

Adequate & Affordable Housing for All

Research, Policy, Practice

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Right to shelter: Bangladesh

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This paper examines the reasons for the skewed urban development which leaves millions homeless despite a housing policy and court decisions that favour resettlement and housing for poor. **But it goes beyond a description or evictions to discuss recent initiatives and plans for resettlement of the slum population.**

I. INTRODUCTION

Shelter, like food and clothing is one of the very basic needs for human survival. Shelter is more than a roof over head. Shelter provides people with security – a place of their own, an identity, a place to come back to – a place to call home and a place have a family life. It can not be reiterated more that shelter or housing is a fundamental human right and it is vital to life – growth – development and dignity of individual citizen and hence of the family, the society, the country.

An adequate shelter must at a minimum should have security of tenure, protection from elements of nature, utility services such as safe drinking water, sanitation and other essential services, it needs to be affordable and accessible. Regrettably a large section of Bangladesh population has no access to adequate housing. Housing shortage in 1991 was estimated to be about 3.10 million units which now have exceeded the 5 million units mark projected for the year 2000. Bangladesh will have to build at least 300,000 housing units a year to keep pace with the population surge.¹ In a recent Ministry of Housing survey on the housing need revealed that some six million housing units have to be built in Bangladesh to meet the deficit. The survey suggested that the government undertake a massive housing programme.² The Prime Minister in her pre-election pledges promised house for every family. From time to time some pronouncements are made about providing housing for the lower income group. While inaugurating the World Habitat Day 2000, the Prime Minister said that housing arrangements for 50,000 families would be made in the next five years at a cost of 447 crore under the ongoing “Abashon Prokolpo” – a housing project for rootless rural people.³ However, the realization of such political announcements

are illusive. The National Housing Policy was revised in 1999 with a view to making housing affordable for all and a law was made effective through formation of National Housing Authority (NHA). Again, very little has improved in terms of providing shelter for the poor especially for the evicted slum inhabitants in the cities.

The housing situation is worse in the urban areas as more and more rural poor escaping from abject poverty caused by unemployment, landlessness and natural calamities by coming to the cities in search of a livelihood. So far Government or the private sector has shown minimal initiatives to provide shelter for the lower income group. Private developers claim that they have built 20,000 housing units in the last 20 years and have sold 2000 units every year.⁴ These housing units, mostly flats in established neighbourhoods like Dhanmondi, Gulshan, Banani and Baridhara are targeted for the upper income group. Historically, urban development in Bangladesh has been based on subsidized allocation of residential land for upper and middle class use. Access even to minimal shelter has been unaffordable for most of the poor. Approximately 28.8 million people of Bangladesh (23.39 percent of 2001 population) live in the 500 or so urban centres. More than half of this urban population lives in the four major urban centers – Dhaka, Chittagong, Khulna and Rajshahi.⁵ Experts estimate that approximately 40 percent of the lower income urban population does not have any access to adequate housing. This significant section of urban population lives in squalid, inhuman conditions in slums and live on pavements or in any space they can find. They have no security of tenure as they are evicted without proper notice by the landowners, which in majority of the cases is the Government.

According to a study conducted in 1996, in Dhaka alone there were 3007 slums or *Bustees*.⁶ Since then there have been many evictions of large and small *Bustees*, such as Agargaon, Kakrail (T&T), Mohammadpur and Lalbagh TB *Bustees*, to name a few. From the news paper reports it is evident that similar type of evictions i.e., forcibly, without proper notice or through arson or intimidation and without any rehabilitation plan are occurring in other towns and cities across Bangladesh. Overnight these poor people lose their shelter and their meager belongings, often means of livelihood, not to mention their dignity. Again, they are on the street with no place to go. The slums which are not demolished yet, the occupants live in mortal fear and constant anxiety not knowing when they will be evicted or fire will burn their shanties. Physical torture, intimidation, death, rape and kidnapping are common occurrences during the process of evictions in the name of slum clearance.

In the absence of any alternatives or compensation after eviction the slum inhabitants rebuild their shacks in nearby places, some rent in other low-income settlements and some move in with their relatives nearby. Their places of work usually are in the surrounding area. Many people who have no alternative place to go live on the pavement under a plastic sheet with a constant fear of eviction. Forced eviction without relocation simply shifts poor people from one slum to another, inflicting suffering on them by disrupting their lives and livelihood and worsening rather than improving their living conditions.

While the right to adequate housing is perhaps the most obvious human rights concern, a number of additional rights are also relevant. The right to freedom of movement and the right to choose one's own residence have been recognized in many international laws and national constitution, faces infringement when forced eviction occur. People physically forced to move against their will, clearly do not enjoy this freedom. Likewise, and this is especially true when resettlement or relocation takes place, one really has little or no right at all to choose their residence, it is chosen for them.

The right to security of the person, also widely established, means little in practical terms when persons are evicted with violence, bulldozers and intimidation. Direct government harassment, arrests or even killings of community leaders who opposed the eviction are commonplace and it is violation of the rights of freedom of expression, the right of join organizations of one's choice and the right to life. In a majority of eviction cases crucial rights to information and popular participation are denied.

