

Land, Governance & the Gendered Politics of Displacement in Urban Pakistan

December 2021

SUMMARY

Pakistan is home to diverse geographies of land displacement, which are accelerating in an era of rapid urban development. This paper summarises the findings and recommendations from a 28-month research project which charts - for the first time - the contemporary context of land displacement in urban Pakistan, through the lens of its largest city, Karachi.

At least 62% of Karachi's residents live in 'katchi abadis', or informal settlements, a majority of which are situated on public land owned by a variety of local, federal and provincial institutions.¹ Many of these have existed since Pakistan's independence, so they vary in their level of 'regularisation'.

As Karachi undergoes rapid urbanisation, there are numerous government and multilateral plans to 'clean' and 'develop' the city; making land a site of increasing private investment and competition. Ordinary citizens, despite their vast contributions to the social and economic fabric of the city, are not considered, let alone invited to participate in these plans. For many, their land tenure is either under immediate threat, or in a state of perpetual limbo. Over 600,000 people have been displaced in Karachi since 1997 due to urban development projects. This research shows that displacements - and threats of displacement - have negatively impacted livelihoods, gender equality, access to services, psychosocial health and trust in the state.

This project focussed on 3 case studies of displacement affecting low-income neighbourhoods. It worked with 16 neighbourhoods affected by, either: i) displacement with no compensation and resettlement; ii) displacement with resettlement and compensation; or iii) the ongoing threat of displacement. The research took place between June 2018 and March 2020, led by the Karachi Urban Lab, in deep partnership with affectees, civil society organisations, political and legal actors involved in resistance. The research was designed for three purposes: 1. to develop critical knowledge on the processes and outcomes of land displacements; 2. to empower affected people, including women, with information to support their advocacy for their rights, and, 3. to present policymakers with information about the different forms, processes and impacts of displacement on the city and its residents.

With at least 204 settlements pitted for future displacement and the resulting violence in the context of new urban development and resilience interventions, this briefing paper offers recommendations for addressing the exclusions that arise from land displacement and resettlement.² Recommendations are gender responsive, since the research illuminated the deeply gendered nature of land tenure, displacements and resistance. These recommendations are critical to protect the rights of urban dwellers, not just in the context of those upcoming displacement projects, but also the disaster management or 'transformation' plan for Karachi, that the Federal and Provincial Governments have unveiled in 2020.



¹Hasan, A. (2015) Land contestation in Karachi and the impact on housing and urban development. *Environment and Urbanization*, 27 (1): 217-230.

²Anwar, N.H., Anjum, G., et al. (2021) Land, Governance and the Gendered Politics of Displacement in Urban Pakistan. Karachi Urban Lab; see Chapter 8 of the full report – especially Table 8.1 and Map 8.1 on pp. 194-195. Full report available here: <http://karachiurbanlab.com/publications.html>

THE CASES

The project worked with 16 neighbourhoods that were, either i) under immediate threat of displacement; ii) already displaced or, iii) waiting in limbo for compensation and/or resettlement. They represent diverse temporalities, spatialities, heterogeneity of experiences as well as intensities and durations of land displacement.

1. **Lyari Expressway (LEW)** – 2 neighbourhoods out of an estimate of at least 12 affected (due to a lack of official figures), under 3 broader displacements to resettlement sites. The project worked with two neighbourhoods in one of the sites: i) with a displaced and resettled community, ‘Lyari Basti’; and ii) with a partially displaced but not resettled neighbourhood, ‘Salai Para, Hassan Auliya’ village.
2. **Karachi Circular Railway (KCR)** – 12 neighbourhoods out of 28 targeted for displacement. In 2013, JICA estimated that 4,653 families and 45,000 people were under threat of eviction. In 2021, it is likely to be a much higher number.
3. **Federal Quarters (FQ)** – 2 neighbourhoods out of a total of 7 under threat of eviction (Martin Quarters and Clayton Quarters).

KEY FINDINGS

The Numbers

Official records suggest that 400,000 people have been displaced from residential properties over the past two decades, due to infrastructure and development projects, based on a conservative estimate of 6 people per household.³ **Our estimates suggest that 600,000 is more realistic**, since this mostly occurred in high-density areas, where households often comprise 8 to 10 people. Official figures also record that 21,499 commercial units have been demolished, affecting at least 53,748 livelihoods, upon which hundreds of thousands of people depend.⁴ **The lack of consistent, official, documentation severely impedes resistance** by affectees, who necessarily become focussed on self-documentation.

Exclusionary reshaping of Karachi in the name of development

A pro-growth coalition of provincial, local and federal governments, as well as real estate developers and multilateral organizations, have secured the power to reshape Karachi. **While this reshaping happens primarily at the expense of the city's socioeconomically vulnerable populations, they are hardly ever consulted as affected parties.** This is a fundamental misstep, and current compensation requirements by international funders and local laws are woefully insufficient. Affected parties should not just be compensated for their losses but consulted as equal partners in the planning and implementation of projects.

Informality re-coded as ‘illegality’ to justify displacement

The state uses the term informality interchangeably with ‘illegality’ and ‘encroachment’, as a strategic narrative to justify land displacement for the betterment of the ‘public good’.

This has silenced the stories of marginalized and poor urban residents, leading to a disavowal of their rights and undermining their struggles for land, housing, and livelihood.

Displacement is never a one-time event, it is typically a distressing journey into heightened vulnerability

The project documented 3 displacement-related situations: 1. People displaced and resettled; 2. People displaced and not resettled and, 3. People under threat of eviction. In all three an extended set of processes have been unleashed in which peoples’ lives are made more precarious and more vulnerable in the long-term. Displacements induce complex, multiple effects of waiting, anxiety, expectations, and defeat. All displacement-related situations caused immense stress and psychological vulnerability. **Distress was more pronounced in women, due to the disproportionate impacts** in terms of loss of social safety nets, homes, and livelihoods.

Displacement exacerbates gender inequalities and constrains women’s rights and agency

Land tenure is already highly gendered without the threat of displacement. **Land ownership is a male privilege: across our sites only 8-17% of tenancy documents were in a woman’s name.** As a result, women get excluded from key meetings and information about displacement and resistance. The impacts of all displacement-related situations are markedly more severe for women, because they do not tend to have their own rights to compensation and resettlement, and they face the loss of their socio-economic networks. Once they become resettled, they must navigate a new, often more restrictive, set of gendered social norms and mobilities.

³Ibid. See Chapter 1 of the full report, especially pp. 26-27.

⁴Op. Cit.

Displacement worsens poverty and heightens vulnerability

The characteristic pattern of displacement is to leave displaced people to fend for themselves with no compensation. **Over the past two decades, barely 33% of households forcibly evicted in Karachi, have received any form of resettlement site and/or cash compensation, or support for rebuilding their livelihoods.**⁵ The rest have been left to fend for themselves. Where the state has resettled communities, it has been a coercive process with limited or no participation. In the limited cases of compensation, a flattened rate has been applied with no attention to differentiated land claims. The experience of being displaced is not a side effect of development but is development: it defines the essence of infrastructure development dovetailing with planning processes in Pakistan.

