



WOMEN, SLUMS AND URBANISATION

Examining the Causes and Consequences

Centre on Housing Rights and Evictions (COHRE)
Women and Housing Rights Programme

May 2008

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Feel Cook Every Day

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▲ The world's slums are characterised as lacking adequate housing, sufficient living area, access to improved water, access to sanitation, and security of tenure.

Photo: COHRE



EXECUTIVE SUMMARY

A first of its kind, this COHRE report examines the worldwide phenomenon of urbanisation from the point of view of women's housing rights. The report focuses, in particular, on the experiences of women and girls living in slum communities throughout the world, premised on the idea that both the causes and consequences of urbanisation for women are, in fact, unique and deeply related to issues of gender. Unfortunately, the question of women's migration to the cities has, for too long, remained largely under-addressed and unexamined. Activists and scholars alike have tended to

overlook and neglect women's particular experiences within the context of ever increasing urban growth. Shining the light on these experiences makes this study truly distinctive.

Working across the Americas, Asia, and Africa, COHRE interviewed women and girls living in six global cities, representing some twenty different (and indeed, diverse) slum communities. The stories shared by these women and girls elucidated the very personal struggles which women face in their day-to-day lives, as well as the broader connections that these struggles have to issues of gender-based violence, gender discrimination, and women's housing insecurity. In turn – as this report makes clear – for women, these issues are themselves intimately connected to the global trend towards urban growth.

The report begins with an introductory section, Section 1, which broadly outlines the rationale and methodology for the study.

Section 2 of the report presents important background information on the global realities of urbanisation, including trends and analysis. Urbanisation, neither in and of itself a panacea nor a malevolence, is here to stay. Countries throughout the world are rapidly urbanising, particularly in the developing world, and for the first time in human history, the majority of people today are no longer living in rural areas, but rather in cities. The trends show no sign of abating, and the world of the future will likely be one with exploding urban populations and the rise of more and more 'mega-cities'.

Section 3 assesses some of the primary 'drivers' for women's migration to the cities, including issues such as violence against women, forced eviction, and the feminisation of poverty. These drivers illuminate some of the causes of urbanisation from a gender-sensitive perspective, reflecting the various catalysts (or magnets) which serve to propel (or attract) women into the cities.

Section 4 of the report presents the key findings of the study based on research conducted in the field. In Asia, COHRE worked to highlight the experiences of women living in the slums of Mumbai, India and Colombo, Sri Lanka. In the Americas, COHRE's research focused on women living in the slums of São Paulo, Brazil and Buenos Aires, Argentina. In Africa, COHRE interviewed women in the slums of Accra, Ghana and Nairobi, Kenya.

Section 4 contains the findings of each of these case studies, as well as summary profiles about each of the different slum communities which COHRE visited. Various significant themes emerged during the case studies, related both to the question of why women move into slum communities and to the challenges they face once they arrive. Each of these themes is examined in detail in Section 4.

Lastly, Sections 5 and 6 present the report's final conclusions and recommendations, respectively. Based on the extensive research presented in this report, COHRE issues the following key recommendations to governments around the world that are grappling with issues of urbanisation and the growth of urban slums:

- ***Provide security of tenure, as a matter of priority, to women and their families living in slums.***
- ***Combat violence against women in all its forms, and provide effective legal and other remedies to victims of gender-based violence.***
- ***Invest in slum upgrading programmes and housing development programmes for the poor, ensuring women's effective participation.***
- ***Ensure joint ownership of and control over housing, land, and property, as well as equal rights between men and women in marriage.***
- ***Strengthen national legal protections for women's housing rights on the basis of non-discrimination and equality.***
- ***Enforce women's inheritance rights and equal rights to marital property.***
- ***Improve access to basic services, such as water and sanitation, and provide safer environments for women living in the slums.***

- *Fight against* women's poverty and provide economic empowerment opportunities to poor and disadvantaged women.
- *Improve* the collection of data on the impacts of urbanisation, with particular emphasis on collecting gender-disaggregated statistics.
- *Raise* awareness about women's human rights, including women's housing rights, at community and institutional levels.



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The Women and Housing Rights Programme would also like to express its sincere thanks to the many organisations that supported our research, accompanied us into the communities where we conducted first-hand research, and shared vital information with us. These organisations include:

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- Youth Unity for Voluntary Action (Mumbai, India)
- Christ the King Church Human Rights Programme (Nairobi, Kenya)
- GROOTS-Mathare (Nairobi, Kenya)
- GROOTS-Kenya (Nairobi, Kenya)
- Ghana Federation for the Urban Poor (Accra, Ghana)
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1 INTRODUCTION

The UN Human Settlements Programme (UN-HABITAT)

estimates that the year 2007 saw the number of slum dwellers in the world reach the one billion mark.¹ This means that, on average, one in every three city residents is now a slum dweller. To be sure, the growth of cities and towns throughout the world has created both opportunities and enormous difficulties. While most urban growth is due to natural population growth, not migration, migration into the world's major cities nonetheless continues unabated. While urbanisation in and of itself is not inherently problematic, the pace and sheer scale of urbanisation has, in many places, far exceeded local government capacity or willingness to provide basic amenities to city residents, including adequate housing, water, electricity, and sanitation. This problem has been particularly pronounced in developing countries. As a result, urbanisation in many places has resulted in the creation of vast urban slums, where thousands and sometimes millions of urban residents live in sub-standard housing conditions, without access to even the most basic services.

For women, the phenomena of urbanisation and the growth of city slums have unique causes and unique consequences. Yet, these issues have been largely unaddressed by academics and advocates alike, and there is limited data on women and urbanisation. We know that many migrants to urban areas arrive seeking jobs or fleeing economic hardships in their places of origin. Yet, women are sometimes said to be newer entrants in the global migration trend. Today, about half of international and national migrants globally are women. While previous studies revealed that most women accompany or join family members – most often their husbands – in the city, this trend appears to be changing. New trends show an increasing number of female migrants migrating on their own, as an increasing number of women are now the principal wage earners for themselves and their families. Women move to urban areas for a number of different reasons, ranging from seeking income

¹ UN-HABITAT, *State of the World Cities 2006/7* (Nairobi: UN-HABITAT, 2006).

opportunities, to fleeing conflict, environmental degradation, or family problems (especially those resulting from discrimination), to coping with health related problems like HIV/AIDS and other factors that too often leave women isolated and financially destitute.

Often desperate to escape personal problems and depressing social conditions in their own home areas, women from country towns and rural areas set out in search of better livelihoods. Women are often convinced that cities have better opportunities to offer than what they can achieve in their own home villages or towns. They are hopeful that even with a little capital – or none at all – their prospects of making ends meet are still better in the big cities. Women thus join the population of migrants who find their way into urban areas each year. Their hope is for a better life in terms of opportunities, living conditions, access to services, and autonomy. Many hope for a quick acquisition of resources to improve their situation back home. Because women often come to the city with very limited resources and job skills, however, many women end up in urban slums where they can be close to commercial areas and work opportunities.

Slum life has never been easy for the urban poor insofar as housing and living conditions are concerned. For women, the problems are especially acute. In slums across the world, there is a noticeable lack of basic infrastructure, services, and basic shelter. Moreover, with the growing influx of slum dwellers to the informal and unplanned settlements they find themselves in, governments around the world are using increasingly callous methods to ‘beautify’ cities, erase the urban poor from sight, and clear urban lands (which are skyrocketing in value) for ‘development’. Women living in slums are often susceptible to forced evictions by governments and other actors, and too often face gender-based violence before, during, and after eviction.

In many slums, the majority of occupants living in densely packed shacks in fact do not own them, but rather rent them from landlords. Owners often rent out their shacks at high costs relative to the income of the majority of occupants, and this is especially problematic for indigent women who tend to be the lowest income earners. Add to this the fact that women are even less likely to have recognised rights over their homes, as these rights, in practice, are vested with the husband. For women, while they may not have control

over their housing situation, nonetheless have to deal with all of the problems inherent in inadequate housing. Construction and repair of slum housing is appallingly inadequate most of the time, exposing occupants to leaking roofs, abysmal sanitation, security risks, flooding, and fire outbreaks. It is women who are disproportionately affected by all of these problems, as they spend more time in the home and community caring for their families and their households.

In order to better understand the causes and consequences of urbanisation from a gender-sensitive perspective, the COHRE Women and Housing Rights Programme implemented a global study to address the following fundamental questions: First, what are the major factors which contribute to women migrating to urban slum communities? (i.e. what are the *causes?*); and second, what are the leading housing rights violations/difficulties which women experience when they move into slum communities? (i.e. what are the *consequences?*).

The study was implemented through the coordination and realisation of regional fact-finding missions by COHRE's Women and Housing Rights Officers in the various regions. Focus group discussions and first-hand one-on-one interviews with women living in more than twenty slum communities were carried out in six major global cities: Sao Paulo, Brazil; Buenos Aires, Argentina; Colombo, Sri Lanka; Mumbai, India; Accra, Ghana; and Nairobi, Kenya.

The results of the study documented in this report have shown a range of 'push' and 'pull' factors related to urbanisation from the standpoint of women's migration. In most cases, women reported to COHRE that they came to settle in urban areas in search of a better life – whether it be in search of economic opportunities, to reunite with family, or to seek better services. In other cases, however, women had little input and control over the decision, and they came rather because their husbands had decided to move.

Even though many women migrate to the cities in search of better economic opportunities, increased income does not always equal increased personal autonomy. Indeed, what economic opportunity really means for women – and whether it translates into a higher standard of living and/or greater

independence – is a mixed question. In Mumbai, for example, many women reported to COHRE that, while they see the city as a place of new horizons, the reality is they have little control over the money they are able to earn and must hand over what little they do earn to their husbands. Unfortunately, gender-based discrimination in the home and in the community continues to make it very difficult for women to exercise their independent will and make basic decisions over their own lives.

While the pull factors for women are considerable, COHRE also uncovered significant push factors. Many of these push factors are gender-specific, as women sometimes migrate to the cities not so much in search of something as to escape from something which threatens to harm them. Some of these push factors include domestic violence and cultural practices, such as early marriage, polygamy, and disinheritance. In Ghana, for example, widows who had been disinherited of their land and property in the north, or those whose disinheritance issues had caused a rift between them and their in-laws, decided to move to Accra to start a new life. They either came with their children or left them behind with their relatives. Young women who were disinherited of their fathers' property also decided to move into cities in order to support themselves and build new lives.

Other push factors COHRE has documented include HIV/AIDS, disaster, and forced eviction, all of which have gender-specific dimensions. The impact of HIV/AIDS was perhaps most plainly evidenced in Kenya, where HIV and AIDS emerged as key factors relating to the migration of poor women to the slums of Nairobi. In Kenya, many women whose husbands have died of AIDS-related diseases were presumed infected by their communities. Their in-laws may send them away on accusation that they will infect more people in the family and spread the disease to the entire community. Their children, who are also presumed infected, are similarly denied a share in their fathers' property on the grounds that they have little time left and will die soon anyway.

Many times, however, a mix of push and pull factors becomes evident. For example, women who find themselves infected by HIV are sometimes convinced that relocation into the city solves the glaring social stigma they suffer in the home communities and is also beneficial in terms of being able to

access health treatment and other services, which they would otherwise not get in their previous communities.

While the context underlying women's migration varies, the challenges women face once they settle in slum communities are remarkably consistent. In all of the communities COHRE visited, women – who constitute the majority of lowest income earners – find it very difficult to afford adequate housing. In Ghana, where COHRE's Women and Housing Rights Officer for Africa conducted extensive focus group discussions and administered interviews, women living in one slum community reported resorting to group-renting a room in a shack in order to share the living expenses. This meant that anywhere between ten to thirty young women would collectively rent a single, tiny room in a dilapidated shack on either a weekly or monthly basis.

Women's health is also a major issue in the slums. The living conditions in many of the slums COHRE visited are nothing short of alarming. In Buenos Aires, interviews focused on women living in one of the oldest and largest slums in the city. The slum is continuously growing, and has doubled in population since the year 2001. Newcomers are forced to live in the most degraded and furthest lands, making it extremely difficult to access public services, such as water and sanitation systems. In Mumbai, health is also of great concern. There are literally no health care provisions or facilities for people who are unable to provide proof of residence because of where they live; again, access to water and sanitation emerged as a formidable challenge. The same has been true in many other places COHRE visited, including Accra and Nairobi.

Equally disturbing, if not more so, is the fact that violence against women in the slums is rampant. It is this single issue which emerged as perhaps the strongest cross-cutting theme in COHRE's study. As the Women and Housing Rights Officer for Asia and Pacific aptly noted after finalising her research in Mumbai: “[Security] is a two-dimensional challenge faced by women. One is linked with her safety within [the] four walls of her house (protection from domestic violence) and while [the] other is [the] safety of the women outside her house within the settlement. As most of the women live in these non-secured areas, they feel threatened when they go out [late at night] or when they come back from their work or any other place back to their houses at odd

hours.” Time and time again, violence against women and women’s insecurity in the slums emerge as principal and recurrent issues. In Accra, porter women have reported incidents of rape and sexual abuse, with little to no response from the police. In Mumbai, women have expressed fear about going to the toilet at night for fear of being attacked, as it is not safe for them to venture outside of their homes. In Nairobi, domestic violence in the slums emerged as a serious concern.

Living in these difficult conditions, most of the women interviewed by COHRE are nonetheless hopeful that their lives will get better and can change for the good. Change *is* possible, and governments throughout the world must rise to the challenge posed by urbanisation and the growth of slum communities. The answer is not to discourage migration to the cities, nor is it to try and reverse the clock. Rather, governments have a duty to address fundamental violations of human rights – in this case, of women’s human rights – which, at times, underlie migration in the first place and which similarly prohibit women from realising the full range of their human rights within the urban context. Change must come at a structural level if it is to have a strong impact and effectively safeguard the human rights of women living in slums. It is clear that there is a need to focus on housing policy issues in order to address many of the problems which women face. In order to make these housing policies work from the standpoint of indigent women, it is also critical to address the concept of housing adequacy itself from a gender-sensitive perspective. It is this perspective which is woven throughout this report and which informs the analysis, conclusions, and recommendations yet to come.

I lost my husband, and I am looking after five children. I come from Ashaiman. Currently, there is no room for us to sleep in. Children sleep anywhere. I have no help because I have no money. The landlord took away all the property when we failed to pay. Before I came here, I lived in the Central Region, in a place called Aguna Swedur. I lost my husband and was left to look after our five children. My husband's relatives shared the property [amongst themselves]; I did not have anyone to look after me. That is why I came to Asahaiman to fight for my survival, but I have no house for us to stay in. My children sleep anywhere. I beg you to get me a place where I can sleep. My husband did not leave behind a house or land, and when the household property was taken by my relatives and I came here, I worked hard and bought land back at home. I cannot sell it or go back home where the land is, because there is no work to do there. At least here, I can do petty trade and afford to feed my family. I cannot sell the land in my home town because I am saving it for my girl children [I have no boys]. If the government got me an affordable house, I would be willing to pay rent.

– A woman living in the slum community of Ashaiman (Accra, Ghana)





2 URBANISATION IN CONTEXT: EXAMINING THE GLOBAL REALITIES

The world's population has now shifted from predominantly rural to predominantly urban.² For the first time in history, the majority of people will live in cities and towns. This shift reflects the astonishing trend towards urbanisation that has occurred over the last several decades. In 1975, the urban population represented just over a third of the world's population.³ In 1950, "there were 86 cities in the world with a population of more than one million; today there are 400, and by 2015 there will be at least 550."⁴ In the future, cities will house virtually all additional population growth.⁵ This immense urbanisation will be felt most strongly in developing countries: between 1950 and 2000, the percentage of the population in developing countries living in cities and towns rose from 18 per cent to 40 per cent, and this percentage is expected to rise to 56 per cent by 2030.⁶

At the most basic level, the growth of cities and towns is attributable to two main causes: 1) migration from rural areas, and 2) natural population growth.⁷

² Mike Davis, *Planet of Slums* (New York: Verso, 2006), p. 1; Thoraya Ahmed Obaid and Jean-Michel Severino, 'Urban Growth is a Chance for Change', *Guardian Weekly*, 5 July 2007; UN Population Fund (UNFPA), *State of World Population 2007: Unleashing the Potential of Urban Growth* (n.p.: UNFPA, 2007); see also UN-HABITAT and UK Government for International Development (DFID), *Sustainable Urbanisation: Achieving Agenda 21* (Nairobi: UN-HABITAT, 2002), p. 4.

³ UN-HABITAT and DFID (n. 2 above), p. 8.

⁴ Davis (n. 2 above).

⁵ Ibid. p. 2; UN-HABITAT and DFID (n. 2 above), p. 8; UN-HABITAT, *The Challenge of Slums: Global Report on Human Settlements 2003* (London: Earthscan Publications, 2003), p. xxxi; UNFPA (n. 2 above), p. 6.

⁶ Davis (n. 2 above), p. xxxi.

⁷ Ibid. (noting that a reclassification of formerly "rural" areas as "urban" areas also accounts for some of the increase in urban populations); UNFPA (n. 2 above), p. 12.

Among those who migrate to urban areas, the reasons underlying their migration vary. One of the primary reasons identified and discussed in the literature on urbanisation and migration is economic: simply put, individuals often come to urban areas in search of jobs and the opportunity to earn more income than they can earn in rural areas.⁸

Migrants to urban areas may come from other cities or the countryside.⁹ Those migrating from rural areas often seek to increase or supplement their income from agricultural activities.¹⁰ Income from agriculture is notoriously unstable, and in an era of global warming, even more precarious. Agriculture is a seasonal activity, and thus rural residents may find themselves without adequate food or cash in the off-season.¹¹ Agriculture is also vulnerable to changes in national and global economic policies.¹² For example, macroeconomic reforms, including the reduction in subsidies, have resulted in sharply falling commodity prices in regions of India.¹³ Rural residents may also find that farming, fishing, and other rural activities become less and less remunerative as a result of environmental degradation, such as deforestation and water pollution, caused by increasing industrialisation and urban sprawl.¹⁴ Similarly, events, such as drought and flooding, can also lead rural residents to

⁸ See e.g. John M. Shandra et al., 'Environmental Degradation, Environmental Sustainability, & Overurbanization in the Developing World: A Quantitative, Cross-National Analysis', *Sociological Perspectives*, 46 (2003), pp. 309-11; Priya Deshingkar and Sven Grimm, *Voluntary Internal Migration: An Update* (Sept. 2004), pp. 24-5; Zai Lian and Zhongdong Ma, 'China's Floating Population: New Evidence from the 2000 Census', *Population & Development Review*, 30 (Sept. 2004), pp. 467, 480; Susie Jolly and Hazel Reeves, *Gender & Migration: Overview Report* (Brighton: Institute of Development Studies, 2005), pp. 10-11.

⁹ Deshingkar and Grimm (n. 8 above), pp. 10-11.

¹⁰ Ibid. (describing work in rural areas); Markos Ezra and Gebre-Egziabher Kiros, 'Rural Out-Migration in the Drought Prone Areas of Ethiopia: A Multilevel Analysis', *International Migration Review*, 35 (2001), pp. 749, 753-4.

¹¹ Deshingkar and Grimm (n. 8 above), p. 25 (noting that work in urban areas can be found year-round, independent of the season).

¹² Ibid. pp. 23-4.

¹³ Ibid. p. 25; UNFPA (n. 2 above), p. 37.

¹⁴ Shandra et al. (n. 8 above), p. 311; UNFPA (n. 2 above), p. 37.

leave their homes and move to nearby cities and towns as such circumstances make it impossible to subsist in rural areas.¹⁵ Given the vulnerability of rural residents to environmental changes, continued global warming and related climate change could cause even greater migration to cities as rural areas become less and less hospitable to agricultural activities.

In contrast to income from agricultural activities, income in urban areas can be higher and more stable.¹⁶ In most places, industrial and manufacturing jobs are located in or near urban centres. Even if formal employment is scarce, migrants to urban areas can often find work in the informal sector.¹⁷ Whether formal or informal, work in the city is generally not seasonal and thus can be used to supplement income from farming. Indeed, a significant proportion of urban migrants is either temporary (seeking work in a nearby city in response to an urgent but temporary need for income) or has moved to the city to provide income to family members who have remained on the farm or in rural areas.¹⁸ By sending one family member to the city to work, a family can diversify its sources of income and guard against the vagaries and uncertainties associated with rural life.¹⁹

In addition to these economic factors, urbanisation can also result from political and societal pressures, as well as personal preference. One major cause of urbanisation is civil war and related violence. For example, the 25-year civil war in Angola forced vast numbers of people to abandon their homes in the countryside and move to the cities.²⁰ During that period, Angola's urban population increased from 14 per cent to more than 50 per

¹⁵ Deshingkar and Grimm (n. 8 above), p. 22.

¹⁶ Ibid. p. 25.

¹⁷ Ibid.

¹⁸ Ibid. pp. 27-30; *see also* Susan Forbes Martin, 'Women & Migration', paper prepared for the Migration and Mobility and How This Movement Affects Women Consultative Meeting of the UN Division for the Advancement of Women, Malmö, Sweden, 2-4 Dec. 2003, UN Doc. CM/MMW/2003/WP.1, 14 Jan. 2004 (discussing the role of remittances).

¹⁹ Deshingkar and Grimm (n. 8 above), p. 25.