II. INTERNATIONAL, CONSTITUTIONAL COMMITMENTS AND POLICES OF BANGLADESH

International Commitments:

Bangladesh is party to several international and national instruments that affirm the right to habitation and housing for every one. The Government therefore has a responsibility to ensure the provision of these rights.

Box 1

International Commitments in a Glance

Bangladesh has signed and ratified [except where noted] the following international conventions

- ◆ The Convention of Social, Economic and Cultural Right [ICSECR] - October 05, 1998.
- ◆ Global Strategy for Shelter for the year 2000 - December, 1998
- ◆ UN Istanbul Declaration on Human Settlement -1996.
- ◆ The Rio Declaration and Agenda 21 - United Nations Conference on Environmental and Development, commonly know as The Earth Summit held in Rio-De Janeiro, Brazil in July 1992.
- ◆ The International Convention on the Rights of the Child - August 03, 1990.
- ◆ The International Convention on the Elimination of all forms of Discrimination Against Women [CEDAW] - November 06, 1984

Article 25 [1] of the Universal Declaration of Human Rights:

Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Article 11 of the Covenant of Social, Economic and Cultural Rights [ICESCR]:

The States parties to the present Covenant recognize the right of every-one to an adequate standard of living for themselves and their family, including adequate food, clothing and housing and to the continuous improvement of living conditions. The States parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

Bangladesh ratified this Covenant on 5 October 1998. The Government of Bangladesh has yet to submit the initial report, which was due in 2000.

Convention of Social, Economic and Cultural Rights [ICESCR] Committee General Comment No. 4:

The right to housing was defined more specifically by the ICSECR Committee in its General Comment No. 4, as providing legal security of tenure, availability of services, materials, facilities and infrastructure, location, habitability, affordability, accessibility and cultural adequacy. As far as specific attention to forced evictions within the framework of the covenant is concerned, general comment No. 4 is very clear in condemning the practice:

In this regard, the committee considers that instances of forced evictions and prime facie incompatible with the requirements of covenant and can only be justified in the most exceptional circumstances, and in accordance with the relevant principles of international law [paragraph 18]

Article 14-[2] [h] of the International Convention on the Elimination of all forms of Discrimination Against Women [CEDAW]:

States Parties shall take all appropriate measures to eliminate discrimination against women ... shall ensure to such women the right[h] to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

Bangladesh ratified this Convention in 1984, and has already submitted four national reports. According to the fifth report, under the Asrayan project, 26,340 homeless families have been rehabilitated. Most of these families were not, however, evicted slum dwellers.

Article 27[3] of the International Convention on the Rights of the Child:

States Parties in accordance with national conditions and within their means shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in the case of need provide material assistance and support programs, particularly with regard to nutrition, clothing and housing. In the first report submitted in November 2000, the Government did not include any information on plans to protect the housing rights of children.

Global Strategy for Shelter for the year 2000:

The General Assembly Resolution 43/181 of 20 December, 1998 on Global Strategy for Shelter for the year 2000 stated, all citizens of all states, poor as they may be, have a right to expect their Government to be concerned about their shelter needs, and to accept a fundamental obligation to protect and improve houses and their neighborhoods, rather than damage or destroy them.

UN Istanbul declaration on Human Settlement [1996]:

1. to endorse the universal goals of ensuring adequate shelter for all and making human settlements safe, healthier, more liable, equitable, sustainable and more productive..... the two major themes of the conference, adequate shelter for all.
2. We have considered, with a sense of urgency, the continuing deterioration of conditions of shelter and human settlements....
3. To improve the quality of life within human settlements, we must combat the deterioration of conditions that in most cases, particularly in developing countries, have reached crisis proportions. To this end, we must address comprehensively, inter alia..... Unsustainable population changes, including structure and distribution, giving priority consideration to the tendency towards excessive population concentration, homelessness; increasing poverty, unemployment.....inadequate resources; lack of basic infrastructure and services environmental degradation...
4. Rural and urban developments are interdependent. In addition to improving the urban habitat, we must also work to extend adequate infrastructure, public services and employment opportunities to rural areas in order to enhance their attractiveness, develop an integrated network of settlements and minimize rural -to-urban migration...
5. ... we recognize the particular needs of women, children, and youth for safe, healthy and secure living conditions. We shall intensify our efforts to eradicate poverty... and to provide for basic needs.....especially, adequate shelter for all. To this end, we commit ourselves to improving the living conditions in human settlements in ways that are consonant with local needs and realities... we shall promote full accessibility ... as well as gender equality in ... projects for shelter and sustainable human settlements development....
6. We reaffirm our commitment to the full and progressive realization of the right to adequate housing as provided for in international instruments. To that end, we shall seek the active participation of our public, private and non-

- governmental partners at all levels to ensure legal security to tenure, protection from discrimination and equal access to affordable adequate housing for all persons and their families.
7. We shall work to expand the supply of affordable housing by enabling markets to perform efficiently and in a socially and environmentally responsible manner, enhancing access to land and credit, and assisting those who are unable to participate in housing markets.
 8. We offer a positive vision of sustainable human settlements....a world where everyone can live in a safe home with a promise of a decent life of dignity, good health, safety, happiness and hope.