“Over the past two decades, barely 33% of households forcibly evicted in Karachi, have received any form of resettlement site and/or cash compensation, or support for rebuilding their livelihoods.”

Limited access to justice for affected people

Courts at all levels—Lower, High and Supreme—have become increasingly critical sites of battle over land. Colonial-bureaucratic laws, such as the Land Acquisition Act (1894) do not address the on-ground realities of land in Pakistan, nor does it have effective safeguarding provisions to protect citizens' rights. **De-facto tenure rights are highly prevalent** (see Table 1); **and entitlements to land and housing are easily discredited by the state.** Rather than recognising the histories and inequalities that have led to de-facto tenure in urban Pakistan, courts increasingly reinforce and cement the discrediting of peoples' tenure rights.

Precarious lives/waiting in Limbo

Displacement-induced uncertainty forces people into precarious situations regarding land, housing and livelihoods for long periods of time. Hence, **people are rendered into a permanent state of 'limbo' or 'waiting'**: for compensation; for stability in livelihoods and in homes; for a sense of social safety and security in placemaking. Even though this precarity breeds feelings of disillusionment and mistrust of the state, it also paradoxically further binds affected residents to the state in an asymmetrical relationship of dependence.

Resistance, Movement Building and Participation

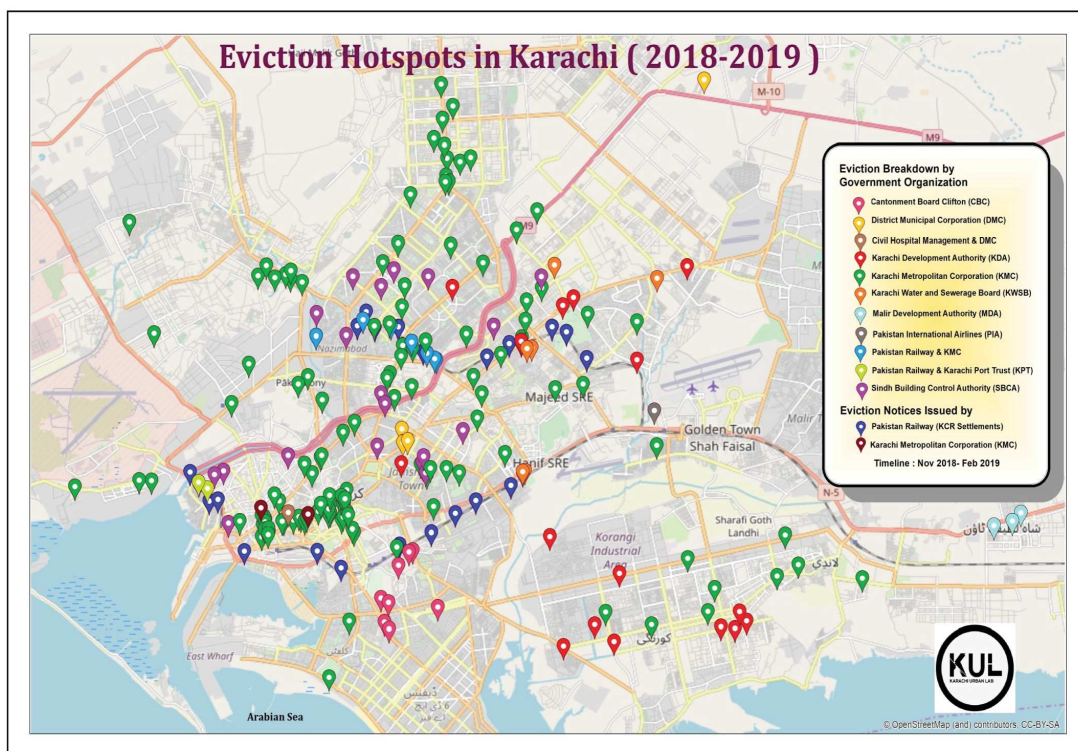
People affected by displacement used various strategies to assert their land rights. Court petitions were one approach taken up by different communities. However, their access to justice was limited by the massive impact of the Supreme Court's recent judicial order to clear 'encroachments'. A more popular method was on-ground mobilization. **The research brought to light that resistance is not just the actions that people under threat take on the day of displacement, but also comprises the constant discursive work and emotional labour required to build and sustain a broad-based consensus.** Successful resistance requires people to forge a collective identity and 'construct a people' that can universalize their demands. This process can be exploited by powerholders, especially politicians seeking to maintain or grow vote banks. Gendered and intersectional power dynamics often perpetuate harmful social norms and barriers that exclude women from processes of visible resistance. However, the research shows that the most successful forms of resistance were those that created inclusive spaces for women and their leadership.

“This process can be exploited by powerholders, especially politicians seeking to maintain or grow vote banks.”

⁵Op.Cit.

RECOMMENDATIONS (see pages 11 - 13 for more detail)

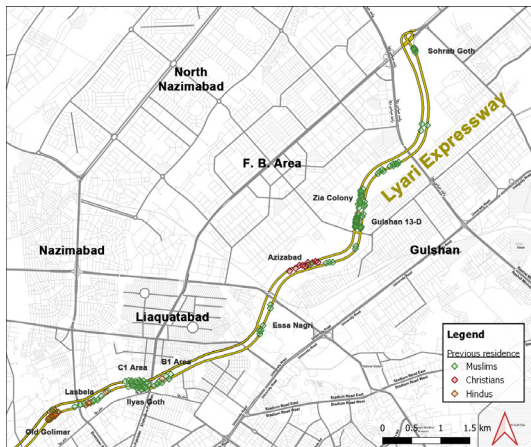
<p>METHODOLOGY</p> <ul style="list-style-type: none"> □ 670 Semi-structured household surveys □ 30 Detailed in-depth interviews (IDIs) with selected residents, activists, state officials □ 5 Focus group discussions (FGDs) □ Participant observation □ NVivo analysis of qualitative data □ Geographic Information Systems (GIS) mapping and data digitization □ Detailed secondary literature analysis □ Archival research □ Media discourse analysis □ Community workshops (wellbeing and legal) □ Tracking court case hearings 	<p>TO POLICY MAKERS</p> <ul style="list-style-type: none"> □ Amend the Land Acquisition Act to Reflect the Realities of Urban Pakistan in the 21st Century. □ Prevent future displacements by embracing the realities of cities like Karachi. Informality is the new form of urbanization. □ Make Eviction Impact Assessments Mandatory, and Prior to the Sanction of Any Project □ Develop Standardised and Clear-Cut Criterion for Resettlement □ Make Gender Responsive Policies an Urgent Priority □ Recognise the Right to Livelihood <p>TO CIVIL SOCIETY AND OTHER PRACTITIONERS</p> <ul style="list-style-type: none"> □ Prioritise Access to Justice Programmes □ Provide targeted psycho-social support to affected communities □ Support gender transformative movements
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Map of Eviction Hotspots from 2018 to 2020

DISPLACEMENT AND THREATS OF DISPLACEMENT IN KARACHI: 3 CASE STUDIES

Lyari Expressway (LEW)



Map of settlements displaced by LEW



The Lyari Expressway (LEW) is a 38KM high speed road megaproject. Like our second case, the Karachi Circular Railway, this was labelled by the Supreme Court as a 'public interest' project, setting the foundations for pursuing unilateral directives at the expense of residents' rights.