²⁰ Davis (n. 2 above), pp. 48-9.

cent.²¹ Similarly, the civil war in Colombia has forced approximately 400 000 people into that nation's cities.²²

In recent years, a number of countries have repealed laws that had previously curbed rural–urban migration. Historically, and even today, there has been a mistaken notion among national policymakers that migration to cities ought to be stopped. This approach has often been unsuccessful and led to unintended negative consequences. For example, migration in China was tightly controlled for decades by a set of laws known as the *hukou* system, which provided for a system of household registration.²³ At the height of its most rigorous application, the *hukou* system resulted in the expulsion of rural migrants from city centres. The *hukou* system has often been criticised for reinforcing social stratification in China, with rural and urban ‘classes’ enjoying markedly different living standards. Since the late 1970s, however, the government has relaxed these laws.²⁴ The relaxation of the *hukou* system, coupled with significant industrialisation in China's cities, has resulted in widespread migration and urban growth.²⁵ Similarly, urbanisation began to increase in South Africa after the ‘pass laws’ were repealed when the Apartheid system was dismantled.²⁶

The location of health care centres, schools, and other services in urban areas also draws people to cities and towns.²⁷ A woman (or man) may also migrate to the city to join her (or his) spouse, a sibling, a parent, or another family member.²⁸ The existence of a network of friends and family in urban areas may encourage others to migrate, as well.²⁹ Some individuals may move to urban areas in search of new experiences, while others (for example, gays and

21 Ibid. p. 49.

22 Ibid.

23 Deshingkar and Grimm (n. 8 above), p. 26

24 Ibid.

25 UNFPA (n. 2 above), p. 48.

26 Deshingkar and Grimm (n. 8 above), p. 26.

27 UN-HABITAT (n. 5 above), pp. 25-6.

28 See Forbes Martin (n. 18 above), pp. 18-19.

29 Ibid. p. 13.

lesbians) may seek out city life as a more tolerant alternative to life in the country. As this study also highlights, women may also migrate to cities to escape abusive husbands or the threat of forced marriage.³⁰

Rapid urbanisation, especially in the developing countries of Asia, Africa, and Latin America, has resulted in the development of vast urban slums. Approximately one billion people – 32 per cent of the world’s urban population – currently live in slums.³¹ Local governments often lack the resources or the political will to adequately plan for the increasing numbers of city dwellers, and thus sufficient affordable housing is almost always unavailable.³² In many cities in the developing world, relatively poor migrants in need of housing resort to self-help measures, constructing makeshift homes out of whatever materials they can find on land to which they do not have formal title.³³ In an attempt to evade eviction, these urban settlers frequently erect their homes on public land or land that is otherwise unsuitable for development, such as steep slopes subject to landslides, flood-plains, and environmentally contaminated areas, such as landfills.³⁴

Because these settlements are constructed without formal planning or preparation, they generally do not have electricity, access to clean water, or sanitation. Houses are constructed with sub-standard materials and are located in close proximity to each other. Often, local governments are unwilling to provide these communities with basic services, such as police and fire protection.

As a result of these circumstances, slum residents are particularly vulnerable to a variety of diseases and sicknesses, fires, floods, and earthquakes. The lack of basic services creates severe health and environmental harms. Cholera, malaria, diarrhoea, and other diseases rise to epidemic proportions in slums where

³⁰ Ibid. p. 21.

³¹ Ibid. p. 2; UN-HABITAT and DFID (n. 2 above), p. 8.

³² UNFPA (n. 2 above), pp. 35-43.

³³ Davis, pp. 37-42 (n. 2 above); UNFPA, pp. 38-9 (n. 2 above).

³⁴ Davis (n. 2 above), pp. 47, 125-7; UN-HABITAT and DFID (n. 2 above), p. 69.

open sewers contaminate drinking water.³⁵ The lack of services has been exacerbated over the past thirty years by the privatisation of utilities in developing countries, many of which were acting under ‘structural adjustment programmes’ as a condition of obtaining loans from the International Monetary Fund and the World Bank.³⁶ The poorest residents of these communities can end up paying up to 15 per cent of their income for water.³⁷ Indeed, people living in slums tend to pay *more* for water and other services than wealthier citizens living in more affluent neighbourhoods.³⁸ Finally, chores related to retrieving water for personal and household use require significant amounts of time and generally fall on the shoulders of women and girls.³⁹

Although urban sprawl is usually considered a problem of developed countries like the United States, it is also a growing problem in developing countries. For example, the urban footprint of Khartoum, Sudan was forty-eight times bigger in 1998 than it was in 1955.⁴⁰ Land that was once used for agriculture is now developed with residences.⁴¹ The encroachment of urban uses, including industrial, into rural areas brings with it air and water pollution, further degrading the remaining agricultural uses.

As this report clearly demonstrates, the interrelated questions of urbanisation and the growth of urban slums raise a number of human rights concerns. The first such concern is the lack of safe, healthy, and affordable housing itself. For women, a lack of adequate housing also increases their risk of abuse and exploitation. As described above, the lack of sanitation services and general

³⁵ Davis (n. 2 above), pp. 142-4.

³⁶ UN-HABITAT and DFID (n. 2 above), pp. 44-7

³⁷ Davis (n. 2 above), p. 145.

³⁸ Ibid.; UNFPA (n. 2 above), p. 41.

³⁹ UNFPA (n. 2 above), p. 17.

⁴⁰ Ibid. pp. 135-6 (discussing urban encroachment on agricultural lands); Davis (n. 2 above), p. 37.

⁴¹ UNFPA (n. 2 above), pp. 50-1; Jorge Morello et al., ‘Sustainable Development & Urban Growth in the Argentine Pampas Region’, *Annals of the American Academy of Political and Social Science*, 590 (Nov. 2003), pp. 116-17.

community planning exposes residents to significant health and safety risks, as both diseases and fires can spread rapidly.⁴²

The lack of secure land tenure in the slums also means that residents have no formal means of protecting their interest in their homes, leaving them vulnerable to forced eviction at any given moment.⁴³ Governmental responses to urban slums can therefore also result in human rights abuses. Forced evictions and slum clearance often wreak violence on already impoverished and vulnerable slum residents.⁴⁴ As UN-HABITAT has noted: "...it is now generally agreed that forced eviction represents a dimension of urban violence,' and in 1996, all governments agreed to end illegal evictions when they adopted *The Habitat Agenda* in Istanbul."⁴⁵

The dangers to women and children in slum settlements raise additional concerns. Women living in urban areas are far more likely to report gender-based violence than those living in rural areas.⁴⁶ According to one UN report:

[W]omen may, in fact, be at greater risk of gender-based violence in urban areas, because of the breakdown in cultural mores that govern relations between the sexes and the lower likelihood that neighbours would intervene. Poverty, the move to a new environment (in the case of migrants), unemployment, inadequate wages, social exclusion and racism can produce frustration among men and vulnerability among women. The most deprived are the most likely to be affected. Street children and sex workers are especially vulnerable.⁴⁷

The change in gender roles brought about by women's migration to urban areas, including women entering the workforce and competing with men for employment, may account for some of the increased gender-based violence in

⁴² Davis (n. 2 above), pp. 121-50; UNFPA (n. 2 above), p. 17.

⁴³ Davis (n. 2 above), pp. 42-5, 108-14.

⁴⁴ Ibid. pp. 108-14

⁴⁵ UN-HABITAT (n. 5 above), p. 104.

⁴⁶ UNFPA (n. 2 above), p. 23.

⁴⁷ Ibid. (citations omitted).

urban areas insofar as those changes challenge traditionally male-dominated social structures.⁴⁸ The absence of safe and private spaces in slum settlements, including amenities as basic as toilets, also has a greater impact on women than men. When forced to relieve themselves in public, women often wait until nightfall, when they have the additional privacy of darkness, but also the added danger of assault.⁴⁹

Finally, both male and female workers who migrate to slums often face severe economic exploitation. Many, if not most, migrants to the city find employment in the informal economies of slums.⁵⁰ As one study notes, “While informal work, like poverty, is by no means confined to irregular housing or slums, in fact slums tend to form the epicentre or principal source of informal labour, and within slums most economic activity is informal.”⁵¹ One of the defining characteristics of the informal labour market is the absence of worker protections, such as minimum wages, safe workplace conditions, and limited hours.⁵² Children are especially susceptible to these abuses.⁵³ To curb the practice of employing child labour, many countries have ratified the International Labour Organization’s 1999 Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Worst Forms of Child Labour Convention).⁵⁴ Nonetheless, millions of children are forced to work in hazardous industries, including prostitution and the drug trade, that occur primarily in urban areas and slums.⁵⁵

Clearly, urbanisation and slums are critical issues, regardless of where one lives. There are critical human rights concerns inherent in humanity’s movement towards urbanisation. To effectively address and remedy the

48 Ibid.

49 Davis (n. 2 above), pp. 1, 40-1.

50 Ibid. pp. 103-4.

51 Ibid. p. 96.

52 Ibid. pp. 99, 103.

53 Ibid. p. 99.

54 Ibid.

55 Ibid.

human rights violations which are suffered by slum residents, we must first understand the origin, nature, and scope of those violations. Understanding the situation for women, in particular, takes added sensitivity to those factors which are gender-specific and which play out in gender-specific ways. This study aims to help illuminate these questions and to put forth recommendations for addressing the immediate and strategic needs of women around the world living in slums. In the next section, we address some of the leading causes of women's migration which have been identified in this study.

I came with my husband with dreams of a better life in Mumbai.

But after coming here, I was shocked to see the conditions I was subjected to live in. I'm completely [at] the mercy of my husband here. He abuses me and hits me for no reason. Seeing his behaviour towards me, my two sons also don't respect me at all. I don't understand where to go to get rid of this life. I cannot go back, as my father is no more, and mother is living with my brother's family. My husband doesn't allow me to work and doesn't give me money, as well. So, I take up the embroidery assignments to generate some income for myself. Sometimes, I just feel like dying, as I don't have any reason to live.

– A young mother living in Azmi Nagar Slum (Mumbai, India)





3 WOMEN AND URBANISATION: UNDERSTANDING WOMEN'S MIGRATION TO THE CITY

Understanding the phenomenon of urbanisation from a gender perspective requires an examination of the 'drivers' of urban migration from the standpoint of women. In many cases, women and men may migrate to the slums for different reasons, or they may decide to make the move because of catalytic life events which are gender-specific. This research has uncovered several of the drivers which seem to trigger or motivate women's migration to urban areas, the most significant of which are summarised below.

To better understand the drivers underlying women's urban migration, it is also important to recognise that there are factors which can be said to 'push' and factors which can be said to 'pull'. On the one hand, push factors can be characterised as those life events, circumstances, human rights violations, or other conditions which serve to deteriorate standards of living or otherwise make life in one's original home less manageable or less stable. Examples of push factors may include armed conflict, forced eviction, domestic violence, disinheritance, or the collapse of rural economies. Pull factors, on the other hand, can be characterised as those factors which serve to attract people to urban areas and to the slums. Examples of pull factors may include improved economic opportunities (real or perceived), including those in the informal urban economy; better services, such as health care and education; or reunification with family members. Ultimately, a confluence of both push and pull factors may influence a woman's decision to move to the city.

Perhaps the most common reason women reported to COHRE for migrating to urban centres (not unlike with men) is that they are seeking better economic opportunities for themselves and their families. Yet, there are gender-specific dimensions to women's experiences and to their economic insecurity. These issues become readily apparent if one listens closely to the stories that women have to tell. As this report highlights, the reasons why women come to the slums are diverse, and they are often very specific to the local context. At

times, women noted that the decision to move to the slums was not theirs to make at all. Rather, their husband made the decision, and the family had little choice but to comply. Therefore, it is difficult to generalise about the drivers underlying migration beyond a localised understanding of context. For example, inheritance rights violations and the spread of HIV/AIDS as push factors, as discussed below, are most relevant in sub-Saharan Africa. What we can say with some certainty, however, is that there are, in fact, gendered dimensions of migration regardless of region. Women's status as women – regardless of where they live – seems to fundamentally impact their trajectory into the slums. As we shall see later in this report, gender also shapes the experiences of women once they settle in slum communities.

3.1 Inheritance rights

COHRE has documented that under many systems of customary law, women – regardless of their marital status – cannot own, control, or inherit land, property, and housing in their own right.⁵⁶ In many parts of Africa, for example, men control household land (and the house on that land) because community authorities, who are predominantly male, allocate land to male household heads. These lands, and the houses on them, are then passed down to male heirs. For most women, rights to housing, land, and property are thereby entirely dependant on their relation to male relatives. A husband, for instance, may be obliged to provide land for his wife to farm, but it is ultimately he who decides which piece of land she can use and for how long.

Many widowed women throughout the world are excluded from 'inheriting' housing, land, and property, and they are certainly not afforded equal rights over marital property during the time that their husbands are alive. While in many traditional cultures widows were allowed to remain on matrimonial land and in the matrimonial home until death or re-marriage, in recent years, this

⁵⁶ COHRE, 'In Search of Equality: A Survey of Law and Practice Related to Women's Inheritance Rights in the Middle East and North Africa (MENA) Region', (2007); *see also*: COHRE, 'Bringing Equality Home: Promoting and Protecting Inheritance Rights in Sub-Saharan Africa', (2004).

social safety net has eroded with male heirs tending to sell off the land and the housing on it for their own economic gain, leaving widows landless and homeless. Even when a widow may continue to live in her matrimonial home, this home may now be owned by one of her sons or another of the deceased's sons, so her tenure security is still dependant on a man's goodwill or benevolence. This situation leaves many women in an unacceptable state of social and economic insecurity and dependence, with little to no autonomy over their housing situation.

Time and time again, COHRE has seen that when women are not able to inherit housing, land, and property, the results are nothing short of devastating. In parts of Asia, the Middle East, and Africa, the all-too-common reality is that women are frequently run off their lands by in-laws who claim that their property now belongs to them, leaving women and their children destitute and with no place to go. Women in this situation may migrate to the cities and urban slums in search of economic opportunities in order to better their lives.

COHRE's experience prior to implementing this study also suggests that the effects of inheritance rights violations can be likened to the effects of forced evictions or other forms of displacement. For example, in Mathare slum, the third largest in Africa, situated in Nairobi, Kenya, a small sampling of single women residents revealed that close to 40 per cent of them had been disinherited of their marital homes. An informal survey conducted by COHRE within a slum community in Accra, Ghana showed that approximately one-third of the women had in some way been victims of disinheritance; it was due to this reason they were now residing in the slum.

3.2 HIV/AIDS

The statistics on HIV/AIDS are nothing short of alarming. According to the Joint UN Programme on HIV/AIDS (UNAIDS) and the World Health

Organization, globally some 33.2 million people are now living with HIV.⁵⁷ More than 22 million of these people live in Africa. Unlike in other regions of the world, in Africa, 61 per cent of those infected with HIV/AIDS are female.⁵⁸

In many parts of the world, the devastating impact of HIV/AIDS serves to accelerate women's disinheritance, and consequently, women's migration to the slums. Even in cases where women are not disinherited, the loss of family income as a result of the death of a family breadwinner can make it difficult for women to make ends meet for themselves and their children. As a result, women may opt to migrate to the slums in search of better opportunities.

The spread of HIV/AIDS can also be accelerated by the process of migration itself. As the UN Division for the Advancement of Women has noted:

Where people are exposed to poverty, food insecurity, gender inequality, migration, war and civil conflict, their vulnerability to HIV increases, FAO/UNAIDS said. In rural areas of most developing countries, therefore, the spread of HIV is accelerated by migration, trade, the movement of refugees and strengthened rural-urban linkages. Considerations relating to HIV/AIDS should be incorporated in agricultural and rural development, the UN organizations urged. Ministries of Agriculture and Rural Development should be sensitised about HIV/AIDS education and advocacy, and where required, should review their policies and activities.⁵⁹

Because the HIV/AIDS pandemic is fuelled in part by systems of gender-based discrimination and inequality, the international community has come to

⁵⁷ United Nations Programme on HIV/AIDS (UNAIDS) and the World Health Organization (WHO), *2007 AIDS Epidemic Update* (Geneva: UNAIDS, 2007), p. 34.

⁵⁸ Ibid.

⁵⁹ UN Division for the Advancement of Women, WHO, and UNAIDS, 'The HIV/AIDS Pandemic and its Gendered Implication', Report of the Expert Group Meeting, Windhoek, Namibia, 13–17 Nov. 2000.

acknowledge that improving the status of women is a critical task in the fight against HIV/AIDS. Indeed, global HIV/AIDS response strategies have, for the last two decades, attempted to integrate a human rights-based approach to combating the pandemic.

Through previous research and advocacy, COHRE has shown that when women's housing rights are respected and protected – including when women and girls are able to exercise control over housing, land, and property – women and girls are better able to cope with the detrimental effects of HIV/AIDS. Because housing security leads to better living conditions, access to livelihood, and access to education, women and girls living in secure housing situations are often better able to mitigate the negative personal and financial impacts of HIV/AIDS. Furthermore, a secure home and its accompanying benefits enhance personal autonomy and reduce many of the risk factors associated with HIV/AIDS. Critically, for women, the realisation of housing and land rights may actually prevent HIV/AIDS transmission in certain cases by reducing dependency and enhancing personal autonomy.

3.3 Violence against women

Violence against women is endemic in all corners of the globe and is one of the world's foremost human rights crises. It is a crisis which fundamentally reflects women's low status within societies. Gender-based violence is defined as “violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.”⁶⁰ The UN General Assembly has also acknowledged that “violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full

⁶⁰ UN Committee on the Elimination of All Forms of Discrimination against Women, ‘General Recommendation No. 19, Violence against Women’, UN Doc. A/47/38, 11 Jan. 1992, para. 6.

advancement of women...”.⁶¹ Moreover, “violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men”.⁶²

Various norms and practices that are biased against women may make them more susceptible to violence and to concurrent housing rights violations. Globally, during their lifetime, “1 in 3 women have been beaten, coerced into sex, [or] otherwise abused”, “10-69 per cent of women reported being physically assaulted by an intimate male partner at some point”, and “intimate partners commit[ted] 40-70 per cent of homicides of women”.⁶³ Typically, violence against women is perpetrated by women’s family members or intimate partners. At the domestic level, it is usually perpetrated by males, who traditionally hold positions of power over women and girls. The overall consequence of any form of violence against women and girls is the denial of fundamental human rights, including nullifying or impairing their enjoyment of the right to secure tenure and adequate housing.

Under international human rights law and standards, women have the right to live free of gender-based violence and the right to have access to legal protection and redress. Similarly, victims also have a right to the resources necessary to support themselves and their children, including the right to adequate housing. Nonetheless, lack of access to safe, alternative housing is too often a major factor keeping women trapped in violent situations. This is true for women all across the world, regardless of whether they are living in developing or developed countries.

Within the context of urbanisation, domestic violence was a theme which arose with some frequency throughout the course of this study. Too many times, victims of domestic violence face the stark ‘choice’ of leaving the

⁶¹ UN General Assembly, ‘Resolution 48/104, Declaration on the Elimination of Violence against Women’, UN Doc. A/RES/48/104, 20 Dec. 1993.

⁶² Ibid.

⁶³ Family Violence Prevention Fund, *The Facts on International Gender-Based Violence* [fact sheet], (n.d.) <<http://endabuse.org/resources/facts/International.pdf>> p. 1, accessed 22 Apr. 2008 (citations omitted).

security of their home or being beaten by a partner. In many cases, victims of domestic violence have difficulty accessing alternative housing because of an abhorrent lack of domestic violence shelters, transitional housing programmes, and public or market rate housing which is affordable to poor women. This is especially true in non-urban settings where the resources available to domestic violence victims are next to nil, and women must rely as best they can on family or social support networks. For many women, gender-based violence in the home or in the community may force them to flee their homes in search of safety and better opportunities for themselves and their children.

3.4 Gender-based discrimination

Gender-based discrimination – whether it is upheld as a matter of law or imposed as a matter of practice – is an affront to women’s human dignity and to the basic principle of equality. COHRE has found that cultural barriers which discriminate against women, even where legal standards are in place to prohibit such treatment, present major obstacles to the realisation of women’s human rights, including housing rights.

In some societies, for example, men are allowed to take multiple wives, but women are not allowed to take multiple husbands. In the simple terms of wealth distribution, polygamous systems of marriage tend to severely disadvantage women. During the course of this study, polygamous marriage emerged, rather unexpectedly, as an issue influencing why women moved and settled in slum areas. Women who had migrated to urban areas and who were wives in a polygamous arrangement reported to COHRE that they needed to come to the city to financially support themselves and their children. As the third, fourth, fifth, or sometimes even additional wife, women reported that they and their children were not economically supported by their husbands and simply had to fend for themselves were they to eke out an existence.

COHRE has seen how gender-based discrimination can also act as a catalyst for urban migration in other cases. While city centres are not necessarily utopias in terms of gender equality, women and girls can at times find some reprieve from harmful traditional practices (for example, early marriage) or other customs which discriminate against them on the basis of gender. At

times, fleeing such practices is another reason for women's migration to the slums.

Education, particularly of girls, is also a ground cited for why women sometimes move with their children to the cities. In some rural areas, particularly in Africa, the tradition has been to educate only boys, as girls are thought to one day marry and become part of her husband's family. Boys, in short, are often seen as being more appropriate vessels for the 'investment' of education. Poor families may choose one of their boys to receive the privilege of going to school, while the other children, and particularly the girls, must work for the family's subsistence. When they are old enough to strike out on their own, female youth sometimes flee to the cities in search of an education and a better future.

3.5 Family disruption or unification

Family disruption and family reunification are other important reasons cited for why women move to urban areas. Some women migrate to slum communities because other family members were moving, or had already moved, to these communities. Perhaps most often, women move with their husbands to keep families together and because of cultural expectations that they defer to their husband's judgement and decisions. This was the case for many of the women interviewed by COHRE, particularly in Mumbai. The assumption that women have little or no autonomy regarding their move to urban areas is perhaps a reason why researchers have paid little attention to the question of women's migration to the cities. As we shall see, however, even in those cases where women are not the primary decision-makers, women cannot be assumed to simply share the same experiences as men. In fact, women's lack of autonomy *itself* sets up a disparity in the ways in which men and women experience urbanisation, slums, and city life.

It would also be wrong to assume that women do not exercise autonomy when they are able to do so. In some cases, women come to the cities – alone, or with their husbands and/or children – to reunite with a parent, a sibling, an in-law, or another relative. Because family relationships represent a key source of social support for women, reunification with family can at times be seen as

a way to improve and stabilise one's life circumstances, particularly in life's more tumultuous moments. Couple this with the new opportunities – particularly economic – offered in the new urban context, and city life may become even more attractive to women seeking a new beginning.

Women may also be motivated to move to urban areas if their family situation is disrupted, for example, as a result of death or divorce. Women's standards of living often plummet in these circumstances due to loss of income. Many women either become poor or are driven even deeper into poverty when they lose a husband through death or divorce. Women's heightened poverty after death or divorce may also spur women to move to and work in the cities in order to scrape together whatever income they can to survive.

3.6 Conflict and disaster

For women living in conflict zones or in areas affected by natural disaster, violence, insecurity, and/or displacement may contribute to women abandoning their former homes and moving to urban slum communities.

