municipality's housing committee were identified as having a conflict of interest in that they were property developers or housing contractors. At the Port Elizabeth workshop it was also said that "a councillor owns almost 30 homes including a house he bought from a woman for R 4000 so that she could bury her brother" (plenary discussion, Port Elizabeth workshop).

One participant in the Port Elizabeth workshop summed up the general feeling by saying that "councillors are greedy".

Party politics and the self-interest of councillors

Party politics was also seen as an obstacle to increased access to urban land by the poor: "People are not treated equally. You have to belong to the dominant political party if you want to access land or services. Politics gets in the way of

development" (Group 1 discussion, Johannesburg workshop); "Political parties use the poor for their own benefit" (plenary discussion, Port Elizabeth workshop).

On a related note, councillors were sometimes seen as being self-interested and not interested in the needs of poor communities: "We don't even want to talk to or about our councillor because he is only good for one thing and that is to make excuses. We vote like everyone else, yet the only thing our vote is good for is to put other people in a position of power. They sleep nice and warm and we have to crawl up like animals in our houses to make sure we are warm at night" (community presentations, Port Elizabeth workshop).

As a result, councillors are often seen as an obstacle to development: "Ward councillors and ward committees often constrain development" (Johannesburg workshop); "Ward councillors are not serving the needs of the poor" (Johannesburg workshop); "Newly elected councillors don't waste time on the community and their problems" (plenary discussion, Port Elizabeth workshop).

Lack of real participation by communities

Lack of real participation by communities was highlighted as a major obstacle at all of the workshops. For example, Group 2 in the Port Elizabeth workshop identified "government creating policies without input of communities" as what they saw as one of the top four obstacles preventing access to urban land by the poor.

Although there are imbizos and other similar events, it was noted that this is not real participation: "Many summits have been held where people put across their views, yet these are often neglected when decisions are taken/ developments embarked upon" (Group 3 discussion, Johannesburg workshop). The Land Summit in 2005 was mentioned as an example of an event where community organizations had aired their views without any visible effect.

In the Cape Town workshop it was added that there is "a gap between the language of communities and the language of government – communities are often intimidated by 'official' language".

Lack of information

A frequently cited issue was a lack of information, such as information about rights or about what vacant land is available and how to access it. For example, it was stated that: "There is a lack of knowledge/awareness of our rights amongst communities" (plenary discussion, Cape Town workshop); "People have no information about government policies and programmes" (Group 1 discussion, Pietermaritzburg workshop); and "Information is not freely available on who owns parcels of land so people are unable to contact the land owners to negotiate sales, and also on who owns bad buildings, so that tenants don't know who to approach if they want to buy their building" (Group 1 discussion, Johannesburg workshop).

Weak state of civil society

A participant at the Johannesburg workshop said that the weakness of civil society was an obstacle to increased land access by the poor, as community organizations were too weak and disorganized to engage effectively with the state: "People living in informal settlements don't work together to fight for access to land. If people worked together government would have to listen. Different associations keep information to themselves with the different groups working towards different goals" (Group 1 discussion, Johannesburg workshop).

This issue was only mentioned as an obstacle at one workshop, but since the proposed solutions at all the workshops unanimously prioritized the strengthening of community organizations and increased action by community organizations, it is clear that the current weak state of civil society is implicitly seen as being part of the problem.

3.2 Formal Market Processes

Community organizations generally see "the land market" as something alien with which the poor do not engage. For example, in The Johannesburg workshop it was said that "in the inner city the buying and selling is only working for those with resources (white people and people from other African countries). There is no way for poor people to buy buildings in the inner city." Similarly, a participant in the Pietermaritzburg workshop said that "only white people buy and sell property" and in the Port Elizabeth workshop it was said that "people do not have enough money to buy land through estate agents" (Group 3 at Port Elizabeth workshop).

There was, however, some debate in the Port Elizabeth and Cape Town workshops on how well the market was working for the poor. Some felt that the poor are not participating in the sale of property due to the five year restriction on the sale of subsidy houses. It was generally felt that people are selling their homes informally (or losing their homes to loan sharks because of non-payment), because of a need to access money due to high levels of poverty and unemployment in communities. Often they end up back in informal settlements or in backyard dwellings. Others felt that the system could work and that there was in fact an opportunity for estate agents to emerge from the community, especially in an area like Hangberg which is located in the sought after suburb of Hout Bay in Cape Town. In Hangberg there is evidence of an informal property market emerging, where residents are already selling their dwellings in anticipation that they are going to own the land. It was felt that in such cases, the buying and selling of land should go through a community structure or process such as a community land register, for example. Some participants in the Port Elizabeth and Cape Town workshops also felt that there was a possibility for estate agents to emerge in low-income areas and to play a valuable role in facilitating the buying and selling of properties: "We must exploit the benefits of the market like Pam Golding does" (plenary discussion, Cape Town workshop).