The exact numbers displaced by the LEW are not recorded, but some speculate as high as 200,000. At least 80,000 people were displaced and approximately 30,000 resettled to newly built colonies 30km from the city's centre. The resettlement plan aimed to rectify poor urban planning, improve tenure security and provide people 'a new beginning'.

Key learnings from this case study:

Documentation and Compensation

Residents with de facto tenure, but no formal documentation, were framed by the state as recipients of charity rather than citizens claiming their rights. This led to a two-tier compensation scheme: one for the residents without documents and another for those with documents, with the former receiving lower or even zero compensation.

After displacement, 88% of those resettled to new colonies, like LBi, expressed that they had more tenure security, through state granted 'allotment papers', even though they had limiting terms and conditions. Importantly, though, allotment papers do not complete the land ownership process. The final leasing process, of 99 years, is still pending.

The Resettlement Process

Resettlement colonies were built on the city's margins, dislocating families from their livelihoods. They also offered much smaller plot sizes, which affected families' quality of life. It took several months and sometimes years for some affectees to resettle in LBi. 92% of our respondents had resettled there

after 2 years. In the meantime, they had to fend for themselves. Respondents told us, repeatedly, that the compensation package of PKR 50,000 was not sufficient to construct a complete house. They struggled to find extra cash to complete the construction.

Life after Resettlement

Overwhelmingly, respondents said that their living conditions were worse now. This covered income prospects (worse for 82%); health and education (89%); mobilities (76%); Water, Sanitation and Hygiene (93%); and electricity (95%). These findings underscore a point made by certain authors (Mehta, 2009)⁶ that resettlement officials fail to understand the multidimensional aspects of well-being. Households have had to seek alternative services at exorbitant costs.

The LEW resettlement was characterised by political patronage, which is a reason why displaced people were left in the lurch. The project was kick-started under the patronage of of the Jamaat-e-Islami-backed Mayor Naimatullah Khan (2001-2005). Subsequent governments have increasingly left the residents behind, by withdrawing from their responsibilities of infrastructure provision and maintenance.

Gender inequalities were compounded by the displacement and resettlement process. Only 7% of allotment papers went into women's names. In rare cases where they did, the women faced tremendous difficulties in accessing basic amenities as negotiation processes that grant access remain gendered. Women lamented that their bonds with other women, built carefully over time, were severed by eviction.

Not all displaced people were resettled. We studied the case of Hasan Auliya Village (HAV) Block C, or 'Salai Para', as displaced residents enter their fifth year in a protracted state of 'lives in limbo', awaiting a resettlement site or compensation

⁶Mehta, J. (2009) Displaced by development: confronting marginalisation and gender injustice. Sage Publications.

that never materialized. Even though the LEW is fully functional, and the government earns revenues from it, Salai Para's residents still await the compensation.

The HAV seems to be often cited in Karachi's activism circles as a successful case of resistance. But on top of the wait for compensation, there was also a section of Salai Para 300-400 homes of majority working class and lower-middle class families that was demolished in 2016. The evictions scattered people, spatially, across Karachi, leaving families to fend for themselves. Their stories exemplify a protracted state of spatial and temporal disruption caused by an initial displacement, and then an irreconcilable situation of waiting.

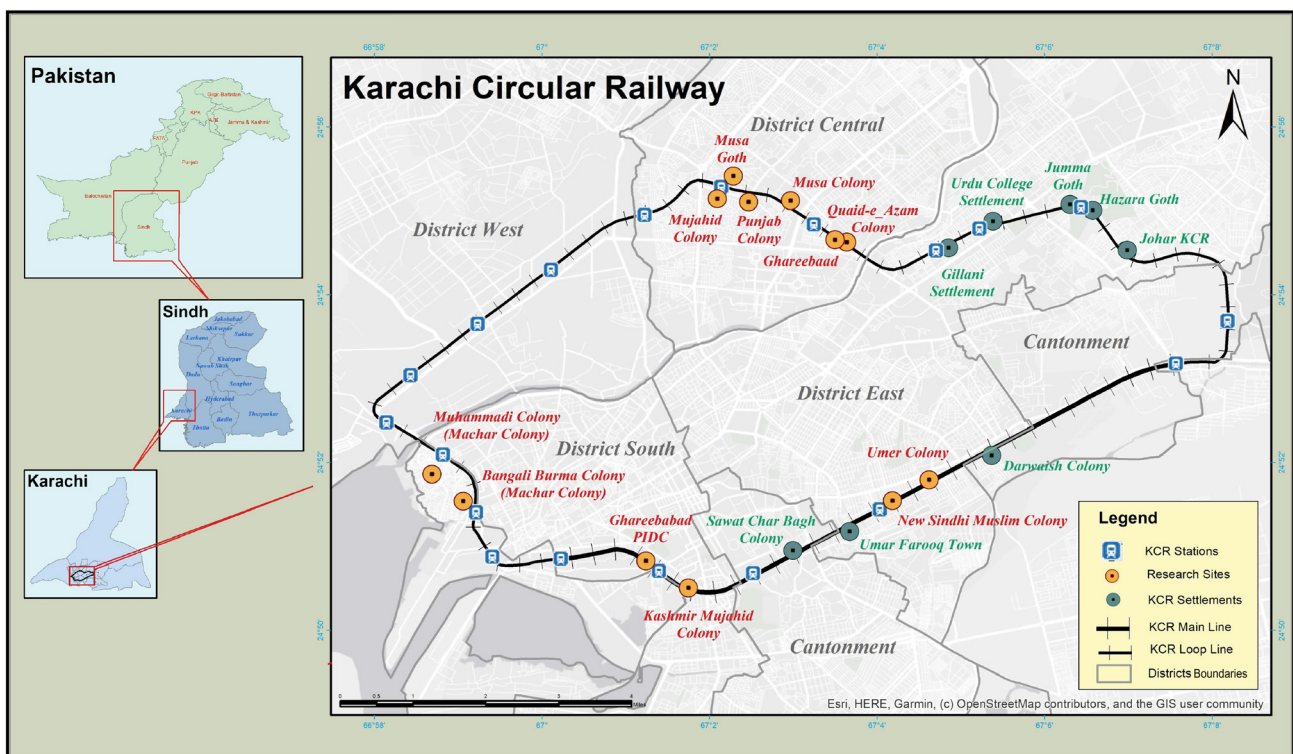
Three dominant metaphors came up constantly in interviews with these displaced: *hum peechay reh gaya* (being left behind), *kabin kay nabin rebay* (feeling out of place), and *hukumat ki wada khalafi* (the state's betrayal), that capture feelings of

betrayal by the state; feelings of social immobility; feelings of frustration and the stalling of previously anticipated futures. This experience has traumatised a community, having visible impacts on their wellbeing and intergenerational and familial relationships.