Conflicts and war create multiple hardships for women. Not only are women vulnerable to gender-based violence during war and armed conflict, they also suffer disproportionately in post-conflict situations, especially when they become widowed. Indeed, war and other conflicts serve to further diminish women's already precarious hold over housing, land, and property. Often, as a result of conflict, houses are abandoned or destroyed, title deeds or other vital papers lost, and family members killed, leaving nothing and no one to support a woman's return home. Violence and continued insecurity can also preclude her hope of returning to her original place of residence. As UNIFEM has reported:

Nowhere is the impact of unequal land rights more acutely felt than when women find themselves obliged to fend for themselves and their families as a result of conflicts which have cost them the husbands, brothers or fathers in whose name land and property was traditionally held and passed on. On returning home to the fields they used to work and the house they used to keep, women in many

countries find themselves denied access, often by their former in-laws or neighbors.⁶⁴

Conflicts in particular have long been known to spur urbanisation for both women and men: “War-induced displacement often fuels urbanisation: [Internally displaced persons] and refugees move to the urban centres, because they think they have the greatest options for income generation there.”⁶⁵ In countries long affected by war, such as Colombia, Angola, and Sudan, patterns of urban growth cannot be separated from the flow of displaced people pouring into cities and fleeing the violent conflicts which have embroiled their home areas.

Natural disasters have a similar effect. According to the Integrated Regional Information Network (IRIN), the humanitarian news and analysis service of the UN Office for the Coordination of Humanitarian Affairs (OCHA): “When a disaster – be it slow-onset desertification, a seasonal drought and the resulting famine, or flash flooding – strikes a rural area, these communities are often ‘pushed’ into cities. This push makes competition for resources, land, and jobs in urban areas all the more fierce.”⁶⁶ Adding to the difficulties, slum communities are themselves often highly disaster-prone and almost entirely defenceless when a natural disaster strikes.

3.7 Forced eviction

The UN Committee on Economic, Social and Cultural Rights defines forced evictions as “the permanent or temporary removal against their will, of

⁶⁴ Noeleen Heyzer, ‘Preface’, in *Women’s Land and Property Rights in Situations of Conflict and Reconstruction: A Reader Based on the February, 1998 Inter-Regional Consultation in Kigali, Rwanda* (New York: UNIFEM, 2001), p. 6.

⁶⁵ Christian Bodewig, ‘Emerging from Ethnic Conflict: Challenges for Social Protection Design in Transition Countries’, *Social Protection Discussion Paper Series*, 0229 (Dec. 2002), p. 7.

⁶⁶ Integrated Regional Information Networks (IRIN), ‘GLOBAL: Drowning in Urban Disaster’, *IRIN* (18 Sept. 2007).

individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection”.⁶⁷ The prohibition against forced evictions is a vital principle inextricably linked with the right to adequate housing. A State’s duty to abstain from and to shield people against the practice of forced evictions stems from numerous international norms that safeguard housing rights and other human rights.⁶⁸

Today, forced evictions are unfortunately widespread in the slums of the developing world, although they are by no means limited to the developing world. Fundamentally, forced evictions are connected to a lack of security of tenure, an indispensable component of housing rights. In practice, “[f]orced evictions share many consequences similar to those resulting from arbitrary displacement, including population transfer, mass expulsions, mass exodus, ethnic cleansing and other practices involving the coerced and involuntary displacement of people from their homes, lands and communities.”⁶⁹

For women, discriminatory norms, customary laws, cultural practices, domestic violence, and economic obstacles all serve to increase susceptibility to forced evictions. Unlike most men, women are prone to forced evictions not only at the hands of authorities, but also at the hands of family and community members. For instance, in many parts of the world, a woman who is infected with HIV is susceptible to forced eviction and may be run out of her home by family members or neighbours. Women who reside with their in-law families may also face forced eviction once they divorce their spouse, when their spouse dies, or because of domestic violence.

⁶⁷ UN Committee on Economic, Social and Cultural Rights, ‘General Comment 7, The Right to Adequate Housing (Art. 11(1) of the Covenant): Forced Evictions’, UN Doc. E/C.12/1997/4, 20 May 1997, para. 3.

⁶⁸ Miloon Kothari, *Report of the Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living*, UN Doc. A/HRC/4/18, 5 Feb. 2007, p. 14, para. 1.

⁶⁹ *Ibid.* p. 15, para. 5.

The international community has come to recognise that women are particularly disadvantaged by forced evictions: “Women...suffer disproportionately from the practice of forced evictions. Women in all groups are especially vulnerable given the extent to statutory and other forms of discrimination which often apply in relation to property rights (including home ownership) or rights of access to property or accommodation”, and women experience a heightened risk of violence and sexual abuse when they are rendered homeless.⁷⁰

When forced evictions are carried out by governmental officials, women are most often the primary targets because evictions usually take place during the day, when women (often perceived to be less likely to resist) are at home. In the midst of the violence and chaos which frequently accompanies forced evictions, private actors and State security forces, including the police, often perpetrate acts of physical and sexual abuse and harassment against women and girls. Indeed, the long-term effects of forced evictions are very hard on women. Regardless of how traumatised a woman may be from the experience of forced eviction, she is most likely to be charged with taking care of her children and family before, during, and after an eviction, as well as providing a sense of stability at home. In cases where a woman is the sole economic provider for her household, forced eviction can also result in utter destitution for herself and her children.

Forced evictions almost invariably reinforce pre-existing inequities by affecting those already living in poverty and marginalised groups, including women, children, and minorities. Because women often bear primary responsibility for caring for their families, the loss of stability that accompanies forced evictions increases the demands on women’s time and also limits the resources upon which they are able to draw. Research also suggests that domestic violence increases within the context of forced eviction, as strained living conditions and the psychological impact of eviction take their toll on families and on men who themselves experience a loss of control and status. In addition, evidence suggests that forced evictions may also aggravate problems of substance abuse and other social ills. After they have been forcibly evicted from their

⁷⁰ General Comment 7 (n. 67 above).

communities, whether in urban, semi-urban, or rural areas, the resulting insecurity and isolation may convince some women to take shelter in an urban slum community.

3.8 Poverty

For some women, the sole reason for their migration to the slums is to seek economic opportunities unavailable in more rural or semi-urban areas. For the vast majority of women, poverty – whether aggravated by disinheritance, displacement, family disruption, or other factors – is a major contributing factor for both why women come to settle in urban communities and why they end up living in slums. Poverty, however, is not only economic. Rather, it should be seen as deprivation which affects one's ability to live with security, dignity, and equality:

From this perspective, poverty is a condition with many interdependent and closely related dimensions which can be summarized in three broad categories: (a) Lack of regular income and employment, productive assets (such as land and housing), access to social safety nets; (b) Lack of access to services such as education, health care, information, credit, water supply and sanitation; (c) Lack of political power, participation, dignity and respect.⁷¹

There are, in fact, many benefits which may come from moving to the city, and many of the women COHRE interviewed noted that they would not want to go back to the place from where they had originally moved. Many studies do indeed suggest that migrants to the city tend to benefit economically from

⁷¹ Committee on Poverty Reduction, UN Economic and Social Commission for Asia and the Pacific, 'Urban Poverty and the Working Poor: Facing the Challenge of Urbanization and Urban Poverty in Asia and the Pacific', UN Doc. E/ESCAP/CPR(4)/4, 24 Sept. 2007.

their move.⁷² For women, there may be other positive aspects which relate to cultural change and enhanced gender equality. For example, women migrants often adopt ‘urban fertility norms’, meaning they opt to have smaller families. Communities as a whole may become less dogmatic about traditional gender roles and relax restrictions, such as those on the education of girl children.⁷³

Women’s poverty, however, is by no means alleviated in urban areas. According to UN-HABITAT:

In richer countries, less than 16 per cent of all urban households live in poverty. But in urban areas in developing countries, 36 per cent of all households and 41 per cent of all woman-headed households live with incomes below the locally-defined poverty line. The urbanization and feminization of poverty have resulted in over one billion poor people living in urban areas without adequate shelter or access to basic services.⁷⁴

In fact, while on average urban residents have in recent years experienced better living standards than have their rural counterparts, the tide is expected to turn. “There is evidence that [poverty] is becoming an urban rather than a rural problem. Unless urban poverty is addressed, continued urbanisation will result in increases in urban poverty and inequality.”⁷⁵ For women, the burdens of poverty are all the more acute due to gender-based discrimination and prejudice. As we shall see, the feminisation of poverty can be every bit as unrelenting in the cities as it is elsewhere.

⁷² Yap Kioe Sheng, ‘Urbanization and Internal Migration’, in *Fifth Asian and Pacific Population Conference: Selected Papers*, Asian Population Studies Series, 158 (New York: UN, 2003), p. 138.

⁷³ Ibid.

⁷⁴ UN-HABITAT, *Brochure on Istanbul +5* (n.p.: UN-HABITAT, 2001).

⁷⁵ Committee on Poverty Reduction (n. 71 above).

I came to Buenos Aires all by myself, no husband or family, looking for better living conditions. The worse part was finding a place where to live. Finally, I rented a room in a crowded house in the oldest part of the slum. At that time, safety was one of my biggest concerns. As a woman, all by myself, I feared something could happen to me. However, immediately I became friends with other women that helped [me] to get a job and a better kept company. The support from other women and friends was very important to get through.

– A woman living in Villa 31 bis Slum (Buenos Aires, Argentina)





4 CASE STUDIES

4.1 Asia

People move to the cities not because they will be better off, but because they expect to be better off.

– Anna Tibaijuka, Executive Director of UN-HABITAT

Since the 1950s, urbanisation has swept throughout South, South-east and East Asia, with Asia now home to such mega-cities as Tokyo, Karachi, Mumbai, Shanghai, and Delhi. Scholars have noted that, “Of the many profound changes which have swept Asia during the last half-century, none have been so profound and far reaching as the doubling of the proportion of population living in urban areas.”⁷⁶ The Asian Development Bank, which celebrates urbanisation’s more positive aspects, notes: “Urbanization has bought enormous economic and social change and benefits to most Asian countries.” Nonetheless, it recognises that “[u]rbanization in Asia ... is coming at a price.”⁷⁷

In Asia, there is considerable regional variation in terms of urbanisation, with China and India outpacing all other countries in the region.⁷⁸ This study focuses on two burgeoning cities in South Asia: Mumbai, India and Colombo, Sri Lanka. These cities have very different profiles in terms of rates of growth, and different factors are driving urbanisation in each country.

⁷⁶ Graeme Hugo, ‘Urbanisation in Asia: An Overview’, paper prepared for the Conference on African Migration in Comparative Perspective, Johannesburg, South Africa, 4-7 June 2003.

⁷⁷ Brian Roberts and Trevor Kanaley (eds.), *Urbanization and Sustainability in Asia: Case Studies of Good Practice* (Philippines: Asian Development Bank, 2006).

⁷⁸ Ibid.

Nevertheless, in each city, women’s experiences of urbanisation and slum life are remarkably similar in many aspects. Yet, as is detailed below, they also retain their own uniqueness depending on the local context.

4.1.1 Mumbai

Mumbai lies on India’s west coast in the State of Maharashtra facing the Arabian Sea. This island city was originally a cluster of seven islands: Colaba, Old Women’s Island, the Isle of Bombay, Mahim, Mazagaon, Worli, and Parel. Administratively, the city has been divided into twenty-four wards, which have been further grouped into six zones. Greater Mumbai was formed in 1951 with the inclusion of inner suburbs within the city limits. Geographically, Mumbai is separated into three divisions: Island City, Western Suburbs, and Eastern Suburbs.

Today, Mumbai remains one of the most populated cities of India, as well as of Asia. Between 1951 and 1991, the population of Mumbai increased more than threefold. In 2001, the population of Greater Mumbai was 11.5 million (see Table 1 below).⁷⁹

Table 1: Census Figures for Greater Mumbai

Year	Population (in millions)	Growth Rate (as a percentage)
1951	2.994	66.24
1961	4.152	38.68
1971	5.971	43.81
1981	8.227	37.78
1991	9.926	20.65
2001	11.500	15.86

⁷⁹ The table represents Indian census figures from 1951 to 2001.

The slums in and around Mumbai have existed for decades. Historically, the slums have grown in response to an increasing urban population which has outstepped the capacity of accessible housing in the city. Migrants are normally drawn to the city due to a marked disparity between urban and rural income levels. Before 1950, slums were predominantly found around the city's mills on the western part of the island, which housed industrial workers in one-room tenements. During the 1970s, the number of slum dwellers surged, and by 1980, slum dwellers accounted for half of the entire city's population.⁸⁰ Nowadays, most of Mumbai's slums are located on marginal lands, including areas in proximity to the sea, sanitary landfill sites, railway lines, hill slopes, and industrial units.

Most of these slum dwellers come from the rural India. According to data from the 2001 census, 37 per cent of this migrant population have come from rural Maharashtra, while rest are from Uttar Pradesh (24.3 per cent), Gujarat (9.6 per cent), Karnataka (5.8 per cent), Rajasthan (3.9 per cent), Bihar (3.5 per cent), Tamil Nadu (3.1 per cent), Andhra Pradesh (2.4 per cent), Kerala (2.2 per cent), and West Bengal (2 per cent). The eastern and western sides of Mumbai have recorded fastest population growth since independence. With respect to geographical location of the slums, the Western Suburbs accounts for largest number of slum and slum population, with 865 slums (44 per cent) housing some 2.84 million people. The Island City of Mumbai has 553 slums (28 per cent) in which 1.06 million people (17 per cent) reside. The Eastern Suburbs have 541 slums (28 per cent), in which 2.35 million people reside.⁸¹

According to 2001 census statistics, Mumbai hosts about 54 per cent of its population in slums and 25 per cent of its population on pavements and footpaths, leaving only 15 per cent of population decently living in bungalows, proper homes, and high-rises. Census data also reveals that there are 770

⁸⁰ Denis Gruber et al., *Living and Working in Slums of Mumbai* (Magdeburg: Institut für Soziologie der Otto-von-Guericke-Universität Magdeburg "Arbeitsberichte des Instituts", Apr. 2005).

⁸¹ Shikha Shukla, *Risks and Hazards Facing Urban Poor Communities: A Case Study of Mumbai* (YUVA Publications: 2004).

females per 1 000 males living in the slums, a number which is lower than that of non-slum households (859 females per 1 000 males).⁸²

In order to speak with women living in the slums of Mumbai, COHRE visited five communities in the western and eastern areas of the city. These communities were the slums of Azmi Nagar, Indira Nagar Pipeline, Behrampada,⁸³ Jai Bhawani Chawl,⁸⁴ and Ambujawadi.⁸⁵ This study focused only on first-generation migrant women who had moved to Mumbai for various reasons, though the many generations of women living in slums in Mumbai deserve to be mentioned.⁸⁶

In each of the slum communities visited, the reasons for women's migration were inextricably tied with the social fabric of Indian society. Most of the women who COHRE interviewed came to Mumbai to live with and support their husbands. Their husbands were either working as unskilled or semi-skilled labourers in the city. Some of them drove auto rickshaws, while a few others worked in small-time contractual businesses or in illegal factories. Sadly, marriage could not be described as an equitable and shared partnership for most of the women interviewed by COHRE. Many reported being victims of domestic violence and abuse, and most reported having little say in family decision-making, including the decision to move to Mumbai.

As in most countries, religion, traditional norms and customs, and essential prejudices too often put Indian women in a subservient and exploitable position relative to men. Low rates of participation in education, a lack of

⁸² Dr. D. P. Singh, 'Slum Population in Mumbai', *International Institute for Population Sciences Newsletter*, 3/1 (Mar. 2006).

⁸³ COHRE's visits to Azmi Nagar, Indira Nagar Pipeline, and Behrampada Slum were facilitated by the Committee for the Right to Housing (CRH).

⁸⁴ COHRE's visit to Jai Bhawani Chawl was facilitated by the National Alliance for People's Movements (NAPM).

⁸⁵ COHRE's visit to Ambujawadi was facilitated by the Youth Unity for Voluntary Action (YUVA).

⁸⁶ COHRE interviewed a total of sixty-seven women living in the slums of Mumbai for this study.

economic independence, and gender-based discrimination result in women's dependence on the men in their lives for their survival. Women are too often considered to be second-class citizens in the societal hierarchy, which leaves them with minimal voice in familial decisions. When a familial decision results in bringing a woman to the city, she nonetheless bears primary responsibility for the well-being of her family and must tend to household chores and raising children. Regardless of their unpaid work within the home, women often also make an economic contribution to the household through paid work. These contributions are rarely recognised, however, and women seldom retain control over what little money they are actually able to earn. Hence, women maintain economic dependence on men which, in turn, consolidates their secondary status in family. As one woman living in Jai Bhawani Chawl slum told COHRE:

I came to Mumbai in 2000 after my marriage [in] Chittoor, Andhra Pradesh. Here, my husband was living with his family in Kurla. It was a very small room of 8' by 10.' My mother-in-law, brother-in-law, sister-in-law, my husband, and me – we all had to live in that little space. At night, we used to lay [a] cot in the room, and my in-laws would sleep on that cot while my husband and me used to sleep below the cot. We had no choice but to adjust like that. It was much clustered, and I felt running back to my parents' house every day.

The young, unmarried women interviewed by COHRE shared similar experiences and said that they had migrated with their families. As shall be seen in more detail in this section, for all the women interviewed, the challenges they faced once they settled in the slums were formidable.

Despite the hardships of slum life, however, women remained hopeful that their lives could improve. In Mumbai in particular, slum rehabilitation schemes are mooted in order to provide permanent housing solutions to slum dwellers. These schemes do, in fact, take into account some of the special needs of marginalised groups and vulnerable individuals. For example, there are provisions which entitle elderly women to ground floor flats. Joint ownership between women and men is also recognised in Slum Rehabilitation Authority (SRA) schemes. Despite these positive aspects, however, several problems

remain in practice. First of all, these housing programmes require documentary proof from the slum dwellers which establish their identity and proof of residence. For women, their documentation – and hence ability to access permanent housing solution – remains very much dependent upon their husband. In addition, the concept of joint ownership itself excludes a large number of women who are not legally able to prove any relationship with a man. This gap is a major challenge for single women, widows, deserted women and elderly women. Further, in most cases, daughters are excluded from inheriting or staking claims to their parents' property and they do not benefit directly from these programmes.

For most women, the thought of claiming a home for and by themselves remains something of a distant dream. Women voiced their hope that some percentage of alternate housing might be reserved exclusively for women, so that they too would be able to be legal holders of their homes. Women also hoped for the inclusion the most marginalised women into government schemes, with special allocations for widows and other women in need. In addition, women expressed desire that the government would make basic services, such as water and sanitation, more accessible to them. Such steps would be of great benefit to women who are disproportionately burdened with household duties.

Short profiles for each slum visited by COHRE are provided below.⁸⁷

Azmi Nagar

The slum community of Azmi Nagar is situated in the western suburban area of Malad. The slum is about fifteen years old, and it currently houses about 500 families. Most of the houses in this slum are closely built, semi-permanent structures with temporary roofs. Women in the settlement mostly work from home by making artificial or imitation jewellery. Others find work by making rat cages, embroidering, or tailoring. There is also a significant number of

⁸⁷ All figures in this section are estimates gathered from social workers working in these areas.



▲ Women living in the slums of Mumbai reported being unable to secure housing in their own right and to being subjected to gender-based violence and intimidation both at home and within their communities. Photo: COHRE

women sex workers trying to make a precarious living in the city's growing sex industry; according to some estimates, around 40 to 50 per cent of the women engage in sex work. The men in the area are mostly involved in screen printing and dye work. Even child labourers can be found working in the area.

As with many slums, conditions in Azmi Nagar are extremely poor, and women felt acutely the lack of services provided to them.⁸⁸ Women must buy

⁸⁸ There is, however, electricity in the area which is supplied by a private electricity provider, 'Reliance Energy'. Every household has a scheduled metre. On average, the monthly electricity bill received by every house is between Rs 400 to Rs 500.

water, which is used for all purposes except drinking, at the rate of Rs 10 per drum. Women must purchase drinking water at the rate of Rs 10 per can. Lack of sanitation is also a major issue.⁸⁹ There are three pay-and-use or public toilet facilities available, where residents must pay Rs 1 for each use. Most of the residents find this too expensive, however, and they use a nearby open area instead. As the area is also rife with prostitution, women and especially young girls find it very difficult to go to the bathroom at night without being harassed, and they felt it to be entirely unsecure for them. Some reported attempts of rape and sexual assault as they made the precarious journey.

Indira Nagar Pipeline Slum

Indira Nagar Pipeline Slum is a linear housing settlement. On one side, it is set against the main road to Bandra Terminus, while on the other side, it is adjoined to a highly polluted storm water drainage canal. The typical two-storey houses or huts run along both sides of the Kherwadi pipeline, and they average about 8' by 10' in size. The slum houses about 350 households. The community is small and hence very tightly knit, even though members come from various religious backgrounds and parts of India, including Uttar Pradesh, Andhra Pradesh, Bihar, and some parts of Maharashtra. Women from this area mostly work as domestic help in nearby homes. The others are usually involved in home-based work, such as embroidery, stitching, and button-making. Some women also work as rag-pickers during the day.

As with other communities visited by COHRE, a lack of essential services challenges daily life. There is a complete absence of a drainage system within the settlement, and residents have resorted to digging a hole next to a water drainage canal. During the rainy season, the condition of this settlement becomes worse due to the overflowing drainage canal, and residents face constant risks of health hazards. There is only one community tap inside of the community, ostensibly to serve all 350 households. Residents have dug a

⁸⁹ There is open drainage which flows in front of every house in the settlement and is often seen clogged with garbage and filth. Due to the absence of any garbage disposal system, the majority of households dump garbage in the open drains. For this reason, residents complained that the slum area is a breeding ground for viruses and mosquitoes.

small hole in the pipeline itself and use the water flowing from it for all purposes. There is no pay-and-use toilet facility available to the residents. Rather, residents must go to the Bandra station and terminus nearby and utilise the pay-and-use toilets inside the station. Again, women told COHRE that they cannot go out to use the toilet at night out of fear for their personal safety.

Households at Indira Nagar lack security of tenure, and forced eviction is a major concern for women living in this slum. As one woman told COHRE:

We are told that our huts and houses will be bulldozed and that we will be given [a] place to stay in government-built buildings, but in far, suburban areas. I'm working as domestic servant, and my husband runs an auto rickshaw. What will be the use of such a house if it snatches our livelihood? How are we supposed to earn and maintain our lives if we lose our jobs based in this area?

Behrampada

The slum of Behrampada is about fifty years old, and it is very densely populated with more than 6 000 families living there. Houses are so closely packed that people can walk only single file through some parts of the community. Despite the density of housing, homes are constantly growing, albeit vertically. Too often, these homes are devoid of any light and ventilation. A maze of electrical wires overhead and adjoining water pipes always risks sparking a short circuit at any moment.⁹⁰ A major fire breakout occurred in Behrampada in April 2002 and resulted in the destruction of 200 dwellings and the displacement of approximately 2 000 of the slum's residents. The settlement is home to predominantly Muslim families, who comprise more than 80-85 per cent of the slum's population. Women in this slum lead predominantly secluded lives and are mostly involved in home-based work, such as embroidery and stitching.