Although there seems to be widespread awareness of the restriction on the sale of RDP houses, the informal selling of RDP houses was seen as inevitable: "People sell their houses because they are hungry and need the money. Also those who come

from the rural areas sell their houses because they have another home in the rural area to fall back on, or they want to go home to retire" (Group 1 discussion, Johannesburg workshop). Similarly, it was said that "unemployed people in RDP homes are forced to sell as they have no money" (plenary discussion, Port Elizabeth workshop).

On the other hand, many community organization representatives criticised the monetary value of RDP houses. As a participant in the Port Elizabeth workshop said, "RDP homes have no value and they are not easy to sell". It was also noted that due to the seller not getting the title deed, "RDP houses are being sold for R2 500 but effectively it means you have just paid R2 500 in rent as you never own the house. No-one really benefits from this" (Group 1 discussion, Johannesburg workshop).

Lack of information about formal processes was also frequently mentioned: "There is a lot of illiteracy about how buying and selling works. People don't understand that you need a title deed. Government has not provided enough advice for people demonstrating why they should keep their house" (Group 1 discussion, Johannesburg workshop).

Generally, the main way in which the poor engage with the "formal market" is through the Housing Subsidy Scheme, as was made clear at the Port Elizabeth workshop. However, the overwhelming perspective of subsidy housing is negative, for example:

- "RDP houses perpetuate informal settlements as they are too small to accommodate a family" (Group 1 discussion, Johannesburg workshop).
- "Houses that are built for the poor are made of inferior material and always end up leaking" (Group 1 discussion, Port Elizabeth workshop).
- "The RDP houses that are being built are too small for families – it is an insult that father, mother, son and daughter should all have to sleep in one room" (Group 2 discussion, Pietermaritzburg workshop).

Yet in almost all cases people were waiting anxiously for their subsidized housing to come.

3.3 Local/ Informal Processes

The wide variety of informal tenure arrangements was highlighted, especially in the Johannesburg workshop. The main forms of informal tenure were identified as:

- Inner city tenants
- Informal settlements – most informal settlements resulted from land occupations, but there are also some 'shack farms' where residents pay rent to landowners, e.g. Zandspruit in Johannesburg and Kliprand in Port Elizabeth.
- Backyard rental

These categories are discussed below in greater detail.

Inner city

A participant in the Johannesburg workshop (Group 1 discussion) explained the problem of inner city tenants living under insecure tenure arrangements: "Initially people staying in the inner city had formal lease agreements and were paying rent. With the transition to democracy in 1994, landlords started becoming scared of the political changes and so, although they were collecting rent, they stopped paying for services. Things got bad after this as buildings were no longer maintained and the City of Johannesburg cut water and electricity. Landlords disappeared and those who were left were not able to negotiate to be reconnected to services. Government is partly to blame as it allowed owners to run away. This had led to a whole set of informal arrangements which are not working for the poor as they are under constant threat of eviction. Now rich people are coming back and buying buildings for very little money on the condition that they renovate them. Informal arrangements are again being made formal but at the expense of the poor as the poor are not able to afford the new rental payments and therefore have to find alternative accommodation… In the inner city, tenants get evicted when the buildings get sold and need to be renovated. Once renovated the new rentals are too high. It then becomes unaffordable for the poor to stay in the inner city. Even those who earn between R3 000 and R10 000 can't afford to stay in the renovated flats" (Group 1 discussion, Johannesburg workshop).

"Groups of people are also occupying empty factories such as in Bertrams, but they are living in very inhuman conditions. They use cardboard boxes to divide the space and have no water, electricity or toilets. If they are evicted they move to abandoned office blocks" (Group 1 discussion, Johannesburg workshop).

Informal settlements

There appear to be essentially two broad types of informal settlements:

- Those resulting from land occupations, where some form of community structure is usually responsible for monitoring access to the settlement
- 'Shack farms', where people rent a 'plot' from the landowner

In the discussion in the Cape Town workshop, it became clear that land occupations are not as spontaneous and "unplanned" as they are sometimes portrayed by the media and other role-players, and that the sites are often carefully chosen and the occupation is planned in advance. Land occupations involve a constant struggle for the right to stay and to access services and housing. At the Port Elizabeth workshop, the representative of the Moegesukkel community pointed out that their name means "tired of struggling". All of the informal settlement communities have stories to tell about the deprivations they have to suffer, for example, Moeggesukkel has no toilets, water or electricity, people have to pay 70 cents for a 2 litre container of water from neighbours, and an illegal electricity connection from the neighbouring houses is R100 per month. Kliprand in Port Elizabeth has one tap and one toilet for 500 families.

There were two examples of 'shack farms' represented in the workshops. "Zandspruit started as a 'shack farm' where the landowner/ farmer put an *induna* in charge saying he must divide the land into blocks of 3m x 3m and rent these out

for a certain amount of money. The landowner/farmer then comes and collects the money from the *induna*. The system does not work because people keep on coming in. The landowner/farmer then leaves the community with the farm when things get out of control. However, the title deed still remains with the farmer, so the community is always at risk of being evicted. Community leaders are supposed to control access but they don't communicate well with each other and lose control of the community" (Group 1 discussion, Johannesburg).