Picture of a partially demolished house in Salai Para

KARACHI CIRCULAR RAILWAY [KCR]



Map of KCR's track, affected settlements and study sites

The KCR is a transport system, aiming to connect the city centre with industrial and commercial districts. Operational between 1969-1994, the Sindh government invested in reviving its operations. While initial efforts were made to survey communities and map compensation and resettlement needs, there have been serious procedural gaps. Processes shifted from being extremely drawn out over years, to rapidly implemented, leading to thousands of grievances. The government, with the Supreme Court's backing, plans to rapidly conclude the KCR by 2023, by bringing in the 'Frontier Works Organisation', an administrative branch of the military.

Since 2018, 6500 people have been displaced by the project and are living on the rubble of their houses. Now, 45,000 residents are at risk of displacement.⁷ Seven settlements have experienced partial demolitions: Machar Colony (Muhammadi Colony) and Bengali-Burmi Colony, Ghareebabad-Liaquatabad, Moosa Colony, Wahid Colony, Punjab Colony, Mujahid Colony and Musa Goth. One informal settlement - Quaid-e-Azam Colony has been completely demolished. This project worked with 12 of the 28 neighbourhoods targeted for displacement.

⁷Anwar, N.H., Anjum, G., et al. (2021) Land, Governance, and the Gendered Politics of Displacement in Urban Pakistan. Karachi Urban Lab.

⁸Japan International Cooperation Agency (JICA) (2011) Resettlement Action Plan: Revival of KCR, Karachi Urban Transport Corporation (KUTC)

Key learnings from this case study:

Competing Claims by Agencies Worsen Residents' Rights

The settlements have existed for over 4 decades, and are listed as katchi abadis by the Sindh Katchi Abadi Authority (SKAA). This means that the land has been regularized and/or residents have acquired leases. Yet, this is contested by the Pakistan Railways Authority who claim that a large segment lies too close to the tracks, so encroaching on its Right of Way (RoW). For Machar Colony the SKAA lease is contested by the PRA and Karachi Port Trust (KPT), both claiming the land.

Shifting Legal Categorisations: the Lynchpin of State Violence

People's status in relation to the project has changed several times over the years, gradually dismantling their rights. Given KCR's high priority as a 'national interest' project, the state has reneged on its promise to provide compensation and opted to simply tear down houses along the RoW without due process. When aggrieved residents went to the courts and presented their original offer letters, they were informed that these were not legally binding, and their status changed from 'Project Affected Persons' (PAPs) to 'encroachers'. This discursive shift has massive implications. It dislocates them from a category that was guaranteed compensation and resettlement and re-codes them as 'encroacher' or 'illegal', meaning the state can evict them without consequences.

Residents Invested Heavily in their de-facto Tenure

While 15% of respondents within Pakistan Railways' jurisdiction lived on rent in properties with formal tenure, the large majority of the rest (92%) reported possessing katcha kaghaz (کچا کاغذ) or stamp paper as evidence of land ownership. In the absence of regularization and/or a lease, stamp paper has no validity in establishing land ownership and only documents transactions. We categorize these residents as possessing de-facto tenure based on their extended period-of-stay. Not considering any imminent threat to their land, residents extended their houses, through massive investments. For example, Umar Colony 1 initially comprised 100-200 huggis. Residents invested around PKR 342 million (USD 2.1 million) upgrading houses and sewerage lines. Plots have increased in value by 10,000 times, to PKR 1 million (USD 6208). The settlements have also been gradually regularised since the 1970s, through formal access to state services, brokered by powerful actors, like the Pakistan People's Party (PPP).

Karachi's shifting political landscape

The settlements emerged through informal tenure arrangements facilitated by political parties like PPP, PML-N (Pakistan Muslim League-Nawaz) and MQM (Muttahida Qaumi

Movement). Political actors, especially across PPP and MQM were actively involved in negotiating leases to thousands of households, since the 1980s. These parties dominated politics for decades and depended on these communities as vote banks. However, in 2018, the Pakistan Tehreek-e-Insaf (PTI) won an overwhelming majority of votes. Karachi's political power landscape has shifted dramatically and these parties are now, largely, out of favour. This has significantly impacted residents' capacities to influence decision-makers.

The KCR settlements fared significantly worse against eviction drives than wealthier neighbourhoods, like the Quarters (see case three). A key reason was the almost terminal fracturing of the MQM due to violent interventions by the Rangers in 2016. Two of the demolished neighborhoods Moosa and Punjab Colonies (PS-127) fell under the constituency of MQM's Kanwar Naveed Jameel, who was conspicuously absent throughout the demolition of the neighborhoods he was elected for but showed up to resist in person when the (wealthier and more populous) Quarters were under threat.

An Era of Intense Forced Displacement

Although KCR settlements have been under threat of displacement since 2012, state action was slow until October 2018 when it started a wave of anti-encroachment drives. These demolished at least 1,605 residential units, 3,200 families, and destroyed over 11,000 commercial structures in 20 major markets, resulting in an estimated 200,000 job losses.⁹ The current moment is one of unmatched intensity.

Limits of Legal Recourse for the Urban Poor

A critical problem is that accessibility to the Supreme Court is only possible through civil society organizations (CSOs), so it then matters how vigorously CSOs pursue issues. KCR affectees filed a petition for proper compensation in 2017 at the National Commission of Human Rights (NCHR), an impartial state body reporting to Parliament. NCHR declared that affected persons do not fall within the definition of "encroacher", thus should not be removed without proper compensation. However, this had no impact on the Supreme Court's judgement. The Court Order did offer recompense to some households to be displaced by the KCR, by ordering they be resettled within a year. No compensation or resettlement has been provided yet.

Rumors of evictions also affected social bonds, as people discouraged each other from raising voices in fear of any action that could worsen the situation. This all had negative implications for women as those expected to provide care for family members.