⁹⁰ The electricity in the area is provided by Reliance Energy, and every household has a scheduled metre. On average, the monthly electricity bill received by every house is between Rs 500 to Rs 700.

The roads inside the slum are narrow and have overflowing and often clogged drains, which can make it impossible to walk on them. The un-cemented drainage channels which flow by the sides of roads are often clogged, and during the rainy season, water overflows into the houses. Unlike other slums visited, however, most households in Behrampada have a water supply in their homes. Other residents have access to water through stand posts. The quality of water, however, remains poor and polluted. There is also inadequate provision of toilet facilities. There are public toilet facilities, but with a limited number of toilets, there are about 200-250 residents per available toilet. Available toilets also suffer from lack of maintenance by local municipal authorities.⁹¹

Jai Bhawani Chawl

Jai Bhawani Chawl is one of the Chawls (multi-storied, one-room tenements) located in Anna Bhau Sathe Nagar in Mankhurd East and is part of the eastern suburbs of the city. There is a large garbage dump located within the Chawl. In the absence of any garbage disposal system, it has become a dumping ground for residents' trash, as well as a breeding ground for dangerous diseases, such as Chikungunya and malaria. There are about 200 households in the Chawl. The women in the community are involved in various home-based work, such as stitching and ironing of clothes, tailoring, and embroidery.

The entire slum is built on a muddy patch of land claimed by the residents. The houses are built atop a foundation of sandbags to avoid water seeping into them. Almost all the homes in the area are made of non-permanent building materials, such as wooden planks, iron rods, and plastic sheets supported by bamboo frames for roofing. Flooring is most often made of broken tiles and cement. This slum itself is considered 'illegal', and the residents constantly live under threat of forced eviction. Two years ago, this settlement was demolished by the Municipal Corporation. In 2006, a nearby settlement in Mandala was brutally demolished. These constant threats of demolition have made residents insecure and discouraged them from making investments in their homes.

⁹¹ A few Slum Rehabilitation Authority (SRA) buildings have been recently built. The conditions of basic amenities in these buildings are slightly better.

In terms of services, the residents of the Chawl get their water supply from a public tap. The women of the area revealed, however, that on many occasions the supply of water is muddy and has a foul-smelling odour. Residents have little choice but to boil the water, drink it, and take their chances with the consequent health risks. With respect to toilets and public sanitation, there are pay-and-use toilets available to the residents of the Chawl, but residents find them too expensive to use because of their low income. Further, the provision of public toilets is outside of the settlement and is unhygienic in the absence of piped water, electricity, and dustbins. As with other slum communities around Mumbai, the women of Jai Bhawani Chawl reported feeling insecure and unable to access toilet facilities during evenings and night for fear of being harassed or attacked. One woman in Jai Bhawani Chawl reported to COHRE:

I'm living here from [the] last six years, and I've two children. The biggest problem we have is of sanitation. There are pay-and-use toilets built outside the Chawl which charge Rs 2 for each use. Sometimes, when we are sick, it becomes really difficult for us to pay every time. The open drainage flows right outside each hut, so small children use the drainage, but for me as a woman, it is very difficult at night, so we have to hold everything 'till the morning arrives.

In contrast to other slum areas visited in Mumbai, there is no provision of electricity in Jai Bhawani Chawl, and residents buy illegal electricity from the employees of Electricity Company. One woman reported to COHRE:

We don't have legalised electricity, and what we get here is illegal and stolen electricity provided by the employees of [the] electricity department. I pay Rs 200 each month for using a fan and a bulb. Whenever there is [a] surprise check or inspection, our line is cut off by the employees, so that there is no implication on them. Sometimes, there is no electricity for days, and we cannot complain, as the whole thing is illegal.

Ambujawadi

Homes in Ambujawadi are made of temporary building materials, such as jute and plastic rugs, plastic sheets, galvanised iron and cement sheets, wooden planks, and bamboo sticks. Public health conditions in the community are

poor.⁹² There are about 250 households in Ambujawadi, and an average housing unit has only one room which is used for cooking, gathering, bathing, and sleeping. There is no flooring in the homes, and most residents have only rugged wooden mats covering bare ground. The residents of Ambujawadi constantly live under threat of forced eviction, and their homes have been demolished before by the Municipal Corporation on numerous occasions.⁹³ For some women, evictions are an experience they have already lived through and do not want to repeat again:

We were living in Bhabrekar Nagar slum in Kandivilli before we were forcibly evicted from there in 1997. We lost everything in those evictions. I thought that my life would never be back on track after that incident. Somehow, we managed to pick pieces of our life and came to [the] area, Ambujawadi. But here also, two years back, we again suffered [the] grunt of bull dozers ... we had lost everything.

The area is plagued with a lack of basic services, such as water, electricity, and sanitation. There is one community water tap outside of the settlement where the quality of water is reportedly very poor. Having no other options, residents have dug holes for wells and use the water they find there for their daily needs. This water is boiled and used for drinking. There is no electricity in the community, and residents use kerosene lanterns at night. In the absence of toilets, residents are forced to relieve themselves in an open area nearby. This situation makes it very difficult for women. As one woman living in Ambujawadi told COHRE:

There is no electricity in our area, and there is no provision of water, as well. We had dug up two to three wells in the area, but the water is not safe. But, we have no choice but to boil that water and drink. For sanitation, we go out in open areas. There are public

⁹² There is a public health centre outside of the settlement where many cases of tuberculosis and HIV/AIDS have been reported by the residents.

⁹³ A slum rehabilitation scheme will soon be implemented in the area, but with most of the residents lacking proper documents, residents fear that they will not be able to negotiate or claim flats.

toilets, but they are too far away to go at night or in the evenings for us to use. As a woman, I can go only in the early morning for sanitation, as during [the] day, it is too visible and night time is not safe for [women] to go out.

At night, incidents of sexual assault and rape were reported as being experienced by young women and girls who venture out to relieve themselves. Women confessed to going out in the very early mornings and complained that, during the day and evenings, they become victim to peeping toms.

Following COHRE's initial research in these communities, a troubling trend has emerged. In the months of February and March 2008, Mumbai city witnessed a series of violent attacks against migrants from Northern India and other parts of the country. Some political leaders vociferously promoted this enmity, contributing to the disruption of public peace and harmony. Indeed, these politics of division have a deep history in Mumbai, dating back to at least the 1970s, and have flared in years past around predictable election cycles. During these times, unsavoury politicians pit Mumbai's 'original inhabitants' against so-called 'outsiders' (migrants), who they bitterly accuse of grabbing all the economic opportunities which rightfully belong to 'locals'.

In recent months, there have been reported instances where innocent migrant citizens, including hawkers and taxi drivers, have been roughed up and mercilessly beaten, their wares destroyed. Along with Mumbai, several places in Maharashtra, including Thane, Nashik, Pune, Aurangabad have seen similar incidents, with reports of pelting with stones and the forcible shut down of shops and other establishments. By creating this environment of threat and terror, political leaders have effectively compelled thousands of Mumbai's residents to leave their decades old residences out of fear for their safety and the safety of loved ones.

They say our houses may be torn down...that's the biggest fear we have to live with.

– A woman living in the slums of Colombo, Sri Lanka



4.1.2 Colombo

One of the major consequences of the development process in third world countries has been large-scale migration of the rural poor to urban centres in search of work. These migrants largely end up in slums living in makeshift structures and with few facilities. Transplanted from their relatively homogeneous social environment, the greatest difficulty they face is in adjusting to new social relations not just with their neighbours but with their own spouses and children. And it is the women who have to deal most with these unfamiliar socioeconomic realities.

– *Susanne Thorbek, author of Gender and Slum Culture in Urban Asia*

Sri Lanka is a small island nation located off the coast of India. It is a country dealing with the consequences of both natural disaster and long-term internal conflict. Today, Sri Lanka has one of the world's largest populations of internally displaced persons (IDPs). More than two decades of civil war in Sri Lanka between government forces and the Liberation Tigers of Tamil Eelam (LTTE) have led to massive internal displacement, with hundreds of thousands of IDPs still unable to return to their original homes. While some gains in addressing this issue were made in recent years during the intermittent peace discussions, progress towards a lasting peace settlement remains, at best, at a standstill. In recent months, there has again been a marked deterioration in the security situation, and it increasingly appears that there are serious fractures in Sri Lanka's fragile peace. The 2004 tsunami, which displaced an additional 550 000 people in Sri Lanka, complicated the already difficult issue of displacement in the country.

It is against this backdrop of instability that urbanisation in Sri Lanka must be seen, and nowhere in Sri Lanka has urbanisation been more rapid than in its capital, Colombo.⁹⁴ Nonetheless, urbanisation rates in Sri Lanka are not as high as in other Asian countries. This is partly due to people fleeing the

⁹⁴ Russell R. Ross and Andrea Matles Savada (eds.), *Sri Lanka: A Country Study* (Washington, DC: GPO for the US Library of Congress, 1988).

country, either to India as refugees or to parts of the Middle East, where many young women find employment as domestic workers.⁹⁵ While displaced people do not account for all migrants coming to the cities from other regions, evidence does suggest that displaced persons have come to settle in the urban areas in order to seek refuge from the chaos of civil strife embroiling the northern and eastern parts of the country.⁹⁶ According to urbanisation scholars:

The problems associated with urbanization are most prominent in the Greater Colombo Area, where 43% of the population lives in slums and shanty settlements lacking proper basic facilities, such as water supply, lighting, and toilets. The situation of the shanty settlements around Colombo is serious because they are located in areas unsuited for residential purposes, such as inside canal banks, road reservations, and flood-prone areas. Most of these settlements lack basic facilities, have poor road access, few community facilities, and improvised housing structures. Less than 25% of wastewater in the Colombo Municipal Council area is treated. More than 900 tons of solid waste daily are collected and disposed of through open dumping without any sanitary consideration.⁹⁷

COHRE's interviews with women in the slums of Colombo revealed that the causes and consequences of migration impact differently on women, and it is women who disproportionately bear many of the negative consequences resulting from a move into urban surroundings.⁹⁸ COHRE research teams met with women from several of Colombo's slum communities. These slum communities included: Elvitigala Mawatha, Nugagahawatta (Model Farm), Wanathamulla, Ramasami Watta, Samagiya Watta, Pichchamal Watta, Samagiwatte, Nugagahawatte, and Kirimandala Mawatha.

⁹⁵ Basil Van Horen and Sisira Pinnawala, 'Sri Lanka', in Roberts and Kanaley (n. 77 above), pp. 309-40.

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ COHRE hired five research assistants to conduct the interviews for this project. COHRE would like to thank Juanita Arulanantham, Thiagi Piyadasa, Gayathri Abeywardena, Helen Johnpillai, and Supipi Jayawardena for their work.

In Colombo, it was somewhat more difficult for the COHRE team to locate women who had moved into slum communities relatively recently.⁹⁹ It seemed that fewer families migrating into the city are actually moving into slum settlements. The reason for this is not fully known. The inference given by some is that perhaps new families moving to the city are opting to move in with friends and relatives instead of coming to the slums. A possible cause for this phenomenon may be that slum settlements are already overcrowded, and there is little space for new migratory families.

Nonetheless, women were still moving to the slums of Colombo, albeit in smaller numbers than in other cities studied. Women respondents had migrated from different parts of the country. They came from the south, north central, central, and eastern provinces.¹⁰⁰ A majority of women had migrated from the up-country mountainous or central provinces of the country. A fair number of them had also come to Colombo from the south of the country. Some women had come to the city from the outskirts in search of employment or better educational opportunities for their children. Of the women interviewed, some were employed and others unemployed. Many women were engaged in domestic work, sewing, and other forms of casual labour, while their spouses were engaged in carpentry or worked as chauffeurs, in domestic labour, and in the hotel trade. Other women who had previously been employed decided to stay at home to look after their children.

For those women who had moved into Colombo relatively recently, many said that they had come reluctantly, un-enamoured with the idea of having to move from their familiar surroundings. Many told COHRE that they were happy to

⁹⁹ The study was restricted to women who had migrated to Colombo city within the past fifteen years. The study sought to interview a cross-section of women from different ethnic backgrounds. COHRE interviewed forty-four women for this study, including thirty-eight Sinhalese, one Muslim, and five Tamil women.

¹⁰⁰ The women had migrated from Pussellawa, Hambantota, Gampaha, Kandy, Ratnapura, Tangalle, Tissamaharama, Badulla, Deniyaya, Moneragala, Kurunegala, Kalutara, Maskeliya, Polonnaruwa, Batticaloa, Hatton, Delgoda, Mawanella, Battaramulla, Talawakelle, and Wattala.

live in the village where they have spent most of their lives.¹⁰¹ However, due to many reasons – both societal and personal – many women felt compelled to move to the city. In some cases, the respondents yearned to go back to their villages, whilst others were of the view that living in the city had its advantages. The relatively high cost of living in the city, however, remained a complicating factor for all women.

COHRE's research findings reveal that women migrate to slum settlements in Colombo for a variety of reasons, ranging from domestic violence to better employment opportunities. COHRE asked one female interviewee, who had been working with the Women's Bank¹⁰² for a long period of time and who had herself migrated to Colombo several years before, what some of the most common reasons were for women to move into the slums of Colombo. She replied matter-of-factly: "Marriage, job opportunities, and family problems."

Family unification was a major cause for women's movement into Colombo. In contrast to the women interviewed in Mumbai, the decision to move, according to a majority of women interviewed, was taken by both spouses. In a few instances, however, it was the husband who made the decision to move, and the woman moved only reluctantly. One woman told COHRE, "I didn't want to come at all. Because I got married, I had no choice and had to come here as my husband was living here. He needs someone to cook for him..." Another woman stated that it was the Sri Lankan tradition to join the spouse after marriage. For these women, they felt it was their duty to move with their husbands and that they had to accompany their spouses for the purpose of living together. In some cases, the husband would move to Colombo, and the wife would move at a later stage when the husband was settled in.

¹⁰¹ Contact was made with women leaders who were members of the Women's Bank and who lived in slums in and around Colombo. These women leaders were able to arrange individual interviews with women living in slum settlements.

¹⁰² The Women's Bank works with poor women, encouraging them to save money regularly, regardless of how little, to establish a basis for loans. The pooled amount is given each time to a different member of the savings group to start a small income-generating project.

For many women, however, family problems served as a catalyst to migration. In some cases, the problem of male or son preference in the case of property devolution also surfaced. One woman shared with COHRE her story of her in-laws' bias towards a male heir and the resulting familial disharmony which ensued: "My in-laws wanted us to leave; we had a lot of problems. They said that because my brother-in-law has a son, and I have a daughter, that they have to give the house to him. So, I left with my daughter." At other times, disinheritance issues were also mixed with discrimination and bias based on ethnicity. In one case, a Muslim woman who had married a Sinhala man was disinherited from receiving a share of her family's property. Marriages between different ethnic groups are frowned upon in Sri Lankan society, even in today's context. She subsequently moved to Colombo.

Domestic violence emerged as a theme pushing women into the cities in some cases. For many women, these are difficult issues to speak about openly, and even those who admitted they had been abused were often reluctant to answer specific questions due to feelings of stigma and shame. One woman, however, identified the cause for her migration as the physical and psychological violence she had suffered at the hands of her mother-in-law and husband. She told COHRE:

My husband hit me, saying I had no right to talk back to his mother [interviewee showed COHRE researchers the scar of a wound on her chin, near her mouth]. As soon as this happened, I called my mother and told her to take me back to Colombo immediately or come later and take my dead body. I told my husband that he could do what he wanted, but that I couldn't live like this any longer and that I was going back to Colombo. She came and brought me here. A week later, my husband too came and joined us.

When asked about how her situation was now with her husband, the woman responded, "Sometimes, after he returns from visiting his mother, he starts arguing again with me. He hasn't hit me after that, though. He never gives me any money, though." Although only one woman was interviewed, her story actually related the experiences of two women – the interviewee and her mother. COHRE was not able to meet the mother, as she was not at home at the time of the interview. According to the daughter, however, her mother

came to Colombo to seek job opportunities for herself and also to get away from her husband. Her mother had also come trying to escape a situation of domestic violence and other family-related problems.

In another case of domestic violence, the mother-in-law of the respondent reportedly used to beat her with a pole and also verbally abused her. The traumatic living environment compelled this woman to leave her village and migrate to Colombo. The following is an excerpt from the interview:

Q: Did you decide to leave or did they force you out of the house?

A: Every day they kept asking when I am leaving. They screamed and scolded me. How could I stay there? So, I left.

Q: Did they ever physically hurt you?

A: My mother-in-law used to hit me with a 'polla' [pole]. Even in the night, they used to scold me. I couldn't even sleep properly.

Q: Did you make a Police entry?

A: Definitely not. My mother-in-law is very strict.

Displacement also emerged as an issue for some women. One family had moved to Colombo due to the displacement they had suffered from the tsunami of December 2004. The respondent and her family had lived in Hambantota, a town in the south-east of the country which was severely affected by the tsunami.

Short profiles of each of the slum communities visited by COHRE are provided below:

Elvitigala Mawatha

There are more than 800 houses in Elvitigala Mawatha slum that have been constructed on about 25 acres of land. This land is not state-owned property, but rather had been owned by a private individual. In the 1950s, about ten families lived on this land. The proprietor placed his store rooms on the land, where these families had lived at the outset. Gradually, however, the families

moved from the store rooms and constructed their own houses.¹⁰³ Today, most of the houses have separate electricity and water supplies. They also have separate toilets. All waste disposal from the houses is connected to the main drainage system in town. Approximately fifty of the families use the common toilets and the public taps.

An overflowing gully with waste water flows down the middle of the road. There were two other gullies which were also overflowing during the time of COHRE's visit. There was once a well in the area, but as it became polluted by the water flowing from the drainage system, the residents stopped using it.¹⁰⁴ COHRE was informed during interviews that people have been allowed to build arbitrarily, and as a result, the roads have become narrow and have caused drainage problems inside the community.¹⁰⁵ Though residents have complained to the municipal government, no steps have been taken to remedy the situation.

¹⁰³ Eighty families in this slum were given five perches of land and a sum of Rs 15 000 in the 1970s. They possessed deeds to their property. Other families were given two perches of land; proof of residence cards were provided to them in the late 1980s. By that time, the area belonged to a government scheme that included approximately eighty homes. While the original owners had each received a sum of Rs 15 000 to build a house, most of the original owners had since sold their land to the people living there now.

¹⁰⁴ The interviewees told COHRE of a well that was used for religious and other special ceremonies. The rest of the community also used to benefit from this well. The people living in the vicinity, however, have ruined the well by throwing rubble into it. Residents made a complaint to the Municipality, stating that this was the only fresh water in the area, but the Municipality has failed to do anything in response.

¹⁰⁵ The drainage system in this slum area was overflowing on the day of the interview. At the time, however, it was raining very heavily, and it is possible the overflow may have been due to the weather. The overflow problems could also be attributed to the fact that people have built their houses in close proximity without leaving space for proper drainage facilities.



▲ Living conditions at Wanathamulla slum in Colombo, Sri Lanka. Photo: COHRE

Nugagahawatta (Model Farm) and Wanathamulla

In Nugagahawatta slum, women interviewed by COHRE were living in unauthorised houses built along a railway reservation. At Wanathamulla, one of Colombo's larger slum communities, the quality of housing differs depending on the location. While some houses are made of cement, others are made from the most rudimentary makeshift materials. As can be seen in the photo above, houses at Wanathamulla are constructed very closely together, separated only by a very narrow pathway between two or three houses. After the visit to Wanathamulla, one COHRE interviewer commented of one house: "The house was in a terrible condition. It was only one room and was approximately 6 by 10 feet in size. All their possessions were in this one room. The house has no proper entrance and was just a foot away from their neighbour's door. It was clear that they were living in great difficulty. There was no proper roofing or even walls. It was in such bad condition that part of a tree was growing in it."

Ramasami Watta, Samagiya Watta, and Pichchamal Watta

There are several slums in close proximity to the Police Hospital at Nawala Road, Narahenpitiya. Interviews were conducted with women from Ramasami Watta, Samagiya Watta, and Pichchamal Watta slums. There are more than 300 houses total constructed in these three slum communities.

Ramasami Watta, Samagiya Watta, and Pichchamal Watta slums were constructed mainly in the lands of the Ceylon Government Railways (CGR) by the side of the railway tracks. The majority of the slum dwellers walk along the railway track, as this is the only accessible way to their houses.¹⁰⁶ According to community reports, all the houses in the area except a handful were constructed after 1995. When asked by COHRE interviewers from where the residents had moved, a majority of them explained they are originally from Colombo. According to one community leader, after staying for about ten years in the slums, residents refuse to be recognised as persons who have migrated from outside of Colombo.

Samagiwatte

Samagiwatte is a slum which has been in existence for almost twenty years in Kirulapana, a town situated on the outskirts of Colombo. While it is a relatively old slum, the community only recently received essential services, including water (in 2004) and electricity (in 2002). The men in this community are employed mostly as labourers or are engaged in various jobs that pay a daily wage, while most of the women are stay-at-home wives and mothers. Samagiwatte consists of a multiethnic community where Sinhala, Tamil, and Muslim families reside. The slum adjoins an active rail track. This rail line is extremely hazardous to the dwellers. The noise is deafening whenever a train passes by, and children run along and play on the rail track. Some of the dwellers stated that there were rumours of the slum being demolished in order to expand the rail track, and they were therefore living in fear of losing their homes.

¹⁰⁶ The officials from Ceylon Government Railways have surveyed and reserved a road for the slums, but COHRE heard reports that this venture is currently being resisted by some high-level individuals with political connections.

Nugagahawatte

Nugagahawatta slum is located close to a girls' school, and the majority of residents are Tamil. It is relatively clean, compared to other slums, and the residents pay labourers to clean and maintain the public toilets. The houses built on either side of a rail track are mostly constructed from cement. Most homes, nonetheless, are illegally built. The Housing Authority has given residency cards to those who have built houses, and while most of the women treat this like a deed, it cannot be considered formal title and does not confer security of tenure.

Kirimandala Mawatha

Kirimandala Mawatha slum is situated next to a railway line with a garbage dump nearby. The drainage in this slum is inadequate, and sanitation conditions are poor. The houses themselves are also not in good condition.