Kliprand in Port Elizabeth is also a 'shack farm' where residents pay rent of R50 per month to the landowners. "When the councillor gets called in, he says that there is nothing that the Municipality can do as the land belongs to private owners. They don't want to meet with these owners and the community to try to resolve issues. You never get hold of these owners except if you did not pay your monthly rental of R50 - then your shack gets demolished" (community presentations, Port Elizabeth workshop).

Many informal settlements are under threat of relocation. The residents of Airport Village, an informal settlement in Port Elizabeth, have experienced more than one eviction and are currently under threat of relocation by the municipality again. "People from Airport Village were relocated to Walmer Township in 1998 due to it being privately sold to a Brazillian developer. This sale, however, never went through and in 2000 it was put up for sale again. In the meantime people were staying on the land again and had to be removed again. This time they were going to be relocated to Chatty in the Northern Areas. The community was, however, not informed of this new turn of events. The land that was available for housing in Walmer was being sold off to private developers" (community presentations, Port Elizabeth workshop).

In Johannesburg, the threat of relocation from well-located areas to poorly-located areas also seems to be an ongoing threat to informal settlements. In the Johannesburg workshop it was noted that the City of Johannesburg has now changed its approach from forced relocation to "voluntary relocation", but now uses dolomite as a reason for relocating people. Many informal settlements in Johannesburg face relocation because of alleged dolomitic soil conditions, even where only a small part of the settlement is on dolomite.

One of the participants at the Cape Town workshop is a representative of a community that was relocated from Joe Slovo, a well-located informal settlement, to the poorly located area of Delft, to make way for the redevelopment of the Joe Slovo site. As a result of "miscommunication", the residents who were relocated to Delft were under the impression that they were going to Delft temporarily and would then be coming back to Joe Slovo, but for the vast majority of residents this has not been the case.

Backyard informal rental

Informal backyard rental was seen as something inevitable, both because of the desire to earn income from rent and the need for accommodating people coming to urban areas. It was noted that backyard informal rental "will continue while people need to earn a living. Once people are allocated a space they can use this

to make money. While this works for providing an income it means that even when a settlement has been upgraded it continues to be an informal settlement because of all the shacks that are erected" (Group 1 discussion, Johannesburg workshop). Someone else noted that "the actual reason people prefer outside toilets, is to facilitate the practice of renting out backyard shacks with access to toilet facilities" (Group 3 discussion, Johannesburg workshop).

Perceptions of informal tenure

Informal tenure arrangements were generally seen as being quick and flexible:

- "Informal arrangements are much quicker as people are allocated a space and then build a house for themselves. In formal processes people have to wait forever because they are not just given a piece of land but have to wait until the land is serviced and houses are built and this takes forever" (Group 1 discussion, Johannesburg workshop).
- "Informal arrangements work in the context of people coming and going. When relatives come from the rural areas you will find a space for them until they find work and are able to find something better for themselves. Or relatives may lose a job where they had accommodation and now they need somewhere to stay. There is therefore a constant flux of people coming and going so you need to be able to accommodate these people" (Group 1 discussion, Johannesburg workshop).

In the Cape Town workshop, participants agreed that informal tenure arrangements can work well if there are strong community organizations in place to monitor and control access.

On the other hand, perceptions of informal tenure arrangements are closely linked to perceptions about life in informal settlements, i.e. uncertainty regarding the future, a lack of access to services and unsafe living conditions. Group 1 at the Port Elizabeth workshop summed up the generally negative feeling about informal tenure: "People don't know when they will be moved or what the conditions at the place they will be relocated to are like. There is no sanitation. There is no water. There is no electricity. People's health and safety are at risk". There were comments at two of the workshops that "informal settlements are not fit for human occupation".

3.4 Access to Finance

The dominant view is that poor people, by definition, are unable to access finance from banks because of low affordability levels: "There is not sufficient access to finance for the poor because of the high levels of poverty and unemployment" (Group 2 discussion, Johannesburg workshop). One participant highlighted that the needs of extended families place greater demands on income earners than is the case in the typical western notion of the family, thus resulting in lower levels of affordability.

By contrast, a few representatives of community organizations felt that finance was available from banks for lower-income people, but that the poor were not aware of it or did not know how to access it. A participant in the Cape Town

workshop expressed the opinion that there is indeed sufficient finance available for low-income households through initiatives such as the Financial Sector Charter, for example, but according to her the poor are "lazy and illiterate" and do not make use of the opportunities available to them. Others felt that because of a lack of education people are not able to engage with the formal processes of accessing finance: "People are not educated, they don't know how to use this money – therefore they misuse the money. More education is required" (plenary discussion, Cape Town workshop). A suggestion was made in the Cape Town workshop for trustworthy representatives from the community to represent people's interests when negotiating with banks regarding access to finance.

On the other hand, in the Johannesburg workshop doubts were raised about the implementation of the Financial Services Charter, and the lack of a national housing finance institution to provide finance to those unable to obtain finance from banks was seen as a gap.