Resistance and Critical Processes of Collective Solidarity

In January 2019, over 25 key stakeholders discussed how to prevent further displacements. Activists, lawyers, academics,

⁹Hasan, A. (2018) "Saddar massacre", Dawn, November 19th. Available here: <https://www.dawn.com/news/1446517>

community leaders and political actors felt an urgent need to coalesce efforts. The meeting was called by the Rasheed Rizvi Centre for Constitutional and Human Rights (RRC-CHR), with the intent to file a joint constitutional petition to the Supreme Court, to cease demolitions. This convened, for the first time, affectees from across the city with prominent NGOs like the Orangi Pilot Project and the Urban Resource Centre. Yet, in a few weeks, much of the solidarity and companionship fizzled out, so that, eventually the meetings were only attended by 4 regular participants, all from the KCR neighborhoods. This was caused by RRCCHR's expression that some groups had more feasible claims to legal recourse than others. An attempt to bypass the more contentious aspects of coalition-building in the name of expediency, backfired by terminally fracturing it. This research shows the importance of understanding resistance as an ongoing process of discursive labour.

Women's Exclusion, Inclusion and Solidarity in Movements

Women were excluded from resistance processes in all three sites, across mobilizations, protests, legal proceedings and bureaucratic negotiations. This exclusion was rooted in norms that consign men as political actors, and women as caregivers, who should stay at home, do their domestic work and refrain from mixing with men. Women were even discouraged from giving opinions, under the justification that women lacked rationality as well as access to key information. In the KCR case women were systematically excluded by the community and other stakeholders such as

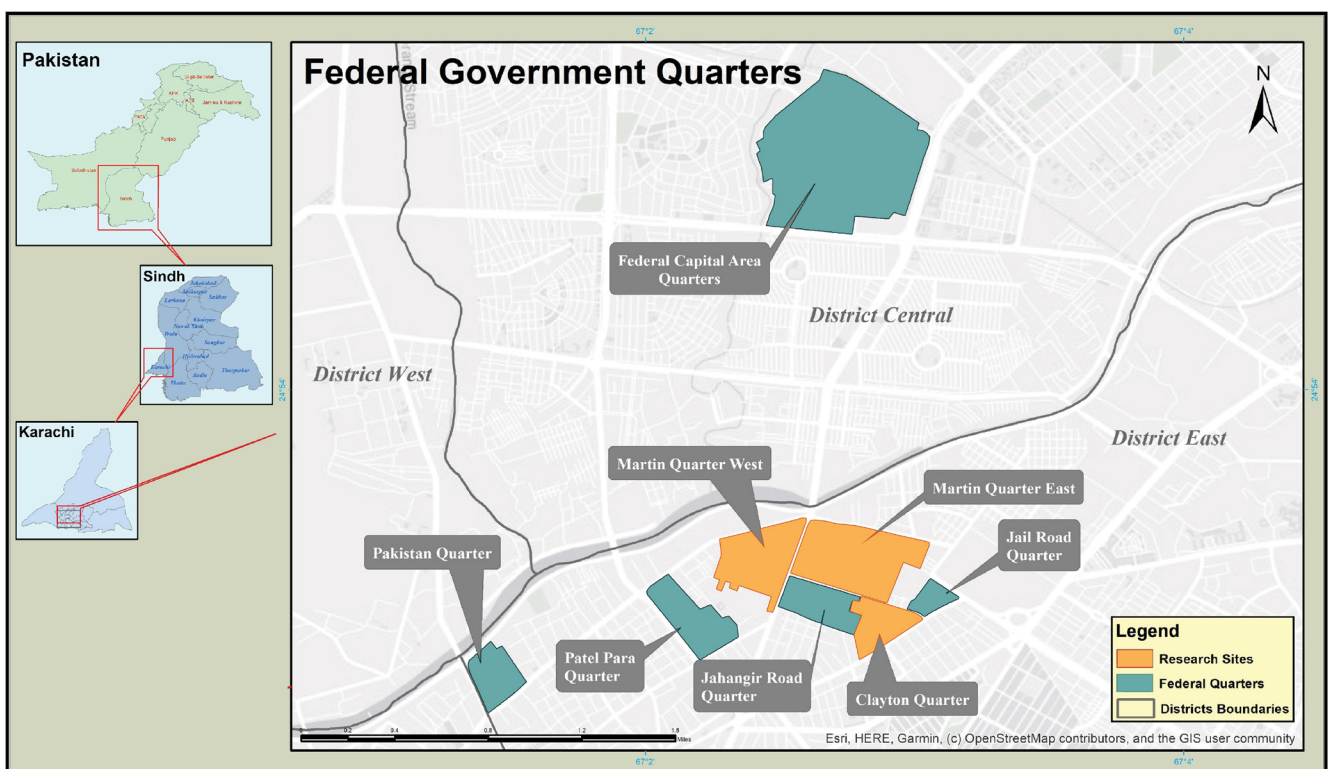
NGOs, activists, politicians and members of law enforcement. Nevertheless, as men held meetings, women developed their own processes of resistance, both visible and invisible, direct and indirect.

A small number of more privileged women were able to participate in mobilization activities, often with the support of political organizations like the Awami Workers Party (AWP), Karachi Bachao Tehreek (KBT) and Aurat Haq. These were more inclusive and radical in their demands, calling for a societal transformation towards equality and basic rights. But even when these women tried to get involved in public resistance, they faced moral policing from the wider community, including pressure from men to back out of protests, due to the risks of appearing 'too outgoing'. This stripped away their agency.

Women's Bodies and the Re-articulation of Gender Norms

Our research shows that the exclusion of women weakens the success of movements. In the only two KCR settlements that were able to successfully resist demolitions Machar Colony and Ghareebabad-PIDC women were much more visible. However, the extent to which this signalled the permanent shifting of gender norms is up for question. In some cases women sincerely felt that their participation and visibility had, to some extent, shifted patriarchal norms by being connected to wider (intersectional) struggles. For example, the women in Machar Colony connected their actions with the acknowledgement of their ethnic identity as Bengali women who are customarily confined to their homes.

FEDERAL QUARTERS [FQ]



Map of Federal Quarter and Study sites

The Federal Quarters is one of Karachi's oldest settlements, formed shortly after Partition, in 1953. This planned settlement was part of Prime Minister Mohammed Ali Bogra's housing initiative for government employees and migrant-refugees. Its history is connected with a government promise to provide housing for employees after partition.

As far back as 1972, the Quarters' Estate Office issued eviction notices to residents approaching retirement. The government had promised to provide an alternative housing plan and this is still considered sacrosanct by the residents. Like the KCR case, Federal Quarters' residents have lived in fear, with the threat of eviction, for years. On 13 July 2018 the Supreme Court ordered that occupants must prove their official tenure rights or vacate their homes. This case shows us that, while the threat of evictions disproportionately affects the poor, it increasingly involves lower-middle class communities. We worked in two of its settlements: Martin Quarters and Clayton Quarters, comprising a population of 52,000 people.