In general, women interviewed in the slums of Colombo had mixed feelings about city life. A majority of the women interviewed preferred the living conditions in their native villages, and many yearned to go back. Most of them had owned property, and they had significant lands on which they had lived. The women complained about the fact that they now lived in crowded conditions where the environment was unclean. They also spoke of the high cost of living in Colombo. They noted that living was cheaper in their villages as they were able to grow their own produce in their gardens, unlike in Colombo where they had to buy all their vegetables. On the other hand, some women were of the opinion that it was convenient to live in Colombo as facilities were more readily available. They were also of the view that they had good schooling for their children in Colombo, unlike in their villages. Many voiced the concern, however, that living in the slums was unsafe for bringing up their children due to widespread alcoholism and other social ills. Some of the women who lived in the vicinity of the railway tracks were afraid for their children's safety; they had to be watchful of their young children at all times.

Women living in these slums reported many challenges in their daily lives. As in most slum communities around the world, the lack of security of tenure was a predominant concern. Most of the women yearned to own a house from which they could not be evicted. Many feared that they would be asked to

leave at any moment and felt a constant lack of security. One woman told COHRE: “We don’t have any documents. When everyone was building, we also built, but any moment, they may demolish the houses.” A large number of women were also clearly unaware of the difference between a deed of ownership and the ‘card’ that had been given to them by the authorities. They did seem to be aware of the fact, however, that they lacked security of tenure despite the card in their possession. Many women felt that it is the State’s obligation to provide housing to people in need, but they also stressed that they were willing to contribute financially to the cost of housing if it is provided by the State.

Inadequate housing conditions also present a formidable challenge to women. A majority of women living in the slums did not have separate toilet and bathing facilities. Their families used the public toilets which were unsanitary, and the women bore the brunt of responding to the consequent health impacts on family members, including themselves and their children. In one slum community, a woman indicated that approximately 90–100 people shared all of three toilets. The threat of disease was foremost in the minds of many women. One interviewee told COHRE:

The biggest problem here is that, for the slightest rain, the house floods [interviewee indicated about a foot of water]. In Pussellawa, we didn’t have that problem. The toilets here are common toilets, and they get blocked for the slightest rain. During rainy days, all the toilet water is in the house.

Women complained that the lack of a clean, healthy, living environment has resulted in an increase in fly- and mosquito-borne diseases. Many women complained of flooding of their homes during the rainy season. This situation was often due to bad drainage systems and inefficient planning and was further exacerbated by a lack of access roads to the slums. The crowded living conditions also contributed to disease and ill health within the communities.



4.2 Americas

In the city, the question of violence is multifaceted, and the issue of primary importance is that of the suitability of public areas for women. Cities need to be more women-friendly. Planners need to consider the comfort and well being of women in the city.

– Soraya Smaoun, urban safety expert with UN-HABITAT

Since the 1960s, Latin America has held the dubious distinction of being the world leader in inequality – not only in the unequal distribution of income, but also in education, health, housing, public services, employment, police and judicial treatment, and political participation.¹⁰⁷ By the year 2000, 226 million people in Latin America were poor, and 192 million people were living in extreme poverty, unable to meet basic daily needs. In other words, 44 per cent of the total population of Latin America are poor, while almost 22 per cent are living in extreme poverty.¹⁰⁸ In addition, Latin America continues to be the most unequal region in the world in terms of income distribution. In 1990, the richest 20 per cent of the region's population received 60 per cent of the total income within the region, while the poorest 20 per cent received only 3 per cent of the total income.¹⁰⁹

Latin America is also the world's most highly urbanised region, with 77 per cent of the population living in the cities as of 2005. Indeed, the region has some of the largest cities in the world today, including Mexico City and São

¹⁰⁷ UN-HABITAT, *Brazil: Law, Land Tenure and Gender Review: Latin America* (Nairobi: UN-HABITAT, 2005), p. 3.

¹⁰⁸ Karina Batthyány, Mariana Cabrera, and Daniel Macadar, 'La Pobreza y la Desigualdad en América Latina', *Cuadernos Ocasionales*, 04 (Montevideo: Instituto del Tercer Mundo, 2004).

¹⁰⁹ Ibid.

Paulo.¹¹⁰ The high rates of urbanisation are in part a result of a demographic explosion and rural migration due to the absence of consistent agrarian reform.¹¹¹

Latin America accounts for 14 per cent of the slum dwellers of the world, with an estimated 128 million people living in slums throughout the region.¹¹² A majority of poor people in the region live in urban areas. By the 1990s, six of every ten poor persons in the region lived in urban areas.¹¹³

One of the major challenges in the region is the growing urban poverty among women. Women are disproportionately represented among the region's poor.¹¹⁴ Women living in slums usually work in the informal sector of the economy, without job security or benefits. Moreover, women constitute the majority of lowest income earners, and women on average earn 30 per cent less in income than do men in the region. Persistent economic inequality between men and women directly impacts their ability to access adequate housing. Not only are women often unable to afford the cost of rent and housing in urban metropolises, but they also suffer from restrictions when trying to access loans, credit, and mortgage schemes, and they are excluded in practice as beneficiaries of social housing programmes launched by governments.¹¹⁵

¹¹⁰ World Bank, *Regional Fact Sheet from the World Development Indicators 2007: Latin America and the Caribbean* (2007).

¹¹¹ UN-HABITAT (n. 107 above), p. 3.

¹¹² UN-HABITAT (n. 5 above).

¹¹³ Comisión Económica para América Latina (CEPAL), 'Pobreza en Latino América: Nuevos Escenarios y Desafíos de Políticas para el Hábitat Urbano', *Serie Medio Ambiente y Desarrollo*, 27 (Santiago: UN, 2000).

¹¹⁴ CEPAL, *Panorama Social de América Latina 2002-2003* (Santiago: UN, 2004).

¹¹⁵ To the region's credit, in recent decades, many Latin American countries have adopted legislation that guarantees equal rights to all citizens. Furthermore, some Constitutions even mandate that States adopt affirmative action programmes to further women's access to sectors to which they have been historically denied, such as higher education and high-level employment, as well as increase their participation in political bodies. Even though these reforms are positive, *de jure* equality does not translate immediately into *de facto* equality. As this section illustrates, much still needs

In 2004, the UN Special Rapporteur on adequate housing undertook a mission to Brazil. The Special Rapporteur¹¹⁶ noted that poverty is a major obstacle to the full realisation of women's right to adequate housing. The Special Rapporteur also highlighted that – in addition to burdens faced by all women in accessing housing and land – Afro-Brazilian women, indigenous women, and women living in the slums continue to face multiple forms of discrimination and are in need of targeted attention to improve their situation. He recommended that priority be given to providing housing security and services to women living in inadequate conditions.

On a positive note, Brazil has some of the most advanced legislation and policies regarding housing and land rights in the region.¹¹⁷ Adequate housing is recognised as a fundamental right. The protection of this right implies the implementation of housing programmes and the improvement of housing conditions and basic sanitation. The 'Statute of the City', a very important piece of national legislation adopted in 2001 and supported by Brazilian civil society, sets forth a number of guidelines for urban policy based on principles of justice, democracy, and sustainability. By 2003, Brazil's Ministry of the Cities was created, and it is responsible for formulating and adopting national urban policies on housing, sanitation, public transportation, and development. Even though this law is one of the most progressive in the region, there remain many challenges vis-à-vis implementation. While the statute can serve

to be done in order to guarantee women's full enjoyment of human rights, including economic, social, and cultural rights.

¹¹⁶ Miloon Kothari, *Women and Adequate Housing: Study by the Special Rapporteur on Adequate Housing as a Component of the Right to an Adequate Standard of Living*, UN Doc. E/CN.4/2005/43, 25 Feb. 2005.

¹¹⁷ Due to efforts of the National Movement of Urban Reform, a specific chapter on urban policy was included in the Constitutional reforms of 1998. This chapter emphasises the full development of the city's social functions, which must be at the core of urban development policy. Among other things, the chapter states that every city with more than 20 000 inhabitants must have a master plan, and municipalities are responsible for the implementation of urban development policies.

as an inspiration for other countries in the region and throughout the world, more needs to be done to achieve full implementation of its principles.

4.2.1 São Paulo

Inequality is a common trait of Brazilian cities. As scholars Haroldo da Gama Torres and Renata Mirandola Bichir¹¹⁸ explain, Brazilian cities are highly segregated in spatial terms. Besides the prevalence of shantytowns, these cities generally present a ‘radial-concentric urban structure’, with the rich population concentrated in the centre of large cities and the poor located in peripheral, more distant areas. According to official data, more than 12.4 million people in Brazil live in inadequate housing conditions without basic infrastructure.¹¹⁹ In the city of São Paulo, there are a total of 3.2 million people living in informal settlements and slums, representing 12.4 per cent of the total population.¹²⁰ Not surprisingly, families with the lowest incomes are also the ones most affected by inadequate housing conditions. Since the 1980s, Brazil’s larger cities have grown rapidly. Informal urban settlements are also growing quickly, and the slums, commonly called *favelas*, are sprawling.

São Paulo has been described by some scholars as a ‘global city’; global cities are characterised by their transformation from industrial cities to cities where

¹¹⁸ Haroldo da Gama Torre and Renata Mirandola Bichir, ‘Residential Segregation in São Paulo: Consequences for Urban Policies’, paper prepared for the Conference on Spatial Differentiation and Governance in the Americas, Austin, TX, 17-19 Nov. 2005.

¹¹⁹ Ministério das Cidades-Secretaria Nacional de Habitação, Centro de Estudos da Metrópole Centro Brasileiro de Análise e Planejamento, *Estudo Revela Mais 6 Milhões de Brasileiros Vivendo em Áreas Precárias* (2000).

¹²⁰ São Paulo is located near the south-east coast of Brazil. Like many cities in Latin America, it grew quickly during the 1950s through a dynamic process of urbanisation. Today, São Paulo is the largest city in the country. In recent years, the population in the centric areas has almost negative growth rates, while the population in peripheries continues to grow at an accelerated rate.

major job opportunities are concentrated in the service sector.¹²¹ The transformation itself generates a dual social system, with highly qualified and highly paid jobs coexisting with a majority of low-skill and poorly paid jobs. This change also manifests itself in urban demographics, generating a highly fragmented and segregated city. The increase in the number of *favelas* in São Paulo can be understood as a reflection of this fragmentation process.¹²² Poor women suffer acutely from this marginalisation.

Jardim Celeste

COHRE visited Jardim Celeste, one of the many *favelas* in São Paulo.¹²³ Jardim Celeste is an informal settlement situated in the south-east of São Paulo in the district of Ipiranga. The informal settlement can be divided into two sectors. One is the older part of the *favela* and is more consolidated. This part has benefited from a regularisation scheme developed by the local government. The newer part of the *favela*, however, is not regularised. Women interviewed by COHRE lived in this newer sector.

Living conditions at Jardim Celeste are characteristic of informal settlements, with poor and overcrowded housing conditions, along with unhygienic conditions, including a lack of toilets and appropriate sanitation. All women agreed that one of the biggest challenges for them when moving to the city was simply to find a place to live. Most of the women interviewed by COHRE moved alone, and few of them had relatives or family members in the city

¹²¹ Suzana Pasternak Taschner, 'Space and Population in the *Favelas* of São Paulo', paper prepared for the XXIV General Population Conference, Salvador, Brazil, 18-24 Aug. 2001.

¹²² Global cities typically manifest segregated residential areas. On the one hand, these cities have affluent areas, usually located in the city centres, where wealth is concentrated and residents have access to services and amenities which improve quality of life. On the other hand, the impoverished areas, usually established in the peripheries, are typically located on degraded lands where the urban poor generally find housing in the informal sector.

¹²³ Fifteen women from Jardim Celeste participated in in-depth interviews with COHRE.

ready to help them.¹²⁴ Unaffordable rent and housing facilities in the city forced them to look for an alternative housing solution and take up residence in the *favela*. Inadequate housing conditions, together with inadequate provision of services, are among the biggest obstacles faced by these women. Due to the fact that women are the ones who spend more time in the house taking care of domestic chores and their children, inadequate housing conditions make their daily lives more difficult.

Living conditions in the *favela* are particularly negatively affected by the lack of water supply and precarious electrical supply. Women must fetch water in buckets from a common basin that is shared in the *favela*. Perhaps the most immediate dangerous situation arises from the inadequate energy service. Since cables and electricity towers are installed informally and illegally, there are many power shortcuts which often times result in fire outbreaks. One of the women interviewed told COHRE how she lost everything she owned when her house was set on fire due to an electricity failure. On rainy days, the risk of electricity blackouts and fires increases, making it dangerous to stay in the houses. In addition, if it rains heavily, the area floods, making it impossible to circulate into or out of the *favela*.

Women reported that the major reason for their moving to the city was to find a job that raised their income. Women, coming either from rural areas or smaller cities around the area, explained that due to unemployment in their home towns, they were forced to move to the city in order to find a job that allowed them to make ends meet. Women arrived in the cities without any specialised skills or immediate job prospects. Most of them worked as domestic servants. A few of them dedicated themselves to manual labour, such as sewing, while others sold food or other homemade products in the slum. A number of the women interviewed did not earn an income and stayed at home taking care of their children. These women came accompanying their husbands. Some other women, particularly young women, said that they

¹²⁴ It cannot be said that this situation is generally representative for most women. Some authors explain the importance of social networks in migration into *favelas*. For a discussion, see Ronaldo de Almeida and Tiaraju D'Andrea, 'Pobreza E Redes Sociais Em Uma Favela Paulistana', *Novos Estudos*, 68 (2004), pp. 94-106.

moved to the city in order to raise income to help the rest of the family who stayed in their home towns. Their parents, who were affected by unemployment due to their age or economic restructuring, were too old to move to the city and start over. Young women moved to the city in order to find a job that would provide them enough income to support themselves and help their families back home.

All of the women interviewed expressed the high expectations they had when they moved to the city. Not only did women see the city as a chance to find a job and improve their financial situation, but also as an opportunity for social change. For example, women explained that the city not only provided them with job opportunities, but it also allowed them to access better services, such as better schooling for their children and better health care services. In some cases, especially those suffering from chronic health problems, this was a key factor in their decision to move to the city. While accessing these services still required travelling long distances to the city centre, women still regarded it as a better situation than the one they had in their home towns.

A smaller number of women came to the city encouraged by other relatives or family members who had come before them. In these cases, the decision to migrate was made easier by the fact that the women knew they could count on a social network that would give them the necessary support to start their lives anew in the city. These social networks were also very important for women to find job opportunities. As the women were predominantly employed in the informal market, the most effective way to get a job was by recommendation to a future employer by a friend or relative.

As in other communities studied, women highlighted gender-based violence in the *favelas* as one of the major issues affecting women's lives. Domestic violence is closely linked to issues of housing. Women noted two important aspects. First, domestic violence is sometimes a cause for women to move from one place to another. Unsafe environments and the lack of immediate solutions force women to leave their house in order to find a place far from the perpetrator. In this context, it takes a great deal of courage for women to move from their houses, leaving family and friends behind, to an unknown place to escape the abuse. Second, women also face domestic violence in the *favela* itself. In this situation, many women are prevented from leaving violent

homes because they do not have alternative housing, and they are financially dependent on their husbands. One woman told COHRE:

For many years, I was [a] victim of domestic violence. My husband came home at night and was aggressive with me and our children. Many times, I thought about doing something, and many times, I called the police. Often times, they did not even come because we lived in the *favela*, and [if] they did come, they did not do anything. The biggest problem I had was that I had nowhere to go, and I could not force him to leave. I could not just leave myself with three small children. Fortunately, the new [domestic violence] law and the special police for women banned him from coming to this house again.

Other women noted that the police patrolling the *favela* were highly insensitive to domestic violence issues, and often times, they did not take any measures to protect women. An important solution came with the creation of Delegacia de Defesa de Mulher (DDMs), a special police force dedicated to gender-based crimes. The women recognised the DDMs as a huge improvement in their lives since these authorities actually intervened in cases of domestic abuse.¹²⁵ At the same time, women explained that their economic dependence on their spouses or partners made it very difficult for them to leave the house with a family to support. Women have sought support from the government in order to be able to break the violent cycle and noted that granting security of tenure

¹²⁵ Law 11.340 is known in Brazil as the ‘Maria da Penha’ Law in honour of a survivor of domestic violence who lived through two murder attempts by her husband and became a symbol of the scourge of domestic violence within the country. Maria da Penha also brought and won a case against Brazil before the Inter-American Commission on Human Rights, which found that the government had failed to adequately protect her rights as a victim of domestic violence. Law 11.340 was adopted by the government of Brazil in August 2006, and the law defines domestic violence as a human rights violation. In addition, the law provides for significant changes both in the definition of violence against women and in the legal, police, judicial, and social assistance sectors and processes aimed at preventing and punishing domestic violence.

to women is a key element in the fight against domestic violence. Security of tenure for women can enable women to avoid and escape violent situations.

More generally, women also complained of security problems in the *favela*. The settlement was described as unsafe, especially for women who were subjected to harassment and assault.

While all of the women interviewed moved to São Paulo in search of a better quality of life, most of them did not think they had found it. Women interviewed by COHRE said that moving to the city did not necessarily improve their lives, since living in the city was very expensive, and they could barely afford daily expenses. Even if they managed to find jobs, their living situation was far from easy. Most of the women explained that they rent or buy the land from a previous 'owner' through informal transactions since they lack security of tenure. The possibility of getting evicted is a major concern for many of them.

When asked if women were most affected by their current conditions, women gave different opinions. Most of them thought that living conditions in the *favelas* and the experience of urban poverty were as difficult for men as for women. Women felt that government action was needed immediately. Still, women answered that they did not have the same access to education as men in their families and said they have been responsible for domestic chores since they were girls. At the same time, women recognised that they were affected by domestic violence, a lack of access to services, and insecurity in ways that did not affect men, and this represented a disproportionate burden on them. In addition, women said that they were victims of gender-based discrimination, particularly because women held worse jobs and received lower wages than did men. Economic disadvantage was one of the main factors identified by women as reinforcing their social marginalisation. Women face multiple forms of discrimination in the economic sphere because of their gender, because they are poor, and in cases of Afro-Brazilian or indigenous women, because of their race/ethnicity.

Finally, a lack of security of tenure and failure to recognise women's equal rights to own and control property within, outside, and upon dissolution of marriage (or a *de facto* union) was another major challenge faced by women.¹²⁶ São Paulo legislation guarantees joint titling and establishes special quotas for women in slum regularisation and slum upgrading schemes. Women living in informal settlements, however, do not always benefit from these protections and can experience great difficulties in separating from their partners since they do not have the means to claim basic rights over their houses.

4.2.2 *Buenos Aires*

Currently, the city of Buenos Aires is suffering from a severe housing crisis. Even in one of the richest cities in Latin America, access to affordable and adequate housing remains an unresolved issue. Statistics can help to understand the depths of the housing crisis: a total of 350 000 people, or 12 per cent of the total population, live in poor housing conditions. According to official data, about 130 000 inhabitants live in informal settlements. There are twenty slums and twenty-four precarious settlements in Buenos Aires. In the last four years, the population in the slums grew 30 per cent.

Scholar Cristina Cravino explains that the slums in Buenos Aires are characterised by:

- *irregular urban plotting* (inner streets are irregular and of small dimension)
- *unorganised urban planning* (slums are located close to production and consumers centres)
- *houses built with precarious material*
- *high population density and overcrowding*
- *residents who work low-skill and low-wage jobs* (most often in the informal sector of the economy).¹²⁷

¹²⁶ Kothari (n. 116 above).

¹²⁷ Cristina Cravino, *Las villas de la ciudad: Mercado e informalidad urbana* (Los Polvorines: Universidad Nacional de General Sarmiento, 2006), pp. 37-8.

Nowadays, inhabitants of the slums show the diversity of the urban poor: they include immigrants from foreign countries, migrants from other provinces of Argentina, as well as the local marginalised population.

Villa 31 and Villa 31 bis

Villa 31 and Villa 31 bis¹²⁸ is the only slum that exists in the northern part of the city, which happens to be the most affluent and most developed part of the Argentinean capital. The slum is one of the oldest, largest, and most populated of Buenos Aires. According to the last census, carried out in 2003 and 2004, 4 649 families live in Villa 31 and 1 780 live in Villa 31 bis. The population in the slum is continuously growing.

Villas 31 and 31 bis are precarious urban settlements. Villa 31 emerged in the 1940s in order to lodge European immigrants. Early residents were poor, Italian immigrants who came to the city to work in the harbour. At the time, the government offered houses in the area that became known as the 'Immigrants Neighbourhood'.¹²⁹

Villa 31 bis emerged after the construction of President Illia highway in the 1990s, and today joins with Villa 31 under the highway. The slum is situated on lands which belong to the national government, yet any urbanisation plan needs to be approved by the city authorities. Thus, any final decision concerning the future of the slum needs to be taken jointly between the national and local governments. In recent years, the slum has come under threat of forced eviction.

¹²⁸ The different names correspond to two parts of the same slum.

¹²⁹ As one of the oldest slums in the cities, Villa 31's history is long and rich in struggles. One of the most difficult periods for slum dwellers was during the last military dictatorship that ruled in Argentina in 1976. During this period, the city sought to eradicate the Villas, and the mayor sent bulldozers to destroy the houses built by the neighbours. The effects of the forced evictions were devastating. Only one hundred houses were left, thanks to a judicial order that halted the evictions. When democracy returned to Argentina, residents of Villa 31 slowly began to rebuild it.

Living conditions and infrastructure vary greatly from Villa 31 to Villa 31 bis. Since Villa 31 is the oldest part of the slum, houses are built as permanent or semi-permanent structures. They are more spacious, and in certain areas, some of the structures even have two or three floors. Villa 31 bis constitutes the newer part of the slum, and houses are built as semi-permanent structures with temporary roofs. The houses are far more precarious in Villa 31 bis. The roads are not paved, and as a result, the area is easily flooded. The number of houses in Villa 31 bis grew rapidly within the last year. The newest structures are wooden with tin roofs and built adjacent to a railway line. The quality of the houses and the general infrastructure are markedly poorer as one goes from the older to the newer parts of the slum.¹³⁰

Women migrated to Villa 31 and Villa 31 bis from other countries, smaller towns, poorer provinces, or other parts of Buenos Aires itself. A sizeable number of the people living in Villa 31 bis were immigrants from neighbouring countries. The great majority of women interviewed, in fact, were immigrants from Bolivia, Paraguay, and Peru.¹³¹ A smaller number arrived in the slum from other provinces in Argentina.