Although there was often an implicit desire for greater access to mortgage finance, views of mortgage finance were generally negative. Typical views of mortgage finance were expressed as follows: "There are poor people who are living in bond houses who are forever paying but they never own the house because of the interest" (Group 1 discussion, Johannesburg workshop); and "After getting a bond it's so hard to pay it off you end up in the informal settlement again" (Port Elizabeth workshop). SANCO Langa in Cape Town devotes a lot of their energy to acting as intermediaries between people in Langa who are unable to repay their mortgage loans and the financial institutions., by assisting in renegotiating the payment terms. In many other areas in Cape Town, however, people continue to be evicted as a result of a failure to keep up with mortgage loan repayments.

Views of informal finance were even worse. Informal credit was blamed for some people ending up owning many houses: "Loan sharks take ownership of your house when you can't pay them" (plenary discussion, Port Elizabeth workshop).

It was also a widely-held view that there is insufficient funding for RDP housing or, as a participant in the Port Elizabeth workshop phrased it, "the money is there but it is not properly spent". An underlying theme coming through in all of the workshops is that the Housing Subsidy Scheme is extremely important; many participants regarded it as the only way that they would ever be able to get formal access to urban land and housing.

3.5 Urban Land and Livelihoods

Community organizations overwhelmingly saw the importance of the link between urban land and livelihoods: "The very reason people locate themselves in urban areas is to be close to work opportunities" (plenary discussion, Cape Town workshop). Community organizations repeatedly emphasized the importance of proximity to jobs and facilities such as schools. In numerous cases, informal settlement communities were fighting for their right to stay close to jobs and facilities and were resisting relocation by the state to peripheral relocations where there were no jobs or facilities. In Port Elizabeth, numerous informal settlement communities face relocation from their current locations, close to jobs, to Chatty

on the periphery of Port Elizabeth, and some communities are resisting strenuously (one community representative said that they are willing to die for the right to stay close to their jobs).

Communities that have been relocated have often been negatively affected. For example, the residents of the France settlement on the periphery of Pietermaritzburg say that "the government did not consult with us before we were relocated. As a result, most of us have to pay more money to get to work. There is only one primary school in the area and no shops, churches and childcare facilities" (Masisukume presentation, Pietermaritzburg workshop). Similarly, In the Port Elizabeth workshop it was said that "communities are taken away from areas that they are familiar with; away from schools, taxi routes, neighbours. More financial strain is being put on families, for example, people now have to take three taxis to the hospital instead of one".

It was also noted in the Group 2 discussion in the Johannesburg workshop that relocating people to the periphery is not only unsustainable for the people relocated, for is also unsustainable for government because of the increased cost of infrastructure and the need for increased transport subsidies.

One participant in the Johannesburg workshop (Group 2) saw market forces as the underlying problem driving the process of peripheralization of the poor: "The problem is with the pricing of land, with market forces determining the price of land – it is cheaper to put people further away".

In the Cape Town workshop, participants noted that when planning to occupy vacant land and establish an informal settlement, they would carefully look at issues such as access to jobs and facilities. Communities do a careful cost-benefit analysis of the location of the land. Often people locate themselves in close proximity to family members or other social networks which can assist with access to water, electricity, security, and so on. They also consider whether the land is close to work opportunities and other resources. It was noted that in the case of the Hangberg informal settlement in Cape Town, people deliberately occupied a piece of land which allowed them to maintain their existing social networks and family support systems. It should be noted, however, that the choice of vacant land to be occupied is often constrained by a range of factors, so that not all informal settlements are necessarily well-located.

In the one case where a community has acquired well-located urban land (the Ndabeni Trust in Cape Town), community representatives highlighted their vision of an integrated development that would include shops, schools and other facilities. Participants in the Pietermaritzburg workshop emphasized the importance of playgrounds for children, as this is something that is currently scarce.

Land for urban agriculture was also seen as being important. For example, the Qophindlea Co-operative in Durban focuses on housing and agriculture, and due to the difficulties they have faced in accessing land they have resorted to getting permission from schools to use school land for agricultural purposes. In the

Johannesburg workshop it was noted that even in inner city areas it is possible to have roof gardens for urban agriculture.

Although not explicitly raised as a livelihoods issue, it was also clear that the rental of backyard shacks was seen as a form of income generation.

3.6 Urban-Rural Linkages

Urban-rural linkages were highlighted as being complex. In Pietermaritzburg, in areas like the France settlement, some residents only live in the area during the week, and at weekends go to their rural homes (Masisikume presentation, Pietermaritzburg workshop). However, usually urban-rural linkages involve less frequent movement, or sometimes no movement at all, but just a sense that one's "real" home is in the rural area.

The "influx" of people from rural areas (and from outside of South Africa) was mentioned as a concern by some representatives of community organizations. Some participants felt it was unfair when new migrants got access to land and housing quickly whereas people who had been living there for decades were still waiting for access.