National Commitments:

The Constitution of the People’s Republic of Bangladesh states in Article 15 [a] that:

It shall be a fundamental responsibility of the state to attain, through planned economic growth, a constant increase of productive forces and a steady improvement in the material and cultural standard of living of the people, with a view to securing to its citizens [a] the provision of the basic necessities of life, including food, clothing, **shelter**, education and medical care.

It is expected that provisions are made to ensure that people, especially the poor and under able, those who are forcibly made to migrate to cities because of natural calamities or through the absence of economic opportunities in their village are able to build their own homes and have security of tenure.

The Constitution clearly states in **Article 11 [Democracy and Human Rights]** that, “the republic shall be a democracy in which fundamental human rights and freedoms and respect for the dignity and worth of the human person shall be guaranteed...”

The whole process of forced evictions violated this fundamental right. The people were not treated with dignity and respect. They did not receive written legal notices, nor were they given proper explanations. When people challenged these orders they were met with abuse and beatings. In so doing, the Home Ministry, the police and other public servants have ignored and violated **Article 21 [2] of the Constitution which states: [2]** Every person in the service of the republic has a duty to strive at all times to serve the people.

The National Housing Policy of Bangladesh 1993 states that:

Housing is one of the three basic primary needs of man [and women], and is as important as food and clothing. It provides shelter, safety and a sense of belonging to the owner.

The government recognizes the distressing of the slum dwellers to urban economic growth. It also acknowledges the aggravation of health problems of residents and

those in adjoining areas due to the poor environmental conditions in slums and squatter settlements.

The policy document also recognizes that the state should avoid forcible relocation for displacement of slum dwellers as far as possible. It reiterates protection against forced eviction in **Paragraph 5.7.1 of the Policy** which states:

“The government would take steps to avoid forcible relocations or displacement of slum dwellers as far as possible.....encourage in situ upgrading, slum renovation and progressive housing developments with conferment of occupancy rights, wherever possible and to undertake relocation with community involvement for clearance of priority sites in public interest.”

The 1999 National Housing Policy prepared by the Ministry of Land has further recommended:

- to increase availability of roads and other basic infrastructure for populations of different income levels, particularly the poor;
- to facilitate the purchase of land by the poor in locations which are near the place of work and where communication is easy and inexpensive;
- to set up “urban land banks” on khas land, banks of dry rivers;
- to set up a system for easy loans through family or community savings, to remove barriers for housing, mainly for poor through non-formal micro-credit schemes
- to arrange housing credit programmes through public and private sector. The Government will set up a housing fund and loans will be available to NGOs and credit agencies and financial institutions for distribution to cooperatives, community associations, registered companies, private development agencies for disbursement for low-cost housing through the local government
- to develop housing for authorized urban settler in their present location, and if their land is needed for other purposes, to relocate them elsewhere;
- to provide drinking water, sanitation, and welfare services;
- to promote participation of residents in maintaining community facilities, social physical infrastructure;
- to facilitate provision of sanitation, water and night shelters for pavement dwellers and the homeless.

III. EVICTION BY DIFFERENT GOVERNMENTS AND PROCESS OF EVICTION

Despite many laws and obligations slums are cleared and people are being evicted across the country without rehabilitation.

- ◆ In October 2002 police in Cox’s Bazar cleared a slum without any prior notice. Their target was to clear about three hundred unauthorized shelter. The process was brutal. Police fired 46 rounds of bullet and 30 rounds of tear gas. Fifty of the slum occupants were injured during a clash with the eviction team.⁷

- ◆ In July 2002, an unannounced eviction drive by the Department of Housing and Settlement left fifty thousand people homeless in Mirpur. The settlement was on a 13 acres and grown over 15 years. Over 400 riot policemen were on guard and members of the National Security Agencies, officials and magistrates simply looked on as 10,000 people were losing their shelter and belongings in a matter of moments.⁸
- ◆ In February 2002, the Amtali basti in Dhaka was demolished, people were evicted. A case was filed to stop eviction. The Court issued a stay order that was not adhered to by the police.⁹
- ◆ In 2001, the evicted people in the Tongi bosti were merely given a notice to vacate the place within a week but were not given any option to be rehabilitated elsewhere as required by the High Court Order. According to reports and investigations, the five thousand people of that bosti were living under the open sky and are leading the life of destitutes, as a result of the eviction. This is a blatant violation of the fundamental human rights of the slum dwellers and disregard to the direction of the Hon'ble Court, and amounts to serious contempt of the court.¹⁰