Key learnings from this case:

'Prime Real Estate' as the Government's Vision of Public Purpose

The Quarters are located in an area where land is sought after by developers as 'prime real estate'. As a result, the state's focus has been on commercial interests rather than on protecting the interests of citizens that have lived there since the 1950s. This reflects a very obvious trend in Pakistan, when it comes to infrastructural development: the 'public'—whose interests, mobilities and aspirations are privileged—generally comprises people who shape policy making agendas, like real estate developers, the military, and the urban middle and upper class. Here, even lower-middle to middle-class federal employees' interests could not be protected.

Karachi's shifting political landscape

The Quarters have faced eviction notices several times since 1972. Influential actors, especially across political parties such as MQM and PPP, have intervened to prolong their longevity

through patronage politics (much like in the KCR case). A new generation of residents—many of whom are not federal employees, have claimed ownership of plots and homes, with the support of politicians. Methods have included 'issuing residents' eligibility certificates', which are stamped by official government departments, giving residents a false sense of security. These have not been accepted as proof of tenure in court. For example, in Martin Quarters in 2006, the process of obtaining ownership certificates was expedited by Farooq Sattar of MQM, due to political exigency. These have since been voided without warning.

Displacement as an act of erasing histories

Historic residents of the Quarters feel betrayed by the state for their impending displacement. According to the majority, who are Urdu-speaking 'Muhajirs', they made a brave choice to settle in Pakistan and since, they have directly built the state through their roles in government. However, the Supreme Court's 2018 ruling brands them as a 'qabza mafia' (land mafia), which feels like a betrayal. The state's decision to brand and displace them is, for them, a violent act of erasure.

The Power of a Unified Resistance

Compared to the other two cases, residents of the Quarters had advantages that facilitated them to mobilize a more powerful resistance. These included a homogeneous population of Urdu-speaking Muhajirs who were able to tie their resistance efforts to a nationalist project of 'having built the nation'. Also, the relatively close-knit nature of the neighborhoods produced a deeper sense of collective engagement. Activities were coordinated by a central Quarters Mutasireen Committee. When the actual anti-eviction operation started in October 2018, the residents were united, and came out in strength against state authorities. Eminent leaders from the Muttahida Qaumi Movement-Pakistan (MQM-P) party stood in solidarity and used their social capital to bring the operation to a halt. After repeated clashes, the Governor of Sindh contacted the Supreme Court judge who had ordered this operation in the first place to get a legal notification which halted the operation for three months'. In effect it was put off indefinitely. This was a landmark victory in resisting evictions.

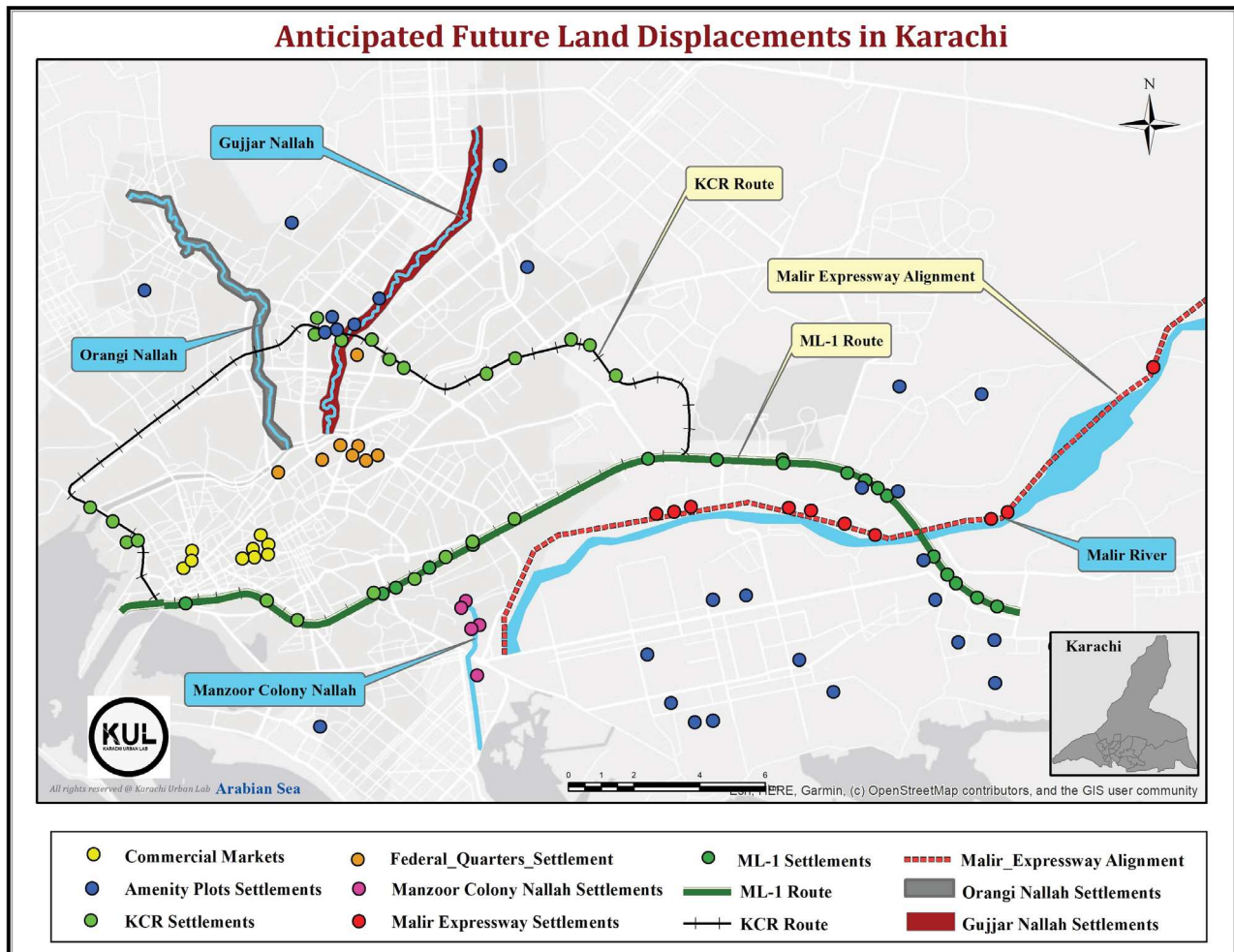
TENURE ARRANGEMENTS IN MILLENNIAL KARACHI

Given the intensity of the current wave of evictions we feel it is critical to outline what different forms of tenure look like, and how they may expose vulnerable people to future displacement. Currently, multiple government departments document, notify and issue different forms of leases and other documents pertinent to land ownership. These government entities have different and often conflicting jurisdictions over land. They rely on a plethora of official documents, a process that can be opaque, convoluted and riddled with loopholes, which create obstacles for the people who work and live under tenuous land tenure arrangements.