In the Pietermaritzburg workshop it was highlighted that many farm dwellers are moving to urban areas, either as a result of being evicted by farmers or being persuaded to seek off-farm housing, but that this is not sustainable. Life in the urban areas is considerably more expensive than in the rural areas and people are often worse off than they were when they were living on the farm.

Some participants in the Cape Town workshop felt that in some cases people can lay claim to different areas, because they had been forcibly relocated from area to area during the apartheid era. Others felt that the connection with the rural area is important for cultural reasons, to practice their tradition and perform cultural rituals and ceremonies. Some participants at the Cape Town workshop felt that the rural area is where "home" is and people move to the city for employment and other economic opportunities. In the words of one participant of the Cape Town workshop, "the township is not our home, it is just a house". Similarly, in the Johannesburg workshop (Group 3 discussion) it was said that "homes in rural areas have cultural importance and therefore people prefer not to give up these homes when they move to the urban areas".

The key implication of the prevalence of urban-rural linkages was seen as the need for the provision of rental housing in urban areas:

- "Rural people move into urban areas because of poverty as they are trying to find work. They don't necessarily want to own a house in the urban area and so social housing needs to be built for those people so that they can rent decent accommodation while staying in the urban area" (plenary discussion, Johannesburg workshop).
- "Temporary affordable rental accommodation is necessary in the city areas where people move to for (seasonal) employment. Government needs to invest in low-cost rental units in the inner city" (Group 3, Johannesburg workshop).

3.7 Gender Issues

Community organisations hold mixed views on gender differences with regard to access to urban land.

Many participants felt that women's rights had increased considerably since 1994 and that women now had a great deal of protection with regard to their property rights. So in most cases these days, in the event of the break-up of a family, the court would allocate the property to the woman as she would usually be looking after the children.

It was noted in the plenary discussion in both the Port Elizabeth and Cape Town workshops, however, that the court decision is not based on gender alone: "the partner who leaves the house loses their right to the property, whether it's the man or the woman" (plenary discussion, Port Elizabeth workshop).

It was noted in a few of the workshops that RDP houses are mostly owned by women. Some participants saw this as unfair and as being against cultural traditions of men being the household head. Others felt that this was fair discrimination as women usually have to take care of dependents.

The issue of the inheritance of property by the spouse and children was highlighted in the Johannesburg workshop. Child-headed households being dispossessed of property by "relatives/ friends of the family who often pretend to have the children's interests at heart" was mentioned as an issue of concern.

3.8 Proposed Solutions

A range of proposed actions that would contribute towards increasing access to urban land by the poor were suggested by participants:

- Identification, acquisition and release of land
- Greater intervention by the state with regard to land rights
- Strengthening of civil society
- Access to information
- Greater participation by communities
- Promotion of community-based development
- Occupation of vacant land
- Promotion of high-density inner city housing for the poor

Identification, acquisition and release of land

At all the workshops, undertaking a land audit to identify vacant and underutilized land was seen as crucial. For example, at the Cape Town workshop it was proposed that "an audit should be conducted of all unused and excessive land holdings". Undertaking a land audit was generally seen as the responsibility of the municipality, although communities were regarded as needing to be integrally involved in this process. It was noted in the Cape Town workshop that community organizations in Hout Bay, with the support of an NGO (the Institute for Justice and Reconciliation) had undertaken their own land audit.

There were calls to scrap the "willing buyer, willing seller" approach to land acquisition by the state. It was not always clear what was meant by this – in some cases it was said that the State should expropriate land more frequently, but sometimes it seemed that it was felt that even this would be insufficient. Some participants in the Pietermaritzburg and Johannesburg workshops were in favour of the State restricting land prices to make it more affordable for the poor: "Government needs to assess land ownership and force people to sell at reasonable prices" (Group 1 discussion, Johannesburg workshop).

There were also calls for the state to set aside land and housing for the poor, for example, to ensure that when land or buildings were sold or when rental housing units were allocated, a certain percentage (for example, 30% which was suggested in the Pietermaritzburg workshop) be set aside for the poor.

Greater intervention by the state with regard to land rights

There were calls for greater state intervention and control with regard to the granting of land rights, as summed up by Group 3 in the Pietermaritzburg workshop: "Land markets must be regulated so that land is affordable to all". Two international examples were noted: "In the United Kingdom, planning rights have a time limit, and if you do not build in time you can lose those rights; in many countries, leasehold rather than freehold is more common in city centres, i.e. the state leases out land rather than selling it (this makes it easier to monitor the use of land)" (Group 2 discussion, Johannesburg workshop). A suggestion made in the Johannesburg workshop was that foreigners and multi-national corporations should not be allowed to purchase land but only to lease it. Another suggestion (Group 3, Pietermaritzburg workshop) was that "vacant land owned by absentee owners needs to be acquired".