Interestingly, while some women arrived at the slum a few years ago, a number of the immigrant women arrived in Argentina many years before settling in the slum. Many of them moved to Villa 31 bis after having lived in other places outside the city. The opportunities that the city offers – particularly in terms of job opportunities, schooling, and medical care – are similarly vital to Argentina’s immigrant populations. At the same time, a lack of affordable housing in Buenos Aires has left women little choice but to settle in the city’s growing slums.

Some of the women who interacted with COHRE said they first arrived alone or with their families in the more consolidated part of the slum, Villa 31. In

¹³⁰ Approximately fifty women participated in focus group discussions and interviews with COHRE. The study was restricted to women who had arrived in the slum communities in recent years and therefore focused primarily on women residing in Villa 31 bis.

¹³¹ Cravino (n. 127 above).

Villa 31, there was no more available space to build houses, and thus women had to rent small homes or rooms for themselves and their families. After some time, this living situation became unbearable, and the women decided to move to the less consolidated part of the slum in order to ‘take some land’ and build their own house.

As in São Paulo, most of the women interviewed by COHRE in Buenos Aires moved to the city in search of better economic opportunities. Married women most often said that the decision to move was made jointly with their spouses. As a family, they considered that moving to Buenos Aires would provide them with the economic opportunities that they simply did not have in their home towns. In some cases, women said that the decision was made together with another family member, such as parents, brothers, or sisters. Mostly, women thought that the family decision-making process was one in which their opinions were heard and their vote counted.

None of the women thought they were forced or obliged to follow their spouses. At the same time, most women admitted that they came mainly so their husband could find a better job or better income. Even women who admitted having better jobs in their home towns stated that the need for their husbands to have a better job was important for the well-being of the family. This reflects the perception that traditional family gender roles are still very important. Women see men as responsible for the economic support of the family household, and decisions that favour their husbands’ job opportunities are understood as family decisions.

A small number of women, especially the younger ones, said they came to Buenos Aires following the example or path of other members in their families. Women explained that the presence of support from other family members upon their arrival in Argentina was very important when deciding whether to move from another country. For women migrating from foreign countries, the positive economic situation in Argentina when they decided to move was also a key factor.¹³² It is important to note, however, that better job

¹³² Before Argentina’s economic crisis in 2001 and 2002, immigrants chose Buenos Aires because it enabled them to send money back to their families in their

opportunities meant only a better income, not necessarily a better job position or different field of work.

Women interviewed by COHRE explained that they had to work in order to help bring in the necessary income to sustain their families. Both male and female members of the family often work in the informal sector, lacking any benefits from formal employment. Most men work carrying luggage in the bus station or in the plumbing, construction, or electricity trades. Women generally hold one of two types of jobs; they either work as cleaning women for the affluent homes in the area or as vendors selling food or other homemade products within the slum itself. The women interviewed by COHRE said that being an immigrant was a major obstacle when looking for a job. They explained that there are many prejudices against immigrants, and that often times, these prejudices operate against them in the employment field.

Many women acknowledged that, before moving, they in fact held better jobs than the ones they currently held. Many of them had worked as clerks in shops, as secretaries for commercial offices, or doing other administrative work. While in Argentina, most of them worked as domestic employees, and all of them had jobs in the informal sector. Having a different nationality, however, constituted a barrier when applying for any job for two reasons. First, the women often lacked the necessary documentation to apply for a job, and second, they faced discrimination as immigrants, especially if arriving from Paraguay, Bolivia, and Peru. Hence, immigrant women suffer multiple forms of discrimination due to numerous factors, including their gender, economic status, and national origin.

Women also noted that moving to a place where they and their spouses could find jobs paying better money than those in their home countries was not only important to guarantee better living conditions for them, but also for family who stayed behind. A majority of the women interviewed explained that every month they sent money to other family members and relatives who live in

home countries. Due to the favourable exchange rate of Argentina's currency, this meant better incomes, in relative terms, than those earned in immigrants' home countries.

their home countries. Sometimes, even this small amount of money represented the bulk of their extended family's income.

Once they arrive in the slums, women face many challenges. Finding a place to live in the city is the first challenge they encounter and also one of their principal concerns. Most women came to the city with little or no money, and their first step was to rent a room or a small space in the slum. In this context, social relationships are very important. Finding an affordable and secure place often times depended on having a friend or relative to vouch for a woman's trustworthiness. Rented rooms were very expensive, and living conditions were uncomfortable and unsafe. Family members often shared a small room lacking any privacy and with no space to keep the few basic things they brought with them. Often, someone needed to be present at all times in order to ensure that nothing is stolen.

After some time renting, most women said that they could barely stand to live in those conditions. They said that rent was simply too high and conditions too depressing. Desperate and with nowhere to go, they began to search for empty land where they could build their own houses. Nowadays, most of the women explained that they 'bought' the land, or even in some cases, the houses, from others who came before them. Even though moving to a more precarious area meant living in more insecure, isolated conditions without basic services, women explained that they decided to take the risk rather than continue to pay high rent for their small, cramped rooms.

Not all of the women described the slum as a dangerous place to live, and many felt that the community was, in large measure, a safe one. Nonetheless, most of the interviewees said that insecurity affected them more as women. Women rarely come and go throughout the slum on their own. They said that, especially in the late hours, they could not go out for fear of being robbed or sexually assaulted. Improvement in street lighting and enhanced personal safety was regarded as two of the most important changes needed to improve their living conditions. Women who came alone to the slums mentioned the risk of sexual assault and the fear they would suffer sexual violence. A young woman explained that when she first arrived, she lived in fear until she met another girl who helped her to find a job and safer place to live.

Women in Villa 31 bis were reluctant to discuss their personal experiences with respect to domestic violence, and only a few women dared to speak about the pain and suffering they had endured in the context of intimate relationships. Still, all of them identified domestic violence as one of the main challenges faced by women living in the slum. They explained that it is very difficult to resist a violent husband or family member. Usually, they do not have a place to go to seek safety. The impossibility of finding another place to live or even a temporary place to stay was the primary reason given for why women continue to live in violent homes.

Another major challenge that women face in their daily lives is living with inadequate basic services. Women, being responsible for domestic chores, recognised that this situation represented a bigger challenge for them since they needed to accomplish chores around the house in the absence of basic services. People living in Villa 31 have a water supply, while those in Villa 31 bis have no steady water supply. Water is brought to Villa 31 bis in special trucks that distribute the water in tanks placed in strategic points of the slum. The system is highly inefficient, expensive for the residents, and does not provide a regular water supply. The trucks fail to maintain a steady schedule, and they do not provide enough water for all the houses.

Often times, people living in the furthest areas of the slum are left without any water supply at all. The emergency method used to get water requires a great physical effort from residents, mainly women. Women carry water in basins from the tanks to their houses in order to cook, clean, and use for daily chores. Since women are the ones who spend more time with the children and in the house, the lack of proper services affects them the most. When there is not enough water or gas, or when there is a power outage, it is the women who need to improvise solutions because, as they said, the cooking, the washing, and the bathing of babies needs to be done anyway.

Sanitation in the community is also poor. The wells used as toilets need to be pumped out with special trucks that are provided by the government. This service is provided in a highly irregular manner that causes extremely unhygienic and unhealthy living conditions in Villa 31 bis.

As in most slum communities, security of tenure was a pressing issue. Legal provisions in Argentina provide that that a wife and husband share assets acquired during marriage on an equitable basis. For women who are not legally married, however, this protection does not apply. In case of separation from their partner, it may be difficult for unmarried women to claim their part of the property. Women living in the slums without security of tenure also have little redress, since they do not have legal protection, and it renders the situation even more challenging for women.

I came from Paraguay when I was eighteen. I was just married, and my husband decided to move to Buenos Aires. We came alone, without any family or friends. When we arrived, we rented a room in the slum; it was small, smelly, and we had no privacy. Soon, I discovered my husband had a drinking problem. He was violent, and I was not safe living with him. I was alone in Buenos Aires. I had no friends or family to go to, and there was no place I could go.

– A woman living in Villa 31 bis Slum (Buenos Aires, Argentina)

AYISHU ALHASSAN — 125,000
 AZUMAH ZAKARIA — 125,000
 AMINA ALIASSAM — 125,000
 AZUMI MOHAMMED — 115,000
 AFA NUHU BABA — 24,000
 AFUASIKA K. NTWEI — 40,000
 RABI ALIDU — 540,000
 RUKAYA SALIFU — 55,000
 RUKAYA SAHIRE — 96,000
 REBECCA AKORLE — 44,000
 YAKUBU — 41,000
 YAW — 12,000
 OSMAN — 15,000
 THOMAS — 272,000
 RAIHAT — 973,000
 REGINA — 8,000
 RUK — 58,000
 ZAKARIA — 107,000
 ZAKARIA — 42,000

74 AWAL
 75 HAWA
 76 GLADYS
 77 GEORGE
 78 GLADYS
 79 FAIZA
 80 FUSLIANA
 81 LATIFA
 82 MARIAMA
 83 MARIAMA
 84 Y...
 85 Y...
 86 Y...
 87 Y...
 88 Y...
 89 Y...
 90 Y...
 91 Y...
 92 Y...
 93 Y...



4.3 Africa

I wonder how women in the slums would rate the world's performance in achievement of the [Millennium Development] Goals for gender equality, women's rights and women's empowerment? What will they say, 20 years hence? What will they recommend towards achieving the MDGs by 2015?

– *Nyaradzai Gumbonzvanda,*
Regional Programme Director for UNIFEM in East Africa

There is limited data on migration among African countries,¹³³ and the data on women's migration is even more limited. Nonetheless, urbanisation rates remain high, and African cities, such as Lagos, Dar es Salaam, Lubumbashi, and Kampala have some of the highest urban growth rates in the world. Even traditionally non-urbanised societies, such as Mozambique and Tanzania, are experiencing urban growth rates of more than 7 per cent each year.¹³⁴ Nonetheless, urbanisation has not led to improved living conditions or added wealth generation in Africa's cities. According to World Bank officials, "Africa's experience over the last 35 years has been one of urbanisation without growth."¹³⁵ Despite urban growth rates, aggregate access to clean water and sanitation facilities has not improved in twenty years, and a statistical majority of the region's population is still without basic amenities.¹³⁶

¹³³ Jolly and Reeves (n. 8 above).

¹³⁴ Abdou Maliq Simone, 'Moving Towards Uncertainty: Migration and the Turbulence of African Urban Life', paper prepared for the Conference on African Migration in Comparative Perspective, Johannesburg, South Africa, 4-7 June 2003.

¹³⁵ James F. Hicks, 'Sub-Saharan Africa: Enhancing the Productivity of Urban Africa', paper prepared for the International Conference on Research Community for the Habitat Agenda of the Forum of Researchers on Human Settlements, Geneva, Switzerland, 6-8 July 1998.

¹³⁶ Maliq Simone (n. 134 above).

In Africa, two countries were selected for COHRE study. Ghana is the first country, with the focus on the community of Old Fadama in Accra city and the community of Ashaiman in Tema township, greater Accra. Kenya is the second country, with the focus on the slum communities of Kibera, Mukuru Kwa Njenga, and Mathare located in the capital of Nairobi.¹³⁷

4.3.1 Accra

As elsewhere in Africa, rural–urban migration has been present in Ghana since pre-independence. Ghana has had steady urban growth, and as Ghana’s economy continues to grow, a transition from a predominantly rural to a predominantly urban society is taking place. Since 1970, the rate at which the urban population is growing exceeds the national population growth rate. By 1990, about one-third of Ghana’s population lived in urban centres, and by 2005, this number had grown to 46.3 per cent of the population.¹³⁸ Accra, Ghana’s capital, houses about one-quarter of Ghana’s total urban population. The population of Accra itself is expected to double by 2015, from three million to six million residents.¹³⁹

In Ghana, concentration of the urban population has been primarily within the south of the country. The northern part of Ghana is less urbanised, and for many years, people from the north have come to the urban centres of the

¹³⁷ For COHRE’s research in Africa, two methods were used to gather information: focus group discussions and administered interviews. Five focus group discussions were conducted in Greater Accra in Ghana and Nairobi. As a basis for the administered interviews, 200 questionnaires were administered to 200 people selected from the slum communities.

¹³⁸ Globalis, ‘Ghana: Urban Population’, *Globalis* [interactive world map], (n.d.) <http://globalis.gvu.unu.edu/indicator_detail.cfm?IndicatorID=30&Country=GH>, accessed 22 Apr. 2008.

¹³⁹ Columbia University Urban Planning Program, ‘Metropolitan concepts: Vision for Accra’, *International Studio: Disaster Resilient Accra, Ghana* [website], (2003), <<http://www.arch.columbia.edu/Studio/Spring2003/UP/Accra/index.html>>, accessed 22 Apr. 2008.

south seeking better work opportunities. The imbalance in development in terms of services and infrastructure has continued to sustain the migration south. According to recent estimates, 80 per cent of the population in the three northern regions live in poverty, the vast majority of which can be said to live in extreme poverty and without access to basic necessities.¹⁴⁰ Population scholars in Ghana also have noted new trends in rural–urban migration which are gender-specific:

Until recently this pattern of north-south migration in Ghana has been male-dominated, long-term and long distance in nature, with females joining husbands or moving to stay with relatives for economic and social reasons. However in recent times a dominant migration stream from north to south has been that of female adolescents, moving independent of family, largely towards the cities of Accra and Kumasi, and not always with positive outcomes for the migrants. A recent phenomenon in this migration trend is the migration of young girls from rural areas, particularly the northern regions, to markets in urban centers to serve as *kayayei*, girl porters who carry goods on their heads for a negotiated fee. Girls as young as 8 years old work as *kayas*. Away from support from their home communities and families, most end up living and working under very poor conditions and are vulnerable to both physical and reproductive health risks, especially sexually transmitted infections including HIV/AIDS.¹⁴¹

In previous years, young women, after attaining a certain level of education, would often look to Accra for better jobs or continued educational opportunities. Similarly, married women followed their husbands who secured paid jobs in both formal and informal employment sectors. Today, however, there is an influx of young, uneducated, and often unmarried women who

¹⁴⁰ Mariama Awumbila, 'International Migration, Vulnerability and Female Porters in Accra', paper prepared for the Population Association of America (PAA) 2007 Annual Meeting Program, New York, 28-31 Mar. 2007.

¹⁴¹ Ibid.

move from the rural areas of the north to work as petty traders in the city.¹⁴² The *Kayayei*, or ‘porter’ women, often come to the city for a short period of six months to three years with the hopes of returning to their rural areas upon raising sufficient funds to prepare for marriage.¹⁴³

Old Fadama

Old Fadama is an informal settlement located next to Accra’s Agboghloshie market. It has a mix of commercial and residential buildings and contains a large number of small food markets selling yams, onions, tomatoes, and other food items. It also accommodates a number of hocker markets, a variety of small economic enterprises, and services for residents, including hairdressing, food production, dressmaking, and other small businesses.

The settlement lies along a major yam market and a stretch of Ghana’s industrial area. According to a survey carried out by local leadership, the population of Old Fadama is 24 059,¹⁴⁴ but others put estimates closer to 35 000. Like other slums elsewhere, Old Fadama is mainly comprised of residents without formal title to the land, and some of these residents offer rental housing to those without their own houses.

The ownership of land was initially held by traditional chiefs, who in turn held the land in trust for their subjects. Later, the ownership of the land was taken up by the government. It was not until the early 1990s, after the government relocated the yam market and allocated nearby land to industrialists, that this informal settlement developed. Later, the government also resettled people displaced by conflict in the northern part of the country, as well as pedlars who were removed from the streets of Accra. Old Fadama residents

¹⁴² Ibid. The *Kayayei* women work for very low wages, often making less than one dollar per day after hours of demanding labour.

¹⁴³ Ibid. When they are working in Accra, many of these women go back and forth between their homes in the north and the slum communities where they live, resulting in a cyclical pattern of migration.

¹⁴⁴ This figure was provided to COHRE by the People’s Dialogue of Ghana on Human Settlements.



▲ Old Fadama is one of Accra's largest urban slum communities, with some 30 000 people living on the banks of the polluted Korle Lagoon. Photo: COHRE

themselves originated from different places of Ghana and West Africa, and there are loose divisions along ethnic lines.

People in Old Fadama live in poor conditions characterised by high population density, and they typically live in wooden shacks and kiosks that are constantly exposed to fire outbreaks.¹⁴⁵ Sanitation conditions are nothing short of abysmal, as all kinds of waste ends up in the nearby Korle Lagoon. Situated in the lowland, the area is subject to frequent flooding. This flooding is further exacerbated by the absence of a proper drainage system. The area only has

¹⁴⁵ Richard Grant, 'Out of Place? Global Citizens in Local Spaces: A Study of the Informal Settlements in the Korle Lagoon Environs in Accra, Ghana', *Urban Forum*, 17/1 (2006).

shallow trenches, which provide a breeding ground for mosquitoes and disease.

In past years, the government has expressed an interest in turning the space into a recreational and tourist area. Recently, these plans have been revived under the Korle Lagoon Ecological Restoration Project, which threatens to evict the entire slum community of Old Fadama.¹⁴⁶

Women living in Old Fadama typically either have petty businesses, such as vending cooked food from small stalls, operating salons, and selling small items like mineral water and sweets out of retail shops, or they work as *Kayayei*. While workers in the petty business trade tend to be more settled, married, or living in rented rooms of their own, *Kayayei* women are often temporary migrants, much younger, and are likely to group-rent a room. An average room of only 10' x 10' can accommodate up to thirty young women. These load-carriers originate from mainly the northern part of Ghana and are members of the Konkomba and Dagomba tribes. *Kayayei* women and girls typically come south for a short period, raise money, and return home either for marriage, a more productive business, or training as seamstresses or similar labour. A few of them are married women and left their husbands behind in their home villages. Nonetheless, they, too, come to Accra to make quick money with the hopes of using it to improve their lives back home.

Ashaiman

Ashaiman is an area situated in the Tema District within the Greater Accra region. It is located within the Tema Municipality and has a population of about 150 000, making it the largest zonal council in Tema and the second largest settlement in the Greater Accra region.¹⁴⁷ It is also the fifth largest

¹⁴⁶ Ibid.

¹⁴⁷ Ghana Statistical Service, *Ghana 2000: Population and Housing Census, Summary of Final Results* (2002).

town in Ghana in its own right.¹⁴⁸ Ashaiman constitutes the biggest slum in the Tema Municipality and quite possibly the largest slum in all of Ghana.¹⁴⁹

Unlike Old Fadama, Ashaiman has been in existence for many years. Indeed, unlike in Old Fadama, COHRE found that many women in the community had been in the area for more than thirty years, and some of them were actually born there. Ashaiman's growth traces back to the construction of Tema as Ghana's industrial and sea port city in the 1950s. In order to develop the town of Tema, the government acquired the land from the people who owned it, and in turn, resettled them in a new township as compensation. Originally, the resettlement excluded non-natives (migrants) who lived on the land. Instead, a small plot of land in Ashaiman, which was then a small fishing village, was allocated to these individuals for the purpose of building their own houses.¹⁵⁰

The growth of Tema into an industrial town attracted new migrants into Ashaiman, as there was soon a shortage of housing in Tema. The availability of cheaper rental accommodation, the ease of building because of the lack of building regulations, and the proximity to Tema made Ashaiman an attractive residential option to many poor labourers and industrial workers. It is perhaps no surprise that most Ashaiman residents have low educational levels and incomes far below the national average.¹⁵¹ The conditions continue to be characteristic of most unplanned settlements, with poor sanitation, insufficient drainage, and inadequate housing. In comparison with Old Fadama, however, Ashaiman has more improved structures, and in some places, permanent ones.

Most women interviewed by COHRE in these two slum communities said the major reason they came to the city of Accra, or to Tema, was to raise income

¹⁴⁸ Ibid.

¹⁴⁹ *Tema Municipality Human Development Report* [online report], (2004) <<http://www.undp-gha.org/Tema%20District%20HDR%202004.pdf>>, accessed 22 Apr. 2008).

¹⁵⁰ Thomas Owusu, 'The Growth of Ashaiman as a Squatter Settlement in the Tema District of Ghana, 1950-1990', *The Arab World Geographer*, 2/3 (1999).

¹⁵¹ *Tema Municipality Human Development Report* (n. 149 above).

in order to support their families. A majority of the women said that there were limited business opportunities in up-country towns and villages compared with those available in the city. They observed that the main economic venues in the rural towns or villages are markets. These provide farmers the opportunity to sell their crops, but many rural residents also engage in other forms of business to make ends meet. Typically, markets only operate on particular days of the week, and the chance that one could raise sufficient income to cater to all household needs is very minimal.

In addition, increasingly unproductive land in the north has made farming less lucrative in recent years and is causing many women to move in search of alternative economic activities. Women said that land, especially in the north, is becoming barren and necessitates more fertiliser supplements in order to yield a crop. With low income levels amongst the population in the north, many cannot afford the cost of these added fertilisers.

Women in polygamous marriages find it even more difficult, since they have to split the small plots of land among co-wives. The situation is also difficult for widows, whose land might be taken away or who have to seek alternative lands to farm from relatives. Widowed women who were not disinherited of their land and property said that they still found themselves in a situation where, with little to gain from farming, the only solution to their economic problems was to relocate to a place where they could diversify their income opportunities.

Women from the Volta region also said that constant flooding in some of the areas around the region compelled their movement into the city. Frequent floods made farming difficult and put the lives of the inhabitants at risk. Such flooding is another environmentally related factor that needs critical focus. As problems of climate change due to global warming continue to ravage the continent, it is likely that the migration of men and women will be increasingly triggered by natural disasters. Policymakers already know that continued climate unpredictability will make subsistence farming increasingly difficult for

the rural poor: “Global warming is set to make many of the problems which Africa already deals with, much, much worse.”¹⁵²

Young women and girls experienced unique push and pull factors, and they often came to the city after the death of a parent. Many used the money they earned in the city to support their younger siblings, start a small business, or prepare for marriage. After losing a parent, and especially a father who often plays the role of sole breadwinner in many rural homes, many young women dropped out of school and moved to the city in order to earn an income to support younger siblings, their remaining parent, and themselves. The loss of a parent is all the more complicated for families with many children. In such cases, it is often difficult for traditional social networks and extended families to absorb the needs of the family.

One of the young girls interviewed in Old Fadama revealed that, upon the death of her father, her mother had to make a stark choice between what would happen to her and what would happen to her brother. Her mother let the boy stay in school, while sending the girl off to work. Her reasoning was that at least the boy, who was already in secondary school, could be assisted to complete school in order to improve his future. As for the girl, she could seek work in the city and, if lucky, she would eventually get married.