Tenure	Nature of Tenure	Documents	Governing institution/s	Applicability to Study Sites	Displacement Risks: From Highest to Lowest
De-Facto (Localized understandings of tenure rights, proved by accumulation, over several decades)	Different kinds of state provided documents (indirect acknowledgment)	CNICs with housing address	NADRA	KCR, Federal Quarters, Hasan Auliya (partial)	Despite long histories, residents' tenure remains largely unrecognized and they are at constant risk of being displaced
		Utility Bills (Electricity, Gas, Phone)	K-electric, SSSGC, PTCL	KCR, Federal Quarters, Hasan Auliya (partial)	
		Voting List	Election Commission of Pakistan	KCR, Federal Quarters, Hasan Auliya (partial)	
		Ration Cards	Local Administration (Obsolete)	KCR, Federal Quarters, Hasan Auliya (partial)	
	Officially stamped letters from government department	Offer letters for compensation and resettlement after preparation of a 'Project Affected Persons' list	Karachi Urban Transport Corporation, Pakistan Railways, Japan International Cooperation Agency (JICA)	KCR	Tenure rights can change overnight. The offer letters were not recognized when presented in the court by residents/affectees
		Eligibility Ownership Certificates	Estate Office	Federal Quarters	
		Addition to SKAA masterlist	Sindh Katchi Abadi Authority	Settlements located along KCR barring the strip immediately next to the track	The addition to the SKAA master list provides some acknowledgment of tenure but does not ensure tenure rights as it is the first step towards receiving a SKAA lease

De-jure (official lease holders with tenure security)	Formalized tenancy agreements for limited time periods post 1980s	Residential allotments	Estate Office	Federal Quarters	Taken as tenancy agreements by Estate Department, yet understood as tenure security by residents
	Formalization of informal settlements up to a specified cut-off date	SKAA leases/KMC lease	Sindh Katchi Abadi Authority (previously issued by Karachi Municipal Corporation)	Portion of settlements located along KCR barring the strip immediately next to the track	Credited for regularizing less than 500 informal settlements, but a process that has been in limbo post 1990s
	Community Leases (given to the entire community)	Gothabad Lease	Sindh Gothabad Scheme/BoR	Hasan Auliya	Some degree of tenure security in the case of Hasan Auliya Block A where residents were able to build a case in court on the basis of this lease, and operation was halted in their block.
	Tenure security to be received after 5 years of occupation (mostly applicable post-resettlement)	Allotment Papers	CDGK/LEWRP	Lyari Basti/Taiser Town	Greater tenure security than Gothabad/SKAA lease, as it cannot be annulled by notification. It is an allotment by the government, given as compensation and offers greater safety from displacement
	Tenure Security	KDA Lease / MDA lease	Karachi Development Authority (KDA)	None of our study sites possessed a lease awarded by KDA	Highest degree of tenure security. No risk of displacement unless property is needed for 'public/national interest', in which case compensation is awarded on the basis of LAA 1894 at market rate

FUTURE DISPLACEMENTS



Karachi has entered a new era of intense and rapid forced displacements. If the city carries on its current trajectory, there will be severe consequences for the lives and livelihoods of hundreds of thousands of people.

As illustrated in the above map, planned future displacements are spread across the city's central and peripheral areas. They will be triggered by land acquisition for new infrastructure projects, and by the cleaning of drainage channels or nullahs, where approximately 80 informal settlements are located. These are mostly informal settlements where residents have a range of de jure and de facto tenure arrangements. There is an emerging pattern of high-density developments, through the creation of premium housing societies (Bahria, Defence, Naya Nazimabad) that are triggering new kinds of displacements of indigenous people with long-standing claims on land.

In the cases we studied, the state's overall approach was to first dismiss affectees' claims of compensation as a given or 'natural' right, and then set up arbitrary and highly exclusive frameworks of who is eligible as a recipient of aid'. If the state continues with this approach, contestations and conflicts over land are likely to sprout up all over the city.

RECOMMENDATIONS

To Policy Makers

1. Amend the Land Acquisition (LAA) Act to Reflect the 21st Century Realities of Urban Pakistan

There is an urgent need for the Government of Pakistan to review and amend the LAA, at federal and provincial levels. The Act should be amended to include:

- (i) a strict definition of what constitutes 'public purpose' in respect of projects undertaken by the government. Core requirements should include equitable social and economic outcomes for all and environmental sustainability;
- (ii) de facto tenure holders must be considered as project affected persons;
- (iii) compensation must include social and psycho-social impacts of the land acquisition; and,
- (iii) resettlement of affected persons must be made part of the compensation, along with a grievance mechanism.

This process should entail a review and implementation of the draft framework for resettlement, namely the National Rehabilitation Policy (2002), in the case of land acquisition. Amendments should be done in consultation with CSOs that have experience working with communities living with de facto land tenure. A whole-of-government approach must ensure cross-departmental buy-in and implementation across all 19 landowning agencies (see Annex 8 in full report).

Gender responsive approaches like the Punjab Katchi Abadi Scheme where across the 110,000 households/plots husband and wife have equal rights should be embedded in law and not just as standalone projects. There should be guidance to policymakers/practitioners to ensure that, (in accordance with SDG 5.a.2), legal frameworks guarantee women equal rights to land ownership as well as property inheritance.

2. Embrace the realities of cities like Karachi. Informality is the new form of urbanization

The existence of informal settlements needs to be understood as an outcome of the state's failure to provide housing. Local and provincial government authorities must stop seeing the informal as a spatial deviance. Stop using the label 'encroacher' as it brands and dehumanises hard working people who have been in place, often, for decades. Instead, explicitly recognise the value and contribution that informal workers and settlements bring to urban economies and cultures. Develop an administrative system that recognises different forms of de-facto tenure and supports residents (especially women's) tenure arrangements.

3. Make Eviction Impact Assessments Mandatory

Displacements are often justified for projects that are required in the public interest. Yet these projects never clearly define the 'public'. Projects must be evaluated with regard to which publics they will benefit and which publics will bear the costs. A key pathway is through 'Eviction Impact Assessments', conducted prior to the finalization of any project plan. The Housing and Land Rights Network (HLRN) has developed the Eviction Impact Assessment Tool (EvIA Tool), which seeks to map and quantify the full consequences that persons, households and communities will experience due to forced displacement.¹⁰

Additionally, to promote the rule of law and to ensure equal access to justice for all, understand that the protection of homes is a basic human right and is directly related to people's social and psychological health. The demolition of homes is a violation of basic human rights, but this is not considered as such by courts. Courts and legal frameworks should consider the occurrence of psychological violence and find pathways to mitigate negative impacts.