Strengthening civil society

The importance of community networking and mobilization was seen as crucial. Typical comments (all from the Group 2 discussion at the Johannesburg workshop) included the following:

- "CBOs must be strengthened in order to be able to engage government and in order to build their structures and their capacity to mobilize"
- "There should be more networking between CBOs – CBOs must speak with one voice"
- "There should be mobilization of communities around evictions of informal settlements and inner city areas"
- "Some policies, like IDPs, need greater monitoring and action by civil society to ensure implementation"

Capacitation and education were seen as preconditions for the networking and mobilization of communities. Greater support from NGOs and churches for CBOs was seen as important.

Almost all participants felt that mass action may sometimes be necessary. As a participant in the Johannesburg workshop said, "*toyi-toyi* is the only language the government understands". Some participants, however, cautioned against politicizing the process due to the fear of being victimized and being seen as "radicals" or "the ultra-left", suggesting that negotiation should be tried first, with protest action as a last resort.

Access to information

Access to information was seen as crucial by numerous participants. The types of information needed included:

- Information about people's rights (for example, the right to land, the right to housing, the right to development, the right to participate and the right of access to information)
- Information about vacant land, including information about tenders for land (it was noted that government tenders were usually only advertised on the internet and in newspapers, and do not reach the poor)
- Information about government procedures (to make it easier to engage with government)
- Information about the Housing Subsidy Scheme
- Information about credit from banks and how to access it
- Information about the property market: "How the property market works needs to be part of the education system as people will continue to be exploited until they know how things work" (Group 1, Johannesburg workshop)

Language issues were seen as important in terms of facilitating access to information. There were comments about the importance of communities getting information in their vernacular language and about the importance of "simplifying" official language.

Greater participation by communities

Increased participation by and consultation with communities in decision-making regarding urban land issues was generally seen as important towards ensuring that decisions take communities' real needs and issues into account. This was usually phrased as a need for increased "consultation with communities", although some specific suggestions (for example, for participatory land audits and co-operative self-help housing) clearly implied real participation rather than just consultation. Typical comments included the following: "We need government to come closer to the people, not through indabas but through sharing the daily challenges and problems that communities are suffering from"; and "For any development there should be consultation… Government officials rather than consultants should consult with the community" (Group 2 discussion, Pietermaritzburg).

Promotion of community-based development

There also appears to be a strong trend towards communities taking responsibility for addressing their own needs. As one participant in the Pietermaritzburg

workshop said, "poor people must come together and start businesses and development projects". More specific suggestions included starting savings schemes, opting for communally-owned land and initiating self-help housing projects (the Pietermaritzburg workshop was attended by a number of co-operatives from Durban who are being proactive in starting to address their own development needs).

Due to the fears about the trustworthiness of the state, there were some suggestions for increased ownership of land by community organizations (e.g. Communal Land Trusts) and non-profit housing organizations in the Pietermaritzburg and Johannesburg workshops: "Government should support CBOs and NGOs in acquiring land" (Group 3 discussion, Johannesburg workshop).

Occupation of vacant land

There were strong and repeated calls for communities to occupy vacant urban land and then to negotiate, most notably by the SACP in Port Elizabeth, who plan to occupy a golf course site in October 2007. Only one participant, at the Cape Town workshop, explicitly disagreed with this approach saying that "one can't right a wrong with another wrong" and that there needs to be negotiation with the government around access to vacant land.

Promotion of high-density inner city housing for the poor

It was noted in the Johannesburg workshop that poor people are starting to be excluded from the inner city and that the current social housing policy does not accommodate the poor.

Some participants felt that it was essential that the poor were not excluded from the inner city: "There must be densification in the inner city, but not for elderly people; and cultural practices must be accommodated, and there must be communal courtyards and greening of the inner city" (Group 2, Johannesburg workshop).

Concerns were raised at the Johannesburg workshop about people being 'forced' to live in flats, because although flats may be appropriate for some, such as young people temporarily living in the urban area, it was not possible to perform certain cultural arrangements in flats (although it was also noted that culture is not static, and can change with time).

4. RECOMMENDATIONS

Some of the findings of the Voices of the Poor engagement process were more or less what were expected beforehand, for example, the importance of urban land for livelihoods. Other findings were more surprising, for example, the number of informal settlement communities still struggling for basic services and the right to stay close to their jobs and social networks, and the deep feelings of mistrust regarding local government. Another unexpected finding is the great degree of uniformity of people's experiences and perspectives in different parts of the country. Although different issues were emphasized more in particular urban

centres (for example, inner city rental housing in Johannesburg and urban-rural linkages in Pietermaritzburg) and different municipalities vary in their strategies and their effectiveness, there was remarkable consistency between the experiences and views of community organizations in all the workshops.

One of the key themes that emerged was that there is deep antipathy to formal land market processes amongst community organizations – some representatives of community organizations see the very existence of the formal land market as an obstacle to access to urban land by the poor. Increasing access to urban land for the poor is overwhelmingly seen in non-market terms, as increased state or CBO delivery of subsidized housing (although some representatives of community organizations do see increased access to credit from financial institutions as potentially playing a role, and recognize the opportunities for emerging estate agents). The experiences and perspectives of NGOs as a whole seem to mirror the experiences and perspectives of community organizations in many ways (although NGOs usually have very specific areas of focus, while community organizations generally have a broader focus).