At times, young women also come to the city as girls because of encouragement from relatives. When parents are unable to raise school fees to further their education, some families agree that their daughters ought to be taken in by a relative already staying in the city. Girls sometimes seek independence by leaving their relatives and joining other groups of girls engaging in income-generating activities. The girls interviewed by COHRE said that it was easier for them to raise funds to support their families back home when they were independent, rather than when they remained with an adult relative. Some of the youngest girls with whom the COHRE team met, however, had an older female relative who offered them protection, security, and care. While many of the young women and girls who COHRE interviewed

¹⁵² “Climate Change “Hitting Africa””, *BBC News*, 28 Oct. 2006 (quoting Andrew Simms, New Economics Foundation).

wanted to pursue their education, a majority were unable to do so because school fees in the city are unaffordable and cause many students to drop out.

Younger women also came to the city to run away from the possibility of being married off by their parents. Women attributed this to families – especially those in polygamous arrangements – having more children than they can realistically afford to look after. With no hope of continuing their education, families often force their girls to marry, often at a young age. In defiance, girls sometimes escape with their friends and join the trek into Accra. Some of the girls interviewed attributed their movement into Old Fadama to the polygamy practiced at home. Polygamy also factored into some of the reasons why wives left their husbands behind to come to the city. Women in polygamous relationships reported that they experienced neglect, including a lack of financial support from their husbands. The responsibility of having to run the home without financial means or support forced them to seek practical alternatives.

For women who were a bit older, divorce was a common reason given for their movement into the city.¹⁵³ After divorcing or separating from their spouses, women found it difficult to find financial support for themselves and their children. Women also observed that failure to share property equally among spouses after divorce dispossesses women of property which, in turn, leaves them with no option but to come to the city and move into the lowest-cost housing areas. In cases of divorce, the needs of children put immediate pressure on women to search for income. Children need money for school fees, food, and other basic necessities. Women at times left their children under the care of their maternal grandparents in the villages, while they moved to the city to raise the money needed to care for them. Others, especially those with young children, decided to bring their children along.

¹⁵³ 'Divorce' as used by women is a flexible term used to refer to separation among spouses, even though at times, women are actually not legally married, but rather cohabit with their partner, an arrangement which they refer to loosely as 'marriage'. These partnership arrangements often put women in a precarious situation because women are even less likely to retain control of property when the relationship dissolves.

Divorced women, once in the city, are also not as likely to return to the village or home town, or they at least seem to stay considerably longer. Those interviewed had been in Old Fadama or Ashaiman for more than three years, and they were not sure if or when they would go back to their home villages. Children of divorced parents are affected differently after divorce. Since they are mostly left with aging grandparents, they also suffer income constraints. Those considered grown are left with the option of migrating to cities to raise money to supplement that of their struggling mothers. Girls in such situations were again likely to drop out of school in favour of their brothers. The decision to move to cities for such girls was also influenced, again, by fear of forced marriage.

Widows who have been disinherited of their land and property or those whose disinheritance issues have caused a rift between them and their in-laws also at times decided to move to the city to start a new life. These women either came with their children to Accra or left them behind to be cared for by relatives. Young women who also were disinherited of their fathers' property decided to move to cities to support themselves. Orphans who left very young often did not link their plight to disinheritance; they saw themselves as indebted to their relatives who offered to look after them. The orphan girls interviewed by COHRE said that they came to the city in order to raise money and support their siblings' education. One woman interviewed narrated that when her own parents died, her uncle disinherited her of the only land she was left, and he later sold it. It was difficult for her to get justice, and she did not receive any share of the money from the sale. In many African traditional societies, women are excluded from inheritance by their blood relatives out of the belief that they will marry and be taken care of by their husbands. In this woman's case, her husband had no property, and when he abandoned her at his parents' home, she was chased away.

Loss of property through other means also had a similar effect. Some of the women interviewed by COHRE identified robberies as factors forcing them to relocate. Others noted that after having to sell their property in order to treat their sick husbands or relatives, they needed to move into Accra or Ashaiman. Selling property to obtain treatment for a relative can be attributed to poverty or a lack of alternative income at the household level. Women said that once

the property is sold and the relative does not improve or dies, women find living conditions extremely challenging. In these cases, she may lose assets, as well as a primary breadwinner. These women also moved to the city where prospects of earning income were better.

The challenges faced by women in Old Fadama and Ashiman were similar to those reported by women living in other slums around the world. Women interviewed said that poor housing affects them the most because, unlike men, they spend more time at home and have to care for the children. Unlike Old Fadama, housing structures in Ashaiman are a mixture of permanent structures made of cheap materials and wooden structures; some of the areas are situated on dry land. Women in Ashaiman, however, also face the same problems of congestion and lack of security of tenure. For both communities, accessing safe water is expensive since the only available water is owned by individuals as a source of business. A bucket costs about ten new Ghana Peseewas, and one needs several buckets for a day's use.

Women in Old Fadama also live with constant risks of fire which threaten their property and lives. This, they said, was due to the congestion of temporary wooden structures, the use of candles and the many charcoal stoves by food kiosks, and, at times, thieves who use arson as a means to create opportunities for stealing. On average, Old Fadama suffers from about ten major fires every year. In the event of a fire, security of property is compromised as thieves capitalise on the resulting commotion and disorganisation to steal. Loss of property caused by fire is a major setback to women whose incomes are always low and who find it difficult to replace even the most modest of personal possessions.

In addition to these issues, women in Old Fadama raised critical issues related to privacy, security, and gender-based violence which merit special attention.

Undeniably, Old Fadama is a very congested slum. The mixture of residential and business areas makes the place a beehive of all kinds of activities, leaving the occupants with very little, if any, privacy. *Kayayei* women who group-rent a place to stay in the slum said that, because of the small size of the rooms they are able to afford, they are at times compelled to sleep outside. Women have to endure paying what, for them, are exorbitant rents. On average, a small

room in one of Old Fadama's shacks costs 10 new Ghana cedi (approximately US\$ 9.50) per month or 150 new Ghana cedi (approximately US\$145) per year. Women group-renting a room in a shack each pay about one-half to one and one-half Ghana cedi on a weekly basis. Inability to raise rent money is one of the main reasons why some women, especially the young girls, are forced to sleep outside. When this happens, women and girls risk their personal security and their property. Many reported that *Kayayei* women and girls were routinely raped, sexually assaulted, or robbed when they slept outside.

Rape and sexual assault were major concerns for *Kayayei* women and girls, and attacks did not only happen at night. Too often, women and girls reported having to suffer silently when this happened to them. For some, close friends helped to treat and care for them after an assault. The women in Old Fadama said they were afraid to report cases for fear of provoking the government into evicting them. Even in those cases where rape was reported, the police, COHRE was told, had little interest in pursuing these cases and holding perpetrators accountable. Rape in the slums also exposes young women and girls to the risks of HIV/AIDS, as well as unwanted pregnancy and its related problems. Women and girls who faced an unwanted pregnancy – either through rape, coerced sex, or consensual sex – often risked unsafe and illegal abortions.

In the community and during the course of their work, *Kayayei* women also risk open attack by thieves who threaten them at knifepoint and take their money. This happens especially very early in the morning as the *Kayayei* women set out to work. *Kayayei* women must wake up very early in the morning, when most of the people in the community are still sleeping, in order to get the best food items to sell later in the day. Those in the load-carrier business also start work very early in the morning, when businesses hire them to carry their merchandise. Congestion, a lack of proper lighting, and a lack of police presence in Old Fadama all combine to exacerbate these risks.



4.3.2 Nairobi

Internal migration can have profound effects on women who move. Vulnerability to exploitation is a key concern, particularly when women migrate into risky, low paid and dangerous jobs. Internal trafficking of women and girls for sexual and other exploitation is a growing problem. In addition, migration to join a husband's extended family may reinforce traditional marital roles and limit a woman's access to prior support systems. Other changes may enhance the situation of migrating women, who may find greater independence upon moving, particularly to urban areas. They may find themselves living in nuclear rather than extended family households, providing important economic inputs to their families' income, and making key economic decisions about themselves and their families—although in some studies, men retained full decision making authority even when women earned money. Less studied is whether migrating women have access to education, health care services and other programs that may be available in urban areas but would have been out of the reach of women in rural communities.

– Susan Forbes Martin, author of *Women and Migration*'

Kenya has experienced rapid urbanisation at an estimated rate of 7.3 per cent per annum, making it one of the most rapidly urbanising countries in all of Africa.¹⁵⁴ The population of people living in urban centres in general has increased to 34.5 per cent¹⁵⁵ from about 18.3 per cent less than a decade ago.¹⁵⁶ The proportion of Kenya's population which is urbanised is expected

¹⁵⁴ UN-HABITAT, 'History of Urbanization and Proliferation of Slums in Kenya', *Twenty First Session of the Governing Council* [website], (16-20 Apr. 2007) <http://www.unhabitat.org/downloads/docs/4628_72173_GC%2021%20History%20of%20Urbnization%20in%20Kenya.pdf>, accessed 22 Apr. 2008.

¹⁵⁵ Ibid.

¹⁵⁶ Washington H.A. Olima, 'The Dynamics and Implications of Sustaining Urban Spatial Segregation in Kenya: Experiences from Nairobi Metropolis', paper

to increase to about 50 per cent by the year 2015.¹⁵⁷ In just ten years, between 1989–1999, the urban population swelled from 3.88 million to close to 10 million people, representing a staggering increase of 155 per cent.¹⁵⁸

The rise of informal settlements in Nairobi city can be traced back to 1902 when European settlers first arrived. These settlers moved into various highland areas that later became part of the city. In doing so, they displaced the indigenous population, causing them to settle adjacent to white farms, where they worked as agricultural labourers or as domestic servants. Informal settlements developed on the outskirts of high income areas. Because of their meagre incomes, the native people could only afford to live in the poorest housing available. For more than two decades, the settlement structure in Nairobi was organised along racial lines, with whites and Asians occupying high income residential areas, while almost all the black natives of Nairobi lived in informal settlements.¹⁵⁹

Today, more than 45 per cent of Kenya's urban population are said to be living in Nairobi city. Nairobi's population is estimated at about 2.14 million, 55 per cent of which live in the informal settlements.¹⁶⁰ Paradoxically, in terms of actual physical space, those living in informal settlements occupy only 5 per cent of the city's residential areas. It is nearly unimaginable that the more than 200 hundred informal settlements in Nairobi are crammed into this tight space, accommodating more than half the city's residents. This is, however, the reality. In Kibera, which accommodates the highest population density of any slum in Nairobi, 2 500 people live per hectare (or 10 000 square metres) of land. That is, on average, 1 person per every 4 square metres.

Nairobi's slums are characterised by inadequate housing, unemployment, delinquency and crime, a lack of clean water, insufficient drainage, poor

prepared for the International Seminar on Segregation in the City at Lincoln Institute of Land Policy, Cambridge, MA, 26-28 July 2001.

¹⁵⁷ UN-HABITAT (n. 154 above).

¹⁵⁸ Ibid.

¹⁵⁹ Ibid.

¹⁶⁰ Olima (n. 156 above).

sanitation, a lack of adequate public transport, and environmental degradation. Urban poverty continues to put new demands on the government and various stakeholders in development. Moreover, the current urban situation in Kenya is emblematic of the rapid deterioration of living conditions in human settlements, and it is only getting worse as population growth continues unabated. There has been a huge shortfall in the housing supply, estimated at 50 000 units per year, while production stands at about 30 000 units annually.¹⁶¹ This acute shortage of urban housing has contributed immensely to the rapid formation and growth of informal settlements.¹⁶²

Like Ghana and elsewhere in Africa, the movement of women into Nairobi and other urban areas was traditionally restricted to women joining their husbands, who themselves worked as labourers in the city. Urban centres were considered a domain of men, as was paid employment. Women who moved to the cities were seen as encouraging prostitution by authorities, an attitude widely shared in the rural areas.¹⁶³ As the restrictions set by colonial administrators and social perceptions changed in Kenya, women's movement into urban areas became freer. The driving force behind urban migration, now for women as well as men, soon became economic opportunity.

In Kenya, COHRE interviewed women living in three slum communities. These communities are profiled briefly below.

Mukuru Kwa Njenga

Mukuru Kwa Njenga slum (or Mukuru) sits on land that was once part of farm land owned by white settlers. The slum was established in 1958, and it originally housed primarily farm labourers. Later, it became a general place for the urban poor to come and build makeshift homes. With urbanisation, more and more people settled in the area, and the population of Mukuru's poor increased with the departure of the white settlers. Mukuru lies 10 kilometres south-east of Nairobi's city centre, along the city's industrial area, and covers

¹⁶¹ UN-HABITAT (n. 154 above).

¹⁶² Ibid.

¹⁶³ Winnie V. Mitullah, *Mobility and Gender: Reflection on Urban Situation in East Africa*, UN Doc. CM/MMW/2003/EP.7, 14 Jan. 2003.

an area of 32 hectares of land. With a population of 75 000, this means that the slum houses some 2 300 people per hectare.

Today, the land is government land, which the government leases to individuals and businesses for a period of ninety-nine years. This system has caused difficulty for the people who had previously settled in the area, as they have no legal security of tenure whatsoever. The private owners caused major demolitions in 1996, which met stiff resistance from the slum's residents and received major criticisms from human rights organisations. Furthermore, residents were not served with any eviction notice before their homes were ruthlessly destroyed. In 1999, the government officially handed the residents a formal eviction notice, which the people have successfully resisted to date.

Mukuru slum is home to people from mixed ethnic backgrounds. Like most unplanned settlements, Mukuru lacks basic infrastructure, and sanitation conditions are very poor. The place is congested, and residents complain of drug problems and criminal activities. Mukuru also lies next to an industrial waste disposal site, which spills over into the community and pollutes it with toxic material.¹⁶⁴

Kibera

Kibera is perhaps one of Africa's most notorious slums. The massive informal settlement is one of the largest on the continent, if not the largest. It emerged originally from a community known as 'Kibra Nubian Villages', which was established on a forested reserve in 1918 and carved out for Nubian ex-soldiers¹⁶⁵ who were brought to Kenya by Sir Samuel Baker and settled by colonial administrators on the periphery of Nairobi city south-west of the city centre. Today, Kibera is situated about 7 kilometres outside the city centre and occupies a space of 120 hectares.

¹⁶⁴ Anthony O. Lamba, 'Land Tenure Management System in Informal Settlements, A Case Study on Nairobi', MS thesis (International Institute for Geo-information Science and Earth Observation, 2005).

¹⁶⁵ Nubian Soldiers were originally from Sudan.

Between 750 000 and 1 million people live in Kibera, with an estimated congestion ratio of 2 500 people per hectare. Conditions in Kibera are some of the worst in the world. As BBC news reporter Andrew Harding aptly wrote during his 2002 visit to Kibera:

This place is like an island – it’s not really part of Kenya at all. The state does nothing here. It provides no water, no schools, no sanitation, no roads, no hospitals. ... Kibera’s water is piped in by private dealers, who lay their own hosepipes in the mud, and charge double what people pay for the same service outside the slum. The security comes from vigilante groups - who, for a price, will track down thieves and debtors. Usually, the Nairobi police are too scared to come here. But if they do, they’re just looking for bribes.¹⁶⁶

Mathare

Around Kenya’s independence in 1963, a group of colonial era independence fighters illegally established Mathare on government land. While the new government was demolishing informal settlements, this group lobbied politicians not to demolish the Mathare Valley area. With political backing, the Mathare squatter community grew with almost *de facto* rights over the land.¹⁶⁷ The government later granted leasehold to a board of trustees established on behalf of the community. Plans to upgrade the settlement were reached in 1992, with support from the Federal Government of Germany, which signed an agreement between the Kenyan Government and the Catholic Archdiocese of Nairobi. This was the first slum upgrading programme in Nairobi. The pilot project was completed, and a new agreement to complete the rest of the upgrading was established and administered by the Catholic Archdiocese of Nairobi. The upgrading project was later halted, however, due to escalating violence and hostilities aggravated by former owners and local area politicians.¹⁶⁸

¹⁶⁶ Andrew Harding, ‘Nairobi Slum Life: Into Kibera’, *BBC News*, 4 Oct. 2002.

¹⁶⁷ Lamba (n. 164 above).

¹⁶⁸ Ibid.

The slum upgrading led to the improvement of infrastructure, including water supplies, sanitation facilities, and bitumen standard roads. Mathare also benefited from the establishment of one medical centre and two kindergartens. As it stands today, Mathare has a population of 23 000 people occupying 17 hectares of land.

Women interviewed by COHRE noted several reasons for their migration into the slums of Nairobi, and some of these reasons echo those which emerged in Ghana and elsewhere. The women in the Mathare focus group discussion were quick to point out that the general position of women in society (as submissive and relegated to second-class citizen) is largely responsible for their problems. Women moved to Nairobi in pursuit of economic activities and with a conviction that the city had more to offer them than did rural towns or villages. Through COHRE's focus group discussions, two common scenarios emerged. The first scenario concerned women whose husbands were not engaged in any economic activities, and as a result, the family was languishing in abject poverty.¹⁶⁹ The second scenario concerned those women who had been widowed, divorced, or deserted by their spouses, or single women who possessed no land or property. The women in the former category left their husbands in the village, and after they had established themselves, encouraged their husbands to join them when possible. Women in the latter group often left their children back home with their relatives, depending on the arrangement and relationships they had with their relatives. Once they settled in the city, they were able to send money home for the care of their children. Some mothers alternatively brought their children to live with them. Single women who had problems independently accessing land in their villages also came to the city in search of new horizons.¹⁷⁰

¹⁶⁹ As in Ghana, women interviewed in Nairobi also identified polygamy as causing women to move to cities.

¹⁷⁰ Land, which is communally owned, is controlled and shared amongst men. Brothers of single women prevent them from inheriting their parents' land. The only way that single women can acquire land is to buy it outright, an option which is often unaffordable to them.

There is perhaps a broader implication in this search for economic opportunities, as it reflects a kind of skewed development between the city and the rural areas and between the city and other up-country towns. This disparity is a key factor in rural–urban migration. A number of women interviewed by COHRE came from areas around Kisumu, the third largest city in Kenya. The women noted that there is unequal development even within urban centres, with resources and infrastructure concentrated primarily in Nairobi. Therefore, other urban areas – not only the rural areas – experience limited economic potential, a factor which encourages people to move to Nairobi.

Economic opportunity in the cities, however, is not all it may appear to be for women. Women said that they find it difficult to benefit from many profitable schemes as a result of gender-based discrimination. Even in industries, women are relegated to poorer-paying jobs, because men are considered better suited to the higher-paying jobs, even when women could carry out these same jobs in reality. Women observed that they are disadvantaged in many situations which make them vulnerable to many abuses of their rights. They said that women in some instances are denied an education because of a preference for boys over girls, are discriminated against by stepmothers and other family members, and are disadvantaged due to forced marriage and unwanted pregnancies. They argued that women who have attained a certain level of education are perhaps better able to escape difficulties and compete for better paying jobs in industries, and they are therefore likely to live in better places.

Women living in the slums typically worked in low-wage and low-skilled jobs which paid them even less than their male counterparts in the same area. Some women resorted to commercial sex work in order to survive, placing them at risk of sexually transmitted diseases, including HIV/AIDS. Even what little money the women earned did not always stay within their control. When married, women often handed over their earnings to their husbands. The husbands, however, did not disclose their own income, little of which was used to support the family's needs. Some of the women COHRE interviewed disclosed that they lived with husbands who did not in any way contribute to the household's income and who actually demanded that the women give them money every day. The women said that they were forced to stay with their 'parasite' husbands for fear of the stigma faced by single women in the community.

As in other cases highlighted in this report, some women interviewed in Nairobi decided to relocate to the city in pursuit of their husbands who came earlier to work as industrial labourers. Women in this situation complained that their husbands, over time, neglected their families in the village after having come to the city. Deprived of financial assistance, women followed their husbands to the city, sometimes only to discover that their husbands had married other women. This was not an uncommon occurrence, and women sometimes chose to leave their husbands in order to make an independent life in the city or seek a new marriage.¹⁷¹ Others said that when they were neglected by their husbands, they sought to find their independence in the city, with or without their husband's companionship. A few of the more fortunate ones COHRE interviewed said that their husbands had asked them to join them in the city to try increasing their income opportunities and work jointly towards the improvement of the family's living conditions.

Women also cited gender-based discrimination and violence as reasons to leave their former homes and flee to the city. Widows and married women often fell prey to harassment, neglect, and verbal or physical attacks, particularly at the hands of in-laws. Widows interviewed by COHRE agreed that both before and after the death of their husbands, they were maltreated by their in-laws. This, they said, was made worse by the fact that homes in the rural areas are built within the same family compound or within close reach of their in-laws. This arrangement is a result of traditional land distribution, where pieces of land are often divided amongst sons by their father, who retains control over the land. Land in such communal arrangement often generates high competition among brothers. When her husband dies, a widow may become the target of harassment by her mother-in-law and brothers-in-law, with the ultimate aim of chasing her off the land.

In these cases, even before actual disinheritance or property-grabbing occurs, women are coerced into giving up their property in order to escape escalating maltreatment. Returning to their own parents' home often does not assist these women, as they are usually not welcomed, especially by their own

¹⁷¹ This term is again used loosely to refer to cohabitant relationships.

brothers. Too often, these women are left utterly destitute and with no place to go. In order to be able to educate and feed their children, widowed women interviewed by COHRE looked to the city as the only alternative.

In some instances, harassment from in-laws caused women to separate from their husbands, thus demonstrating it is an issue that not only impacts widows, but married women, as well. It should be noted, however, that COHRE's research revealed that mostly widows are affected. In these cases, harassment from in-laws also arose when a woman was of an ethnic origin different from her spouse, when she came from a relatively poor family compared to her husband's family, when she was older than her spouse, or when her tribe or clan was considered inferior and not good enough to provide a wife. The perpetrators of this kind of abuse are typically mothers-in-law, and many women either leave their spouse or persuade their spouse to move to a far-off place like the city.

One of the women interviewed by COHRE said she was harassed by both her father- and mother-in-law. Her father-in-law demanded a sexual relationship with her. Because of this, she said, it was easy to convince her husband to relocate. She commented, however, that in many cases, spouses side with their relatives against the wife, because a woman is expected to be submissive to her husband and his family, no matter the problem.

Disinheritance was also a major problem exacerbating women's poverty and pushing them into the slums. Most disinherited women had had land, household items, goats, and cows that constituted their household economic resources, only to have it all taken from them by their in-laws and other relatives. Women say this action is condoned by the cultural belief that women cannot own property. Customs dictate that immovable and movable property, such as land, houses, livestock, and other necessities, is best controlled by a male. Some women COHRE interviewed refused to call this a cultural tradition, but attributed the practice to competition over land that is becoming scarce and the greed espoused by relatives. Children who have lost their fathers are left to suffer with their mothers, and many times, children come to the cities along with the widowed women.