¹⁰HLRN (2018). Handbook on the United Nations' Basic principles and Guidelines on Development-based Evictions and Displacement, 4th edition, Housing and Land Rights Network, New Delhi. http://hlrn.org.in/documents/Handbook_UN_Guidelines.pdf

4. Develop a Standardised Criterion for Resettlement

Currently, local, provincial, and federal governments do not follow any clear-cut protocols during evictions, leading to arbitrary practices, for instance giving residents little or no time to appeal or move, or with bulldozers and police appearing without notice, a process that triggers violent outcomes. This is exacerbated by Supreme Court orders for anti-encroachment drives that have created a violent atmosphere and psychological trauma for residents. The UN Guidelines (HLRN 2018) can be used to develop a basic set of criteria for the different layers of government to follow in the Karachi context.¹¹ The practice of cut-off dates for the regularization of katchi abadis should be abolished because this has become a tool through which vulnerable people are kept in limbo.

5. Make Gender Responsive Policies an Urgent Priority

This study has shown that resettlement and compensation are gender-blind processes, despite the highly gendered nature of land ownership and displacement that disproportionately affects women.¹² Lack of legal support for women is further jeopardized when women are disposed of their sense of place. The state must urgently work to make its policies and procedures on land ownership, displacement, resettlement and compensation, gender responsive to ensure women's rights are safeguarded. The state should work with women's rights organisations and gender experts to ensure:

- i) Impact assessments map gendered barriers and exclusions, as well as avenues to support women's voice and agency;
- ii) Meaningful participation of women is secured early on in the process of displacement, to ensure their safety, as well as the needs of children, elderly, and more vulnerable groups;
- iii) Safe transport and focus on shifting harmful social norms that affect women's mobilities and directly affect their access to education, health, social and economic networks;
- iv) Support programmes that focus on the psycho-social needs of displaced and/or resettled women and girls.

6. Recognise the Right to Livelihood

Allotments are a key value asset for the urban poor, but livelihoods must also be considered. Authorities should carefully consider people's livelihoods as a fundamental right – which is critical to upholding all sorts of other basic rights. Our cases demonstrate the extensive negative impacts of displacement on livelihoods. With the vast majority of people relying on informal livelihoods – tied to their geographical location – recognition of the interlinkages between land and livelihood is integral in future policy decisions. In line with the evolution of the International Labour Organisation's Conventions and guidance – as well as the realities of the economy in Pakistan – laws and policies must cover labour rights in the informal economy.¹²

¹¹Ibid.

¹²International Labour Organisation (ILO) R204 Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204).

It is imperative to ensure that resettlement in far off locations is carried out ONLY if the city's public transportation networks are well-connected and affordable, so that livelihoods are not decimated by the resettlement.

To Civil Society and Other Practitioners

1. Prioritise Access to Justice Programmes

Civil society organisations (CSOs) should focus on access to justice at multiple levels. Local CSOs should build community awareness especially in settlements holding de facto land rights of the laws that put them at risk of displacement. They should work with communities to document their tenure and take steps to regularise it in accordance with the current laws and processes (despite their deep limitations).

National CSOs should support local CSOs through finances and building awareness at the Federal and Provincial level. They should support communities that resist displacement and build awareness in political actors of their struggles against harmful development projects. They should work to hold lawmakers accountable to people's rights, both to land and to contest and seek redress without criminalization.

International CSOs have long focussed on generic programmes around rights but have rarely supported people to access their land rights. Given the impending threat to over 80 settlements in Karachi and hundreds of thousands of livelihoods, these CSOs should prioritise funding and supporting residents' struggles to protect their livelihood and land rights, and to negotiate compensation and resettlement.

2. Provide, targeted, psycho-social support to affectees

The research illustrated the extensive psychological impacts of threats of displacement, waiting in limbo for displacement to happen, and displacement itself. These were gendered, and had knock on impacts for overall health and wellbeing. There is a huge stigma in Pakistan around mental health, and as a result there are virtually no services available to support people experiencing such forms of anxiety, distress and trauma. Civil society at all levels should focus on building awareness of the psychosocial impacts of displacement. They should also focus on providing psycho-social services which are rooted appropriately in the context and history of the community. They should include targeted approaches for supporting women and girls, especially from the most marginalised families, who experienced the most severe psychosocial impacts of displacement and threats of it.

3. Support gender transformative movements

Women were systematically excluded from information, resistance movements, and community mobilisation across all the cases. They were instrumentalised at times, to send a

particular message, e.g., putting them at the frontlines of protests against demolitions. Women should be engaged more equitably and meaningfully in resisting displacements. CSOs at all levels should prioritise supporting women's meaningful participation in discourse, movements and legal challenges.

To start shifting the norms that exclude women, CSOs should support women-led movements. This should be done in careful partnership with local women experts, who can help develop mitigation plans against any potential backlash. This support should include funded legal support and, where needed, security support.

To Researchers

1. Prioritise gender responsive, intersectional approaches

There is a big data gap on women's experiences in urban contexts. Research must therefore prioritise the meaningful participation of women, especially those living at the intersections of different forms of oppression and discrimination, such as poverty, racism, classism and ableism. These women experienced the biggest barriers and exclusions when it came to land ownership, displacement, resettlement, compensation and access to resistance spaces.

2. Design participatory, context responsive, methodology

We used a combination of quantitative and qualitative methods in all sites, but adapted their dominance depending on the context. This process-oriented approach, is well suited for studying the ongoing and evolving experiences of urbanization, informality and life in limbo. Participatory research can be a critical process to support people's agency and empowerment. Provide communities, and especially marginalised individuals, with the tools to document the processes that impact their lives. Facilitate them to gain new skills or knowledge e.g. we held multiple legal awareness and psycho-social wellbeing workshops to support and engage women in vulnerable communities.

The research and data collected from communities must make its way back to those who participated in the process. Communities and CSOs can benefit from this data for planning their future and demanding their rights from duty bearers. Communicate it in an accessible format, in the most salient local languages. We shared factsheets and written and verbal briefs with the communities we worked with.

3. Track legal processes and outcomes in real time

While the affectees and the various civil society organizations continue to focus on legal rights and activism, researchers are rarely delving into the daily processes and challenges of procedural justice. Tracing and tracking court cases provides a deeper understanding of how the legal system works, the power of legal mechanisms, as well as the norms that shape how poor,

marginalised people – including women – experience the justice system. More research can bring to light its opportunities and shortcomings for those affected by displacement and broader issues of land and livelihood rights. This can help to illuminate the use of discriminatory language and legal notices as a tool of power over those who are marginalised within the power hierarchies of urban Pakistan.

4. Explore lives after displacement

Do not fall into the trap of representing displacement as a one-time-phenomena. Research the lifecycle of displacement, including the afterlife. This added dimension is highly valuable because it shows how researchers need to trace beyond the concurrent impacts of social processes to build a consolidated framework of predictions, expectations and outcomes for the communities that will undergo a similar life cycle.

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