There is thus not, at first glance, a neat fit between the experiences and perspectives of civil society and a "making markets work for the poor" approach. There are, however, a number of ways in which Urban LandMark could follow up and build on the Voices of the Poor project, divided into the following categories:

- Feedback to participants
- Key policy issues for incorporation into Urban Landmark's advocacy and lobbying agenda
- Strengthening civil society
- Further documentation and dissemination of community struggles for urban land

4.1 Feedback to Participants

At all of the workshops the issue of feedback came up. Participants were wary of the workshop being another meaningless talkshop that they would never hear anything about again.

It is proposed that a summarised version of the outcomes of the workshop (including details of follow-up actions planned by Urban LandMark) be prepared, translated into relevant languages and distributed to participants through the four NGOs that assisted with organizing the workshops (a fuller version of the final report can be e-mailed to those who request it). The dissemination of this summary is also an opportunity to disseminate information. Lack of access to the rights that people have was a key issue raised in the workshops, and a section on the constitutional rights people have in terms of access to land and housing, as well as to participation and information could be valuable.

4.2 Policy Issues for Incorporation into Urban LandMark's Advocacy and Lobbying Agenda

Based on the experiences and perceptions of civil society organisations, key policy issues that should be highlighted in Urban LandMark's advocacy and lobbying programme include:

- Enhancing and expanding the Housing Subsidy Scheme
- The development and implementation of pro-poor municipal land strategies
- Increased community participation with regards to urban land issues

Enhancing and expanding the Housing Subsidy Scheme

Although the Voices of the Poor stakeholder engagement process revealed great unhappiness about the scarcity and quality of subsidized housing, it also emphasized the importance of the Housing Subsidy Scheme. For many people, it is their only hope of ever getting formal access to land and housing.

It is essential that subsidized housing delivery is increased from current levels and that the quality of the housing and residential environments that are being created are improved. Based on the findings of the Voices of the Poor project, ways in which the Housing Subsidy Scheme can be improved include the following:

- There should be greater recognition of the linkages between urban land and livelihoods, for example, in terms of identifying suitably-located land for housing close to economic opportunities, and through ensuring sufficient land for non-residential land uses (such as urban agriculture and parks/playgrounds).
- There should be greater recognition of rural-urban movement (and of the different regional patterns of rural-urban movement). This may entail the increased provision of rental housing to ensure that people who temporarily migrate to urban areas in search of jobs are able to live under adequate living conditions while still having flexibility of tenure.
- There need to more effective ways of ensuring greater retention of subsidized housing by the poor. The pre-emptive clause preventing sale of the subsidized house within the first five years is clearly unenforceable and has had little impact in practice. Alternative ways of ensuring that recipients of subsidized housing units are able to retain them need to be explored.

The development and implementation of pro-poor municipal land strategies

As part of their Integrated Development Plans, all municipalities need to have proactive strategies to ensure that sufficient vacant land for low-income households is identified, acquired and released, and that informal settlements are upgraded wherever possible. A proportion of state-owned land and buildings also needs to be set aside for low-income groups. Although inclusionary housing is clearly important, on its own it will have a relatively small effect in terms of providing low-income housing opportunities.

Suggestions for programmes and tools that municipalities could use to ensure greater access to well-located urban land by the poor need to developed and disseminated to key municipal decision makers.

Increased community participation with regards to urban land issues

One of the biggest obstacles in the ability of the poor to access well-located urban land is the divide between communities and decision makers. It is essential that communities are able to participate in processes so as to be able to make their needs known, for example, in the proposed relocation of informal settlements. Greater space for involvement by proactive community groups should also be opened up.

The capacity building of community organizations is a prerequisite for effective community participation and involvement. In addition to increasing opportunities for participation and involvement, it is therefore essential that community organizations' ability to make effective use of these opportunities is improved. The key forms of support required by community organizations are:

- Access to information about urban land issues
- Capacity building to be able to engage with government and other relevant institutions (i.e. leadership development and advocacy and lobbying training)
- Assistance with the creation of platforms for networking and for engagement with government
- Access to resources, for example, support for fundraising

4.3 Strengthening Civil Society

Ultimately, community organizations need to speak on their own behalf, and need to be able to engage with government directly around increased access to urban land. Strengthening civil society is therefore essential, and Urban LandMark could potentially play an important role in collaborating with NGOs on developing the capacity of community organizations to engage on urban land issues.

A programme by Urban LandMark to contribute towards strengthening civil society should ideally be phased in three phases which build on each other (although they might partially overlap):

- Dissemination of information on urban land issues
- Support for community networking
- Support for developing and implementing a community-based advocacy and lobbying strategy on urban land issues

The first two phases could occur within a one year timeframe, but the third phase is envisaged as having a longer timeframe (as a more co-ordinated community-based advocacy and lobbying strategy would need to be based on relatively extensive information dissemination and networking).