One woman was fortunate enough to have a father-in-law who sided with her when her brother-in-law wanted to grab her land after her spouse's death. Because of the struggle to retain her land, however, she was not willing to go back and settle on her land. When she was asked whether she would return to the land left to her and her children in the village, she responded: "I would rather raise money and buy a piece of land that I would truly call my own and have peace."¹⁷² Even when land or property is not grabbed from the widows, they often cannot exercise full control and use the land or property as they wish and for their personal benefit. This particular woman had filed a case against her in-laws, which was still dragging on in court. Even if she won her case, she felt it would be of no use to stay in a place where she would likely be harassed and which held no peace of mind for her. Even in those cases where women were not disinherited, they were challenged by the lack of support and lack of income which forced them to migrate to the city to look for jobs. Women interviewed said that even where land is not taken away, it is often too small for women to rely on for their subsistence. As they try to raise income through other means like petty trade, they realise that it is better to do business in the city where they can make better profits.

Moreover, widowed women faced the additional risk of wife inheritance, also known as 'levirate' marriage. Running away from wife inheritance in the rural areas forces many women to seek refuge in the city. This cultural practice is present in a few tribes of central and western Kenya. A widow, upon her husband's death, is expected to agree to be married to another man (usually a relative of her husband, often a brother, or one selected by her in-laws) in order for her to be able to remain on the piece of land and house left behind by her husband. Refusal to do this means the widow would lose her customary rights to retain her property and home. Two women in COHRE's sample group indicated widow inheritance as the reason they came to Mukuru.

In the slums of Nairobi, the prevalence of HIV/AIDS among women is increasingly becoming both a push and a pull factor for why women are flocking to the city. The influence of the pandemic is twofold. First, women whose husbands died of HIV/AIDS-related diseases are often presumed

¹⁷² Interviewee, focus group discussion II, Mukuru Kwa Njengo, Kenya.

themselves to be infected in their communities. Their in-laws send them away on accusation that they will infect more people in the family and will spread the disease to the entire community. Their children are also presumed infected and are denied a share in their fathers' property on the grounds that they will soon die. This social stigma could reflect limited awareness on HIV/AIDS, or it could be used as a convenient rationale for in-laws to disinherit widows. From the women's point of view, there is no effective mechanism in place to protect women affected by HIV/AIDS against family violence and discrimination. These circumstances reportedly pushed some women to seek a better life in the city. Second, women who do find themselves infected by the virus sometimes feel that relocation into the city solves the glaring social stigma they suffer in their communities and is also beneficial in terms of accessing free medical treatment, as well as care by non-governmental organisations (NGOs) and community AIDS workers. This is a level of care they would not be able to access in their previous homes. Moreover, in the city, these women are able to improve their economic status through income-generating work, allowing them to eat better and safeguard their health a bit more. Women also identified the existence of social support networks for persons living with HIV/AIDS in cities as a contributing factor to why they leave. Indeed, in Kibera, the COHRE team met with thirty-five members of a network of women living with HIV/AIDS. These networks assist women to access saving and credit schemes, raise money to assist each other in case of sickness or death, and offer spiritual and psychosocial support to help the women cope with their situation.

Young women and girls, when forced to drop out of school due to poverty or the loss of a parent, opted to search for jobs in urban areas in order to assist their mothers in supporting their younger sibling(s). Others came with the hope of working and attending college. Some young women whose mothers had remarried were chased away from their new homes by their stepfathers.

The vast majority of women interviewed by COHRE in the slums of Kenya did not own houses, but consider themselves tenants to house-owners (i.e.

landlords).¹⁷³ The houses in the slums that women rent constitute single rooms measuring 10' x 10,' and they are congested on a small tract of land. Houses have little or no proper ventilation, leaking roofs, and crumbling walls. They lack proper access routes and are poorly lit. Fire outbreaks are a common occurrence.

For these meagre quarters, landlords charge high rents and often refuse to provide maintenance on the shacks in which women live. Women, who survive mostly on petty trade or are employed as labourers in the industries, often lack adequate income to pay their rent on time and on a regular basis. Landlords often seize their property in case of failure to pay (an average shack costs between KSh 500 to 1500, the equivalent of US\$ 8 to 24, per month).

Landlords collect their rents in harsh ways, sometimes by adding a lock to the door or removing the roof. Female tenants are at times harassed to exchange sex for having their rent waived. This predicament is made even direr in cases of women affected or infected by HIV/AIDS, as women try to cope with the personal and financial effects of the disease. In fact, landlords at times are reluctant to rent to women living with HIV/AIDS in the first place for fear that they might not be able to afford to pay.

Women also said that poor sanitation affects them and their children the most, because they stay in the slums longer compared to men. Women work within the slum, and they take primary responsibility for household chores. Their children play in what can only be described as appalling conditions, where no child should have to play. A lack of proper sanitation is responsible for

¹⁷³ Land in the slums is controlled by chiefs, and tenants or shack owners must pay tax for the use of land and the allocation of plots. Acquiring plots with proper title is very difficult, which makes security of tenure precarious for residents. It is even more complicated for women to acquire title because they must go to the chief with their brother, husband, or father. Furthermore, in Kenya, a woman's national identification card bears the names of her father or her husband. This makes it difficult for women to obtain land in their own name, as chiefs commonly recognise the male names on the identity card as the true owners. As a consequence, women are prevented from ever acquiring title.

diseases, such as cholera, intestinal worms, and malaria, which are inescapable due to the waterlogged open gutters. In Mukuru, industries dump dangerous chemicals and other undesirable rubbish, including expired food stuffs, at the entrance of the community. This only adds to the garbage already produced by the slum community itself. In many slums, human faeces are littered throughout. The infamous 'flying toilets' (a euphemism used for people having to relieve themselves in plastic bags, which are later tossed outside and strewn about the community) are caused by a lack of proper toilets. The toilets that are available are few and far between, and people must pay to use them, which most residents cannot afford to do. Women also said that they lacked clean water. They said that water is usually contaminated by close sewage pipe outbursts, since the practice of illegal water connections leads to the construction of water pipes alongside sewage pipes.

A lack of personal security in the slums is also of grave concern for women. As in Ghana's Old Fadama slum, women in the slums of Nairobi expressed concern that there were many incidents of rape and sexual assault in their communities, the majority of which go unreported. Theft of property and violent attack by those under the influence of drugs were common. Insecurity was also caused by a lack of proper lighting at night and limited or non-existent policing. Corrupt authorities also failed to protect women from landlords and their abusive husbands.





5 CONCLUSIONS

...because of traditional social practices and discriminatory legislation, gender inequality is particularly prevalent in the urban settlements of developing countries. Although today's urban economies are dependent on their labour, women are often denied access to credit, resources, income generation and entrepreneurial opportunities. In addition, public transport is intimidating to women; basic amenities such as toilets or crèches are underprovided; women are more likely to be poor; they lack political voice; and they are under-represented in positions of political influence and managerial responsibility.

– *UN-HABITAT*, Sustainable Urbanization: Achieving Agenda 21

In an era of increasing urbanisation, women must be able to take their rightful place in the city, as fully equal citizens able to live in dignity, peace, and security. Worldwide, urbanisation shows little sign of abating. All of us today live in a unique time in human history, a time where city life is rapidly becoming synonymous with the human condition. In the midst of this historic shift, women everywhere are looking increasingly to cities for a better life, a fresh start, and an opportunity for change. It is a hope, a promise, on which the world should not renege.

This study has demonstrated that women's migration to the cities, and their ultimate arrival in urban slums, is a complicated question to say the least. It is a question which hinges upon fundamental issues of social inequality, and indeed, on gender itself. The study has illuminated both the unique causes and consequences of urban migration for women. An inescapable conclusion of this report is that there are, in fact, gender dimensions to the phenomenon of urbanisation. Women's experiences, motivations, perceptions, challenges, and triumphs within the context of urban growth have for too long been virtually ignored by both researchers and policymakers alike. In order to secure the full range of women's human rights in the city and beyond, activists must

increasingly come to grips with the human rights dimensions of urbanisation and urban growth from the standpoint of women.

This report has also demonstrated that while women's experiences are not monolithic, there are similarities in the reasons why they migrate to the cities, and women face similar challenges to their daily survival in slums all across the world. For women, as well as for men, the city's primary attraction is the possibility of economic opportunities unavailable to them in other areas. This was a common theme in all of the communities which COHRE visited for this study, but it is not the end of the story. Too often, researchers have failed to probe the actual reasons which lie behind and underneath women's economic aspirations.

In truth, the actual triggers for women's migration to the cities are many times related to patterns of gender-based discrimination and violence which serve to push them deeper into poverty or which otherwise land them in a crisis situation. For example, women whose economic situation suddenly worsens as a result of disinheritance, divorce, or domestic violence cannot be said to be moving to urban centres out of a 'gender-neutral' desire to work. Similarly, while inadequate living conditions in the slums affect all residents, female or male, women and girls suffer disproportionately those burdens which fall on their shoulders because of their gender. Violence, inadequate provision of services, housing insecurity, a lack of privacy, employment discrimination, and unequal remuneration all are common experiences with profoundly gendered dimensions.

If women are to realise their human rights, they must first be able to exercise true autonomy and independence. This means that women must be able to decide for themselves the course of their lives, and they must be able to exercise their rights freely and independently. For too many women living in the slums, this is a distant dream, as their lives are constrained by patterns of exclusion, prejudice, discrimination, and abuse. Women's equality, therefore, necessitates that social change be brought about at all levels – within the family, within the community, and within institutions of government.

Within the family, women must be equal decision-makers. They must be equal partners in marriage, deserving of equal rights and sharing household

responsibilities with their spouses. Women's low status within the family, as we have seen in this report, results in women being unable to make fundamental choices about their lives; being subjected to all forms of harassment, neglect, and abuse; and being unable to secure housing and land independent of a male relative. In the community, women must be able to feel safe, to access basic services necessary for their health and well-being, and to benefit from economic empowerment. Women must be able to have a place at the table when it comes to community decision-making, and their needs and concerns should not be relegated to the margins. In government institutions, women's interests must be represented at the municipal, state/provincial, and national levels, and government authorities must be made aware of their responsibility to uphold women's human rights. Government authorities, including city administrators, the police, the courts, lawmakers, and policymakers, must all strive to make women equal citizens in every sense and to dismantle entrenched systems of gender-based discrimination which operate both in law and in practice.

These are critical tasks, and they are by no means easy. Still, if governments prioritise women's rights and women's empowerment, and show the sufficient will to act, positive change is within grasp. Women themselves have pointed the way as they call for better services, safer streets, control over housing, security of tenure, economic empowerment, and an end to violence perpetrated against them. The solutions are available and known. What is needed is the determination and the resolve to put those solutions to work. Doing so could have profound effects, not only for women living in the slums, but for all women, everywhere.

In the next section, this report identifies ten concrete recommendations, which, if implemented, would go far in addressing the problems experienced by the women who were highlighted in this study.

I lost everything when my house burned down because of an electric failure. Fires are very common in our neighbourhood and one of the things we feared the most. The electric system is very unstable, and our houses are made of wood and inflammable materials. It is common to have fires and to lose everything. I had to rebuild everything again with no help from the government.

– A woman living in the Jardim Celeste favela (São Paulo, Brazil)



6 RECOMMENDATIONS

In the next 10 years, women activists and decision-makers should focus more on the living environment as it affects urban poor women, especially the homeless and slum dwellers.

– *Lucia Kivala, Chief of UN-HABITAT's Gender Mainstreaming Unit*

After careful evaluation and analysis of the causes and consequences of urbanisation from a gender-sensitive perspective, COHRE makes the following ten recommendations to governments around the world that are grappling with issues of urbanisation and the growth of urban slums:¹⁷⁴

1. ► Provide security of tenure, as a matter of priority, to women and their families living in slums

Secure tenure is one of the indispensable pillars of the human right to adequate housing. As this study clearly demonstrates, without security of tenure, the full enjoyment of housing rights is not possible, and forced eviction can become a real and perpetual threat. All people should have legal protection against threats of forced eviction and harassment, especially because secure tenure is linked with so many other aspects of a full and dignified life. As such, States should – as a matter of priority – provide legal security of tenure to all people living in slums, including women and their families.

¹⁷⁴ These recommendations should also inform the approaches of the international community as it works to improve the lives of women living in the slums. They should also inform the strategies of non-governmental and other support organisations working with women in slums.

2. ► Combat violence against women in all its forms, and provide effective legal and other remedies to victims of gender-based violence

In this study, violence against women emerged as a central theme plaguing both rural and urban communities. Governments that have not done so already should criminalise violence against women in all of its forms, including domestic violence, forced marriage, rape, and sexual assault. States should redouble their efforts to combat violence against women in both rural and urban areas, and such efforts should also prioritise eliminating violence against women within slum communities themselves. As such, governments must recognise the inter-linkages between domestic violence and women's housing rights, and work to ensure that inability to access adequate housing does not become a barrier to women who wish to leave violent relationships. Public policies designed to combat domestic violence should take steps to grant, *inter alia*, alternative housing solutions to women. Alternatively, States may provide for the removal of abusive spouses from the home, ensuring that women's personal and housing security is not unduly threatened.

In order to build trust with women in rural and urban communities, and in order to encourage and facilitate reporting of cases of gender-based violence, governments should create special police units for the handling of gender-based crimes. These special police units should be active in both rural and urban centres, and governments should ensure an adequate and appropriate police presence in the slums so as to ensure women's security. Special police units should receive specialised training on domestic violence, rape, and sexual assault, and they should incorporate female police officers among their ranks. Such enforcement systems should be adequately supported with the necessary human, financial, legal, technical, and other resources to assist women who are victims of gender-based violence.

3. ► Invest in slum upgrading programmes and housing development programmes for the poor, ensuring women's effective participation

Slums around the world are in desperate need of investment and upgrading. If governments fail in their human rights obligations, the grinding poverty and abysmal living conditions we see in the slums today are only expected to

worsen in coming years.¹⁷⁵ Women should be able to effectively participate in all decisions pertaining to housing policy development which impact them, and they should have their interests directly represented at the level of city management. In crisis situations, for example, within the context of natural disaster or conflict, affected women should similarly be allowed a place at the table as governments work to develop emergency policy responses for housing or re-housing displaced populations.

Similarly, women should benefit from slum upgrading schemes and should be allowed to meaningfully participate in the conceptualisation, design, and implementation of those schemes. Governments should make renewed efforts to take a gender-sensitive approach when developing upgrading programmes for slums. Upgrading programmes should take into consideration women's immediate needs and strategic priorities, including, for example, provision of public spaces which are safe for women; provision of adequate street lighting; access to health care centres, schools, and child care centres; and improvement of basic services (such as toilets) which are accessible, affordable, and safe for women. Women and other marginalised groups should also be prioritised in the allocation of permanent housing envisioned within slum upgrading processes.

4. ► Ensure joint ownership of and control over housing, land, and property, as well as equal rights between men and women in marriage

Women in this study were routinely disadvantaged by titling and registration systems that were insensitive to the particular housing needs of women and which put women in a disadvantaged position by consistently favouring men's control over housing, land, and property. Ownership systems, including titling, should be designed to secure women's legal rights to housing on an equal basis with men. States must ensure that where housing, land, and property are allocated to slum residents, ownership should be provided jointly to both spouses. Joint ownership, including titling, should be the default policy of

¹⁷⁵ According to UN-HABITAT, it is projected that in the next thirty years, the number of slum dwellers worldwide will increase to two billion if no firm or concrete action is taken to arrest the situation.

governments, as this approach best secures women's *de facto* equality. Situations of *de facto* unions should also be given similar consideration. In addition, all discriminatory marriage laws should be amended and/or repealed to ensure that both spouses enjoy equal property rights in marriage. All laws providing for 'marital power', either explicitly or implicitly, should be repealed. Marital property should be administered through joint decision-making by both spouses. Property gained during marriage should be registered in the names of both spouses in order to ensure that, if the marriage is dissolved, the female is able to maintain interest in the marital property, including over her home and land.

5. ► Strengthen national legal protections for women's housing rights on the basis of non-discrimination and equality

Legal protection is essential to the advancement of women's housing rights, and too many women are made all the more vulnerable to abuse and exploitation because of inadequate legal frameworks which fail to recognise and protect their housing, land, and property rights. States should, as a matter of priority, ensure that women's right to adequate housing is protected as a matter of law. In cases where States have not already done so, they should ratify key international human rights treaties which uphold these rights, including the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the Convention on the Elimination of All Forms of Discrimination against Women.

States should also ensure that their domestic legal protections appropriately reflect their obligations under international human rights law. States should further ensure effective implementation of domestic legal protections and ensure that women's rights to equality and non-discrimination are at all times upheld. In order to ensure women's equality, States should prioritise affirmative action programmes that benefit women and raise their standard of living, including through enhanced housing security. In order to ensure that women are able to access appropriate avenue of justice, States should ensure that the courts are fully accessible and affordable to women, and that women are able to access low-cost or free legal aid and other legal services.

6. ► Enforce women's inheritance rights and equal rights to marital property

Particularly in sub-Saharan Africa, violations of women's inheritance rights and equal rights to marital property are common reasons deepening women's poverty and motivating their migration to the cities. In order to ensure that these rights are not violated, States should enshrine women's inheritance rights and equal right to marital property within national law. In order to ensure effective implementation of such protections, States should also create effective enforcement mechanisms, such as special police units and legal aid resources, to ensure that women are freely able to claim their inheritance rights and equal rights to marital property in practice, without fear of reprisal. Such resources should be made available to women living in rural areas where disinheritance and property grabbing routinely occurs. These enforcement systems should be adequately supported with all necessary human, financial, legal, technical, and other resources.

In addition, States should also ensure that their legal systems are readily accessible to women by requiring a non-discriminatory and unbiased judiciary, administrative systems that adequately protect women's rights, and affordable or free legal aid for indigent women. Legal professionals, including judges and lawyers, should also receive training on women's housing rights, including inheritance rights and equal rights to marital property.

7. ► Improve access to basic services, such as water and sanitation, and provide safer environments for women living in the slums

State should take immediate action in order to improve provision of basic services for women living in the slums. Adequate water supply, sewage systems, garbage disposal, and provision of electricity will dramatically improve the quality of life of women living in these informal settlements. Toilets should be provided which are sufficient for the community's needs, accessible, safe for women to utilise, and regularly maintained. Governments should also increase public security for women by providing public street lighting and sensitive, accessible, and effective policing.

Women living in slums are also in desperate need of enhanced educational opportunities and health care provision. States should support the education

of children and youth living in the slums, and in particular of girls, through the provision of community schools and the waiving of school fees for impoverished families. Women and girls living in slum communities should also be provided with access to affordable health services, including sexual and reproductive health care encompassing family planning, pre- and post-natal care, emergency obstetric care, and prevention of sexually transmitted diseases, including HIV/AIDS. Governments should extend educational opportunities and medical care for women (particularly those infected with HIV/AIDS) to the rural areas, so that these services are increasingly accessible to women and girls living outside of urban centres.

8. ► Fight against women's poverty and provide economic empowerment opportunities to poor and disadvantaged women

Across the world, the feminisation of poverty is a stark reality and poor women have enormous difficulty securing an adequate home in which to live. Global statistics show that women are disproportionately affected by poverty, and inequality between men and women persists in both the economic and employment fields. In order to remedy this inequality, special efforts should be made to empower women economically and to design projects that will allow women to access well-paying jobs, credits, loans, and other schemes that will permit them to raise their standard of living and access adequate housing. Economic empowerment programmes should be made available both to women living in rural communities and to women living in slums, and they should take into account other forms of discrimination or disadvantages experienced by women, including those based on nationality, immigration status, race/ethnicity, age, sexual orientation, marital status (in particular vis-à-vis single women, widows, and divorced women), and/or other social status.

9. ► Improve the collection of data on the impacts of urbanisation, with particular emphasis on collecting gender-disaggregated statistics

There is a pressing need to better understand women's migration into the cities, its causes, and consequences, from both a quantitative and qualitative perspective. Governments and social researchers should not assume that women and men migrate to urban centres for the same reasons or that women lack agency in the migration process. Governments and social researchers should endeavour to better understand women's perceptions and experiences

of urban migration, and of their day-to-day struggles in slum communities. Additional information on women's migration to urban areas, and in particular to the slums, will assist policymakers in the development of targeted, effective programmes aimed at ensuring the improvement of living conditions for poor and disadvantaged women.

10. ► Raise awareness about women's human rights, including women's housing rights, at community and institutional levels

Cultural norms, practices, and attitudes which condone violence and discrimination against women must be challenged and put right. In order to do this, women and men in both rural and urban areas must be sensitised to women's rights. Where traditional practices do harm women and girls, those practices must be eradicated in favour of practices which recognise women's basic human dignity. Governments must take the lead role in enabling this to happen, and they must set clear expectations that cultural rationalisations for women's exclusion and oppression cannot be allowed to persist. This research has revealed that women in the slums are too often unaware of their human rights, including their right to adequate housing. Awareness-raising programmes should be coordinated to inform women living in slums of their rights. States should also design and implement extensive education and sensitisation programmes to raise awareness of women's rights among members of the executive, legislative, and judicial branches of government, so that women's rights are also protected at institutional levels.

Globally, one in every three city residents is now a slum dweller.

For women, the phenomena of urbanisation and the growth of city slums have unique causes and unique consequences. This COHRE report examines why it is that women are increasingly migrating to urban areas and what happens to them once they arrive in slum communities. The challenges which women face are formidable. States around the world must take action to ensure that women are able to exercise true autonomy over their lives and that women living in slums do not continue to suffer human rights violations, including lack of adequate housing and basic services, gender-based violence, and social exclusion.

Centre on
Housing Rights
and Evictions



The Centre on Housing Rights and Evictions (COHRE) is an international human rights organisation which promotes practical legal and other solutions to endemic problems of homelessness, inadequate housing and living conditions, forced evictions and other violations of economic, social and cultural rights throughout the world. To this end, COHRE promotes the creative use and application of international human rights law.

COHRE established its Women and Housing Rights Programme (WHRP) in 1998, when it became clear that a gender-neutral approach was not sufficient to fully ensure that women's specific needs and concerns with respect to the right to housing are understood, addressed and championed. It is the only international human rights programme solely focused on ensuring the right to housing specifically for women.

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