Over the years, in the name of slum clearance, thousands of people have been made homeless. It is estimated that between 1989 and 1998 some 100,000 people and between 1999 and 2000, 109,665 people were made homeless through forced eviction. Four different years show prominence in slum eviction -1975, 1999, 2000 and 2001. Interestingly three distinct areal patterns emerge for evicted areas in these four years. In 1975 clustered Pattern can be noted in the southern part of New Dhaka where most of the squatters settlement existed. During 1999 the eviction took place in a linear pattern mostly along the rail line an area which provided space for recent growth of slums. In 2000 and 2001 the eviction took place in scattered fashion all in the northern part of Dhaka, which again were the places for new slum development. Thus these evictions have been following the pattern of slum growth in different periods within Dhaka City.¹¹

The processes of eviction used simply are illegal and inhuman. As evident in numerous electronic and print media reports, evictions are done without or with very little prior notification and without providing any alternative plans for shelter. Even if there is a political announcement for rehabilitation, there is no scheme prepared or resources allocated to back it up. Evictions usually take place during the early hours of the morning to avoid public outcry. Bulldozing and arson are the most used methods for razing the slum. Intimidation in the form of physical torture, arrests of community leaders, rape, and murder are common occurrences during the period preceding the demolition of the shanties.¹²

List of Evicted Slums in Dhaka from 1975 to 2002

Year	No of Slum	Location of evicted slum
1975	13+	Babupura slum, Palashi slum, Ramna Railway slum, Sohrawardi Hawker's market slum, Kamlapur slum, Shahjahanpur slum, Malibagh slum, Moghbazar slum, Hazaribagh slum, Azimpur slum, Armanitola slum, Tejgaon slum, Basabo slum.
1981	1	Karatitoal Baste
1983	1	Kamlapur Railway Sweeper Colony
1985	2	Agargaon slum [near old Haji camp], Sweeper colony slum [near Pangu Hospital]
1987	1	Lalbagh slum [Raj Narayan Road]
1988	4+	Railway slum of Kawranbazar, Shahid Nagar Baste [Lalbagh], Containment camp Baste of Mirpur, Bihari Colony [Mirpur]
1989	1	Taltola Sweeper Colony, Gulshan-1
1990	8+	Agargaon Baste, Kamlapur Baste, Moghbazer Baste, Babupure Baste, Kazipare Baste, Kamlapur Baste, one slum from Mohammadpur and another from Tejgaon.
1991	2	Nilkhet Baste, Bakshibazar slum.
1992	2	Palashi Baste, one slum from Baridhara
1993	3	One slum from Kamlapur and another from Mirpur and Pallabi
1994	3	Agargaon Baste, South Shahjahanpu, Kollyanpur Pora Baste in Mirpur
1995	3	Three slum from Azimpur, Panthpath and Kawranbazar
1996	5	Bijli Mahalla slum, Bagunbari Baste, Islambag slum, Amtoli slum and Lalbagh slum
1997	2	Bhashantec Baste, one slum from Mirpur
1998	4	Kawranbazar Railway slum [Twice], Azimpur, Kamlapur
1999	30+	Sayedabad rail crossing slum, KM Das Lane Baste, Golapbagh slum, Methorpati, Sonarbangla Baste, TT Para Baste, Rail Barrack slum, Moghbazar Wireless gate Baste, Commila slum [Moghbazar], City Law college Baste, Bakshi Bazar Baste, Farirupul Boxculvert slum, Banani Jheelper slum, Badda Gudaraghat slum, Badda Chaitola Baste, Banani 11 No. Road slum [WAPDA colony], Baridhara Block F slum, Mirpur Section 11 Block C slum, Shantibagh Munshirtek slum, Ghuntighare slum [Ganderia], Gandaria shop slum, Per Gandaria slum, Ganderia Rail line slum, Jurain slum, FDC Rail crossing slum, Kawranbazar Truck-stand slum, Tejgaon Kawranbazar Rail way slum, Nakhhalpara slum, Tejkunipara slum.
2000	20+	Boat ghat slum [Rayerbazar], Paribagh Nalirpar Baste, Jheelpar Baste [Pallabi], Tongi Diversion Road slum, FDC Front slum, Kawranbazar slum, Tejgaon Industrial Area slums, Begunbari slum, Mohammadpur New Colony slum, Shahjahanpur Rail Way Baste, Kawranbazar Rail way slum, Meradia slum, Moghbazar Wireless gate Baste, Nakhhalpara Rail Gate Baste, Khilgaon Baste, Segun Bagich, Banani, Amtoli, Dhaka Medical College Hospital, Tejgaon and others
2001	24+	Agargaon, Badda, Baridhara J Block, Bagunbari, Circuit House Area, Gulshan Taltola, Tejgaon Industrial Area, Tejgaon Railway Colony, Tongi, Tongi Diversion Road, Mohammadpur New Colony, Shahjahanpur Railway, Taltola, Agargaon, Karwan Bazar Railway, Khilgaon, Malibagh, Meradia, Titi Para, Nakhhalpara Rail Gate, Proshika Pallabi Jhilpar and others
2002		Amtoli, among others

Source: Newspapers, Ain O Salish Kendro, Coalition for Urban Poor

Important observations have been made by the Court in the case of Ain-O-Shalish Kendro [ASK], v the Government of Bangladesh, wherein the petitioners argued under Article 102 of the Constitution on behalf of the slum dwellers before the High Court Division against the demolition of basties of Dhaka city and eviction of the inhabitants thereof without arranging any alternative accommodation and without any prior notice as required by law. The Court observed that “...our country is pledge bound within its economic capacity and in an attempt for development to make effective provision for securing the right to life, livelihood,etc....”

