

# Effective Policies-A Tool for Improving Housing Conditions

A Case of Mchesi Residential Area in the City of Lilongwe



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## 1.0 Introduction

In the past three decades attempts have been made globally to improve the housing situation in urban areas through various approaches such as public housing programmes, site and services and upgrading schemes which have not made headway due to rapid urbanization. In the informal settlements, conditions of life have worsened and many urban dwellers continue to live without security of tenure. Within this context, United Nation Centre for Human Settlements (UNCHS) and other United Nations (UN) agencies have tirelessly campaigned for improving the lives of people in informal settlements and the prevention of development of new ones. In spite of the above campaigns, the City of Lilongwe

This paper therefore gives a brief analysis of shelter situation in Malawi and later examine factors that have led to the development of Mchesi Spontaneous settlement in the City of Lilongwe. It is paying particular attention on the security of tenure, plot acquisition procedures, housing conditions on one hand and how government's policies and regulations have influenced its growth. It also examines the role other stakeholders play in the delivery and development of

housing in Malawi and finally make recommendations to improve housing conditions in spontaneous settlements.

### **1.1 Methodology**

In order to collect data, interviews and group discussions were conducted in Mchesi residential area over a period of six weeks (8<sup>th</sup> October to 24<sup>th</sup> November 2008) using structured and semi-structured questionnaires. 342 individuals were interviewed and 4 group discussions conducted. Also interviewed were officials in the Department of Lands, Malawi Housing Corporation (MHC), Centre for Community Organization and Development (CCODE) and the Lilongwe City Assembly.

In addition to the interviews above, a comprehensive literature review on informal settlements, various policies and acts was conducted. Several site visits to Mchesi were made to observe the existing conditions of housing structures, infrastructure services, sanitation and environment. Results of the interviews are analysed in chapter four

#### **1.1.0 Geography and Administration**

The Republic of Malawi (formerly Nyasaland) is located in the south-eastern Africa. It borders Zambia to the north-west, Tanzania to the north and Mozambique surrounding it on the east, south and west. Malawi's total area is 118,484 km<sup>2</sup> of which 24,400 km<sup>2</sup> covering water bodies and 94, 080 km<sup>2</sup> for land. Malawi's terrain is characterised by dramatic highlands and extensive lakes with forests occupying about one-fourth of the total land area. The Great Rift Valley runs north-south and contains Lake Malawi. The lake makes up 20 percent of the total area. It is sometimes called the Calendar Lake since it is 365 miles long and 52 miles wide.

Malawi, gained its independence from Britain in 1964, followed by one-party politics until 1994 when multiparty politics was introduced. Currently, is governed under the constitution of 1994 with the president as both head of state and government. He is popularly elected for a five-year term. Administratively, Malawi is divided into three regions (the Northern, Central and Southern) which

are further divided into twenty-seven districts. These are further divided into 137 traditional authorities and 68 sub-chiefdoms.

### **1.1.1 Demography**

According to the 2008 Population and Housing Census Results by the National Statistics Office (NSO), Malawi's population is 13,066,320 people with 80 percent living in rural areas. Out of this 6,365,771 (49 percent) are males and 6,700,549 (51 percent) are females. The population grew from 9,933,868 in 1998 to 13,066,320 in 2008 representing an increasing of 32 percent. The results have shown that 6,216,432 are persons aged 18 years and over of whom 3.2 million are females and 3 million are males. Fifty-three percent of the population lives below the national poverty line<sup>1</sup>

The results also show that cities of