4.4 Further Documentation and Dissemination of Community Organizations' Experiences

The documenting and dissemination of the experiences and perspectives of communities is clearly important. Community organizations overwhelmingly believe that politicians and officials do not understand their problems with regard to access to urban land, and ensuring that key experiences are documented and disseminated will potentially help address this.

Urban LandMark should partner with relevant NGOs on action research to document key struggles of communities in accessing urban land. Some of the cases outlined in the Voices of the Poor workshop reports are worth documenting in greater detail, and there may be other key cases that urban development NGOs are aware of. These case studies, and other suitable existing case studies, should be disseminated through:

- A document describing the struggles of various community organizations in different contexts and regions in accessing urban land
- A series of media articles to raise public awareness about the problems communities face in accessing urban land
- A conference where case studies can be presented (ideally by community representatives) to key decision makers

4.5 Recommendations for Future Engagement with Civil Society Organizations

Broad-based advocacy and lobbying is important both as a way of strengthening one's voice and as a means to increasing perceived authenticity and legitimacy. It is therefore important that Urban LandMark continue to involve NGOs and community organizations on an ongoing basis in advocacy and lobbying around urban land issues, and this will necessitate ongoing engagement.

Engaging with community organizations is difficult. Community organizations are very sceptical about policy and research processes and the motives of the organizations involved in them. As the representative of the Sakhumnotho Co-operative said at the Pietermaritzburg workshop, "There are too many researches and workshops but less implementation and change on the ground." Similarly, one of the participants at the Port Elizabeth workshop said that "after lying like a wet dog in my house last night [there had been heavy rains the night before], I did not want to come up to yet another workshop that promises to end all my troubles".

It is important that a range of community organizations is engaged with – from umbrella organizations such as CUP, FEDUP and the LPM to locally-based CBOs.

APPENDIX A: VOICES OF THE POOR WORKSHOP PROGRAMME

8:30 am – 9:00 am	Registration and tea/coffee
9:00 am – 9:20 am	Introduction and overview of key themes
9:20 am – 11:00 am	Presentations by civil society organisations on their perspectives and experiences with regard to accessing urban land
11:00 am – 11:30 am	Tea break
11:30 am – 1:00 pm	Small group discussions on key themes
1:00 pm – 2:00 pm	Lunch
2:00 pm – 4:00 pm	Small group feedback in plenary/general discussion
4:00 pm – 4:30 pm	Summary, way forward and closure

QUESTIONS FOR SMALL GROUP DISCUSSIONS

1. What do you think are the major obstacles preventing access to urban land and markets by the poor? **(All groups)**
2. How well are informal arrangements for accessing land, e.g. establishing informal settlements, working? Why? **(Group 1 only)**
3. How does the buying and selling of property (e.g. of RDP houses) work for the poor? Is this working well? Why? **(Group 1 only)**
4. Is there adequate access to finance for accessing urban land and housing? Why? **(Group 2 only)**
5. In what ways does access to urban land and housing (especially in terms of location) affect social and economic networks and activities? **(Group 2 only)**
6. What are the implications of urban-rural linkages (e.g. where a family has a rural home as well as an urban home) for access to urban land by the poor? **(Group 3 only)**
7. How does access to urban land and housing differ between men and women (and man-headed and woman-headed households)? **(Group 3 only)**
8. What are your suggested solutions for improving access to well-located urban land by the poor? **(All groups)**

APPENDIX B: DETAILS OF KEY CIVIL SOCIETY ORGANIZATIONS

Selected NGOS and umbrella community organizations of relevance to urban land issues are listed below. Organizations with an asterisk (*) participated in the Voices of the Poor process.

Organization	Contact person
Afesis-Corplan, East London	Ronald Eglin
*Anti-Privatisation Forum (APF), Gauteng	Manzi Maputuma
*Association for Rural Advancement (AFRA), Pietermaritzburg	Lisa del Grande
*Built Environment Support Group (BESG), Pietermaritzburg	Cameron Brisbane
*Centre for Applied Legal Studies (CALS), Johannesburg	Jenny Dugard
*Coalition of the Urban Poor (CUP), Gauteng	Rosy Mashimbye
*Development Action Group (DAG), Cape Town	Anthea Houston
Federation of the Urban Poor (FEDUP), Western Cape	Theunisen Andrews
*Inner City Resource Centre (ICRC), Johannesburg	Shereza Sibanda
Kuyasa Fund, Cape Town	Olivia van Rooyen
Land Access Movement of South Africa (LAMOSA), Johannesburg	Constance Mogale
*Landless Peoples Movement (LPM), Gauteng	Maureen Mnisi
*Landless Peoples Movement (LPM), KwaZulu-Natal	Tholakele Ndaba
Legal Resources Centre (LRC), Cape Town	Anthea Billy
*Planact, Johannesburg	Becky Himlin
*Urban Services Group (USG), Port Elizabeth	Clive Felix
Utshani Fund, Cape Town	Ted Baumann
*Yeast City Housing	Alison Wilson