In writ petition No. 3034 of 1999, filed by Ain-O-Salish Kendro [ASK], Bangladesh Legal Aid and Services Trust [BLAST], Odhiker, and Ismat Ara Dipu, Rahima the Judgment and Order of the High Court Division of the Supreme Court of Bangladesh on 23 August state, in part:

“... The said wholesale eviction of slum dwellers is not only contrary to law of the land but against the recommendations issued by the UN conference on Human Settlement in 1976 and the resolution of the United Nations there under to prevent the discrimination and protection of minorities and affording evictions constituting a gross violation of human rights which also included adequate housing...” [Human Rights in Bangladesh 1999]

Therefore, forceful eviction of slum without serving proper legal notice and without resettling them is a gross violation of the country’s law. Most of the slum dwellers are not aware of these laws. The government and related organizations are also not cordial to solve the slum problems.

IV. PUBLIC INTEREST LITIGATIONS AGAINST SLUM EVICTION AND JUDGEMENTS

Public Interest Litigation [PIL] to ensure people’s human rights and fundamental freedoms as guaranteed by the Constitution of Bangladesh. Following are some of the PIL against slum eviction.

- Filed and argued Writ Petition NO. 658/2002 against the eviction notice served upon the Amtoli Bosti dwellers and obtained order of stay till disposal of the case against the eviction operation.
- Filed and argued Writ Petition No. 1471/2002 against the eviction notice served upon the Kallyanpur Bosti dwellers. After hearing the Court advised to file fresh petition containing the programs taken for their rehabilitation on the basis of previous judgment [WP-3034/99] and the petition was not pressed and taken back.
- Filed and argued Writ Petition No. 3621/2002 before the High Court Division against the illegal arrest and torture of innocent citizens by BDR and prayed compensation on behalf of the victims. After hearing the Hon’ble Court issued Rule upon the respondent as to why the actions of physical torture on the victims and ransacking of their houses

and harassing others family members by the BDR being neither sanctioned nor authorized by law shall not be declared to be unconstitutional, illegal and without lawful authority and passed an order not to arrest the victims till disposal of the rule.

- Filed and argued Writ Petition No. 4334/2002 before the High Court Division against the eviction operation of the Jheelpar Bosti [consisting 11 bosti] without giving prior notice and also without providing alternative.

Judgments:

1. In a Judgement of a writ petition, Ain O Salish Kendro [ASK] Vs. Government and others [W.P. No. 3034/1999], dated 23 August, 1999, the Hon'ble High Court Division gave specific direction [p.18] to undertake rehabilitation arrangement for the Slum dwellers and to undertake eviction of the slum dwellers only “according to the capacity of their available abode and with option to the dwellers either to go to their village home or to stay back leading an urban life...”.
2. In a judgement in another Writ Petition, Modhumala vs. Director, Housing and Building research Institute [W.P. No. 59/1994], dated 26 October 2000, the Hon'ble High Court Division endorsed [pp. 15-16] the former direction given by the Hon'ble Court to “undertake eviction of slum dwellers phase by phase providing option with resources either to go back to their village and settle there o[r] to stay back to lead an urban life....” .

V. ANALYSIS OF A FEW SCHEMES FOR RESETTLEMENT

Though the slum evictions occur in almost all countries of the world, the events of forced eviction without rehabilitation vastly observed in Bangladesh, especially in the cities. Many rehabilitation programs adopted in different times but those were not actively implemented in the next time. Some efforts which have been made also lack proper planning and transparency in payments and therefore loose credibility. A huge number of slums were evicted in 1975, 1990, 1999, and 2001. It is alarming that the authorities are adopting more cruelty and brutal means during the eviction process. This is inhuman and in violation of universal declarations and also of national laws and regulations.

The first five-year plan [1977-1978] expressed clear intentions of improving slums and rehabilitating squatter settlements. In 1975 Government took steps to evict the slums and the evictees transferred in three camps for rehabilitation. The three places are Bhasantek of Mirpur, Chanpara of Demra and Dattapare to Tongi. The distance of these places from the center of Dhaka was respectively, 5,10, and 15 miles. The rehabilitation program of housing supported by government and other national institution was successfully gained. However, the 1975 resettlement camp at Bhasantek located at the outskirts of the cantonment was relocated on a low land 3 kilometers west in 1979. It was a purely political decision prompted by the military-backed government, which UNCDF, after long negotiations at various levels, agreed to finance. Original plan was revised thrice because

each time it was to be implemented some fault could be detected. At the end it became a highly subsidized project strongly condemned by the sponsor and never to be relocated anywhere in the world.

