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The Limpopo Prevention and Control of Informal Settlements Bill, 2011, stems from a perceived obligation by South African government departments to achieve informal settlement eradication by 2014. This obligation and the target of achieving eradication has been communicated politically and incorporated into performance management systems for officials at local and provincial level. It places considerable pressure on the bureaucracy to find way to achieve this target. The measures set out in the Limpopo Informal Settlements Bill, 2001, are a response to this pressure.

The informal settlement eradication target with the date of 2014 is understood as South Africa’s response to the Millennium Development Goal Seven Target Eleven, to which the UN attached the slogan ‘Cities Without Slums’. The UN’s MDG target, however, is to ‘significantly improve the lives of at least 100 million slum dwellers by 2020’. The discrepancy between 2014 and the actual date of MDG Target 11 date, namely 2020, stems from South Africa’s internal target-setting in relation to Vision 2014, which contains the goals the ANC has set itself for the end of its second decade in government. The more important discrepancy is that the 10 million slum dwellers referred to in the MDG Target 11 make up a mere 10% of the global slum population of the year 2000, according to the UN’s estimates. Significantly improving the lives of 10% of the global slum population of the year 2000 by 2020, if achieved, will not result in the disappearance of slums form our cities. UN-Habitat, in its 2003 publication *The Challenge of Slums* (Global Report on Human Settlements 2003) explains that the slogan ‘cities without slums’ is merely a long term vision, not to be confused with the target of improving the lives of 10% of the globe’s slum dwellers by 2020.

Improving the lives of slum dwellers in their slums, i.e. through slum upgrading (the same report by UN-Habitat refers to ‘participatory slum upgrading’ as the preferred best practice), is a complex and onerous task. It responds sensitively to the existing, often precarious livelihoods that slum dwellers have found, and around which they have built their lives. In situ upgrading or improving the lives of slum dwellers is able to prevent the often detrimental disruption that relocation causes in poor households’ lives. The modesty of the MDG Target 11 acknowledges the difficulty in achieving in situ upgrading in a sensitive manner that does
not exacerbate poverty. It also acknowledges that hasty attempts at eradicating slums or informal settlements are not desirable, as they often override poor people’s rights by undermining their shelter solutions and survival mechanisms. They are invariably insensitive to the way poor households arrange their lives in the city, access schooling and rely on neighbourliness and social networks.

While the ANC’s vision of making informal settlements something of the past is noble, the danger with attaching a short timeframe to this vision is that the target, rather than a host of existing commitments and legally entrenched obligations end up determining the means. The KwaZulu-Natal Slums Act exemplified this. The KZN Legislature hastily increased powers of the MEC in relation to eviction, in disregard of the Constitution. The SERI submission on the Limpopo Informal Settlements Bill, which I endorse, sets out ways in which this Bill similarly resorts to measures that run counter to the MDG goal of improving the lives of people that have no choice but to resort to life in an informal settlement.

It must also be highlighted that since political adoption in South Africa of the target to eradicate informal settlements by 2014, an Informal Settlement Upgrading Programme was approved by Cabinet (in 2004) and incorporated into the Housing Code. This Programme (Chapter 13 of the Housing Code, in 2009 replaced with the Upgrading of Informal Settlements programme under Volume 4 Part 3) contained the target of achieving full implementation by 2007. However, the political drive to eradicate informal settlements drew attention away from this entrenched target and Chapter 13 remained unimplemented, with one exception having been initiated by the NGO Development Action Group in conjunction with the City of Cape Town in the Hangberg Informal Settlement in Cape Town. Three years after initiation, this project has not yet progressed to making significant improvements in the lives of Hangberg’s residents, demonstrating the real challenges to getting this right.

In revised from, the Limpopo Province Informal Settlements Bill could play an important role of bringing together the key legal provisions that relate to informal settlements and the improvement of the lives of people living in them through in situ upgrading. The new Presidential target of achieving improvements in the lives of 400 000 households in informal settlements by 2014 through in situ upgrading is a relevant shift away from informal settlement eradication and control. It forms an appropriate response to the MDG Target 11. Achieving this target can be facilitated by a Provincial Statue that brings together relevant sections of legislation and policy to clarify and enable the complex task of intervention within existing informal settlements. I would urge the Legislature to consider the current Limpopo Informal Settlements Bill, 2011, in this light and propose a substantial revision that supports in the first instance the improvement of lives of those living in informal settlements and those who, due to the South African history and the continued unequal economy will be required to do so in future.