In 1989, the ministry of land formed a committee, which was called “Dhaka Mahangori Baste Samashya Nirasn Committee” [Dhaka Metropolitan Slum Problem Eradication Committee]. The committee makes a list of the slums of Dhaka City and takes comprehensive plan for rehabilitation phase by phase. However, no effective program has been undertaken for implementation of this project.

Inhabitants of Khilgaon Baste in Dhaka have been organized under the auspices of an NGO, Pravati Sangha. The members have been saving regularly in the Sanga fund, which now has besides investing in some income generating activities, purchased land in a suburban location. It plans to build a new settlement in future on its own land. Loan schemes operated by NGOs like Grameen Bank, BRAC, ASA, PROCHIKA, etc have been shown that the poor people can sustain small easy term loans, which can provide capital to improving housing which in turn would increase labor productivity and hence the loaners’ repaying capacity.

In the recent years government representatives made a series of public pronouncements for rehabilitation schemes: , namely the *Ghore Phera* project [return to the village project], the *Asrayan* Village Shelter Program and the *Adarsha Gram Prokolpo* [Ideal Village Project].

***Ghore Phera* [Back to Home] Programme:**

Since 1999, Bangladesh Krishi Bank began the *Ghore Phera* [back to home] program, which encouraged people to return to their village by offering them loans for income generating activities in the rural area as well as transportation and settling down money. The Bangladesh Government strongly supports this program. The program ostensibly aims at alleviating urban poverty, reducing rural urban migration, and improving the city environment, by sending people back to their villages with sufficient incentives. One of the aims of the program is to improve the city environment. For instance, if the families that inhabit in the filthy and unhygienic slums and shanties various parts of the city are rehabilitated in the villages, the area will be cleared. Therefore, as an indirect result of the rehabilitation programme the environment of the area will improve, if not dramatically, but at least to a great extent.

The Programme identifies various slum dwellers and offers them loans ranging from Taka 20,000 to Taka 150,000 and in some special cases the loan can be enhance to Taka 3,00,000. According to the General Manager of Bangladesh Krishi Bank, 1,746 families have received loan and returned to their villages and have begun various income generating activities [CHORE and ACHR, 2000].

According to community leaders from the *Trinomul Jono Sangathan*, however, this program coincided with forced evictions that took place in 1999 [COHRE and ACHR, 2000]. The community leaders had objections to the selection criteria and process.

Furthermore, it was not transparent. The community leaders knew many people who had taken a loan and returned to the slums after some months. The community leaders also felt that the Government is wasting resources in conducting such a program and ensuring that people had security of tenure so that they could improve their lives in Dhaka.

The *Asrayan* [Shelter] Project:

The *Asrayan* project planned basic housing in a barrack style structure with cooking arrangements near a common pond for fishing and other needs. A community room is also included in the plan. Allocation of housing was to be made by the Thana Nirbahi Officer, Muktiyuddho Shangshad and by the Union Parishad Chairman. This project was to be started in 6 districts for a target population of 3,000,000 families. The Krishi Bank claims that, prior to approving this project it has surveyed slum residents in Dhaka to ascertain their willingness to return to their villages.

The *Adarsha Gram Prokolpo* [Ideal Village Project]:

The *Adarsha Gram Prokolpo* is a similar programme offering credit for relocation from cities to the rural areas.

Completed in June 1998, the *Adarsha Gram* Project – 1 claims to have rehabilitated 45,647 destitute families in 1080 Ideal villages. Phase - 2 plans to rehabilitate 48,000 more destitute families. This project has started since July 1998.

Squatter resettlement projects undertaken by the National Housing Authority:

1. Rehabilitation Project for 2600 shelter less family of Vasantek, Mirpur, Dhaka:

This project is completed with about 2036.68-lac Taka on 92.50-acre land, which accommodates 2568 houses. Each family got 450 square feet [30'x15'] area which will be paid off in 10 years by payment of monthly installments. The project was jointly funded by UNCDF, UNICEF and UNDP.

2. Rehabilitation Project for shelterless family in Dattapara, Tongi:

The project cost is estimated at 1197.92 lac Taka. In this project 1016 semi-*pucca* houses were built. Out of the total 101 acres land the semi-*pucca* houses were built on 30 acres land. Each of the houses was about 460 square feet in area. The cost of housing will be paid off in 15 year with monthly installment payment.

3. Proposed Construction of 1,00,000 flats for Rural Poor and Slum Dwellers of Bangladesh.

A 4,18,863.00-lakh Taka budget project is proposed for one-lakh flats of 400 square feet.¹³ Each flat cost was 3.22 lakh Taka. This project is planned on 500 acre on khas land. This project will be executed in six divisional towns. Installments of 30 years at 1162 Taka per

month will be received as the return of the project. This project was proposed with the funds of World Bank, European Commission, Alfask International Fund. They have proposed to give 30% of the cost as grant and 70% as soft loan.

An Analysis

It is evident that these schemes, implemented and proposed did not take into account of the huge number of people who were actually displaced or made shelterless through evictions. Since the inhabitants of city slums came to the city in the first place to earn a livelihood, they relocate themselves and move to any vacant space available. Therefore, it is imperative to address the housing need of the urban poor in practical terms and allocate resources for public or public-private initiatives.

Question is why is expenditure on Housing and Settlement so important? The population of Dhaka is growing at the rate of 5% per annum currently but the rate of growth is declining. Nevertheless, the total population will grow to 18 to 21 million by 2020. As stated earlier, bulk of this growth will come from rural and other urban centers. The slum population and very low-income population will increase currently from around 4 million to in excess of 12 million in a span of 18 years. The Housing Ministry in Bangladesh clearly appreciates the need for constructing more than six million housing units. The current housing development schemes of the government and that of RAJUK, its principal development arm, do not address this issue. RAJUK is primarily focused on developing land in and around the City for mostly middle income to high middle income groups and for making a profit from such land development. Some major private sector developers are also in the same game. The private developers are concerned only where they can make money, i.e. to the more solvent sections of the population. While the needs of both the above groups may be genuine, they are not the fastest growing or the largest section of the over all population. Neither of the upper income section of the population is in greatest need. In a demographic population pattern in the form of a pyramid, these groups are at or near the top. The bulk of the growing population lies at the bottom. There is little or no policy for housing and settlement for this lower income group. Without attention to this group things will deteriorate very rapidly, periodic slum evictions notwithstanding.

To address the situation, the government will have to change its policy from provider of housing and land to a few to an enabler of many, i.e., mostly for the poorer section of the society. A housing development policy will have to be formed that will aim to enable a low-income person or a family to acquire, build, develop and finance/purchase a reasonable shelter in his working lifetime. A target aim should be to enable private and cooperative housing societies and private developers to build at least one million low-income affordable housing units in sustainable basis in Dhaka region in the next 20 years (i.e. 50,000 housing units per year, housing close to 300,000 people per year). Similar policy goals should also be under taken for other major urban areas. How this could be developed without investing huge public funds (incidentally which the government does not have)? Architect Tanwir Nawaz, member of a working committee on sustainable slum rehabilitation formed in 1999, in light of Governments minimal initiatives and limited

resources, proposed that the Government should change its role from a provider to an enabler of housing.¹⁷ GOB should only assemble land and provide the same for low-income housing developments to various housing co-ops.

These housing co-ops in turn should plan the development of the housing with the help of experts and build the same with private sector and or donor finances on a full cost recovery basis. This can be achieved partly by means of cross subsidization of land costs. However, because of possible difficulty of low income housing co-ops securing private sector financing, the government may have to provide underwriting of the finances and provide subsidy to the cost of borrowing in the form of interest rate subsidization.

If a financially sustainable proposal as suggested by Architect Tanwir Nawaz can be put in to operation then we will have the beginning of a major housing and shelter program. It is essential that the city to be livable for all its citizens in the future. The bulk of its working and growing segment of the population must be given an opportunity to acquire a housing or a reasonable shelter. Without that, thousands of people in the urban areas will still be homeless or be living in temporary shelters with mortal fear of eviction. As a result, the city will descend in to a city of slums and pose the threat of an environmental and social nightmare. It should be noted here that the cost of new housing development for lower income groups is recoverable and that the shelter cost expended by these people can be organized to pay for the amortization costs of the new housing and shelter. The financial and the cost recovery mechanism of such a scheme has been worked out in a proposal prepared by Architect Tanwir Nawaz (Box 2).

Outline of a Sustainable Housing for the Poor

Premises:

- Bangladesh Govt. has committed itself to provide shelter for the poor in many international declaration and conventions
- However, in actual practice the record of providing shelter for the poor has been less than satisfactory.
- At the same time, the government and private landowners have driven out many slum dwellers from existing slums, in various places.
- Slum eviction without rehabilitation is not the solution to the future.
- These people have not left the City. They have just moved from one place to another.
- The population of Dhaka continues to grow at the rate of 5% per annum or adding in excess of 4,00,000.00 people per year. The bulk of this growth comes from rural migration.
- These people, 2,00,000 to 2,50,000 additional people every year are added in to slums in various parts of the City.
- Today Dhaka has 10 million plus people of which 3 million are slum dwellers another 3 million live in very poor quality housing.
- By 2020 Dhaka will be a City of 21 million people. Of these, 8 million will be slum dwellers. Another 5 million people will have very poor quality housing.
- The problem of slum and poor housing will not go away but intensify in the future.

- To have a livable Dhaka [free from social disorder, crime and total urban chaos] we have to find a solution to the problem - a sustainable solution.

Program outline:

- ◆ The GOB will act principally as an enabler rather than a provider of low-income sustainable housing.
- ◆ The out of treasury expenses of GOB will be minimal.
- ◆ It will be a public-private sector joint venture/partnership.
- ◆ It will be sustainable low cost housing, one in which the recipients will pay back the cost of housing in 10-15 years.

Stakeholders:

Slum Housing Co-ops are the receiver of benefit [tenure land and Co-op housing]
GOB will be the prime provider of land and under writer of scheme. Also provide interest rate subsidization on a declining scale for a limited period of time.

Professionals: Planners, Architects, Engineers, Social Scientists - will provide expertise of development.

NGOs could act as catalyst of program. Donors could fund some program.

Civic Groups.

Financial Institutions

Private Sector: Builders, Developers.

Action Plan :

- The GOB acquires the land [Ministry of land, RAJUK etc]. It provides the land to the housing co-op groups at a nominal cost. It also underwrite the loans and part of the cost [interest rates] of loans.
- The co-ops develop the projects under guidance from the professionals.
- Bank and donors finance the project.
- The Co-ops allocates the various units to its members
- The members pay back the cost of development through monthly payment.
Amortization of units is 10 to 15 year time.
- Tenure is secured for co-op owners.
- Other forms of developments relating to social, health, education etc. are now possible in the project scheme.

Box 2

Sample of Cost of Unit and Amortization:

Type of Construction	All Conc. Slab + R.C.C Columns
<u>Cost of Construction/ sft.</u>	<u>Tk. 500/sft. Approximately</u>
Type – 1: - 200 sqft. Total Cost/House Hold Unit Cost Of Land Total Cost of HH Unit	15 x 14 = 210 sqft. Tk. 100,000.00/House Hold [5 to 6 people] TK 50,000/ House Hold Unit TK 1,50,000/Household Unit
Pay back Amortization/ month Cost @ 12 years pay back period	Tk. 1800/month @ 10 % per year Plus utility service charges.
Type – 2: - 300 sqft. Total Cost/ House Hold Unit Cost Of Land Total Cost of HH Unit	15 x 20 = 300 sqft. Tk. 1,500,000/House Hold TK 50,000/ House Hold Unit TK 2,00,000/ House Hold Unit
Amortization 15 Years	Tk. 2400/@ month @ 10 % per year. Plus utility service charge.
Cost of land included @ Taka 2,50,000/katha net * Profits for developers included in cost.	

One acre of land will be divided into 40 – 45 housing plots. 200 – 225 housing units can be developed to provide shelter for 800 – 1000 people. Units of bigger sizes (400sft. – 450sft) to accommodate larger families could also be considered. This proposal envisages that a development of 18 square miles or 644 acres could house 500,000 people.

The aforementioned proposal is not impossible to achieve. The mindset of the politicians and the policy makers will have to first change drastically. Rather than building more Uttaras, Nikunjas, Banani and Gulshans the Government and its agencies have to start thinking of planning and developing communities where there is a place for self financed low income housing in a mixed area with other economic classes of housing by private builders and developers.

VI. CONCLUSION

It is evident that there is an acute housing shortage in Bangladesh, 6,000,000 units at the latest count. The lower income group is the most disadvantaged in the present situation mostly living in slums or make shift shacks in any vacant spaces. At the same time, the GOB and private landowners regularly demolish existing slum settlements without prior notices and rehabilitation. Over the years thousands of people have been made homeless through evictions in the name of slum clearance without provision of any alternative shelter.

It is imperative that the need for housing for the 40% of the country's population must be addressed. This segment of population must be given access to shelter with security of tenure. The GOB though committed to various international and national conventions and declarations have not addressed the issue of shelter, especially for the poor, in any significant way. It has created some rehabilitation schemes by directing some people to return to villages and provided a token low cost housing in the urban area. The plight of the thousands of people made homeless through slum clearance in the cities is not addressed in any meaningful way. The poor people who provide various services in the cities, from construction workers, garment workers, day labourers to house maids, will not go away from the cities no matter how many "back to village" programme is there. There is no policy to comprehensively address the issue of low income and slum scheme housing. There is no effort in allotting land or subsidization of the development costs of slum rehabilitation.

If Bangladesh is to address this challenge, there has to be a sincere commitment followed by resource allocation, and action plan for the rehabilitation of the evicted people and as well as for the people of existing slums. A major commitment is needed from GOB to provide land and security of land tenure to low income slum inhabitants.

Notes:

1. *The Daily Star*, February 01, 2002 quoting a World Bank report.
2. *The Financial Express*, May 27, 2002
3. *The Daily Star*, October 8, 2002
4. *The Financial Express*, May 27, 2002
5. Survey of Slums and Squatter Settlements in Dhaka City; Centre for Urban Studies, Dhaka, 1996
6. Urban Poverty Reduction Project (UPRP) report; Asian Development Bank (Project No. ADB-TA_2410-BAN) November 1996.
7. *Ittefaq* – Bangla daily; August 22, 2002
8. *The Daily Star*, July 26, 2002,
9. *Bhorer Kagoj*, January 29, 2002, Dhaka
10. *Prothom Alo*, August 2001
11. Md. N. Islam, Slum Eviction Through Times in Dhaka City, Masters Thesis, Department of Geography, Dhaka University.
12. Coalition for Urban Poor, Investigation Report.
13. According to 3/20/963/1 Secretary/Jagric/1.02/2003/document, National Housing Authority.
14. T. Nawaz, "Sustainable Housing For the Poor", a paper prepared for the Slum Rehabilitation Working Committee, Dhaka July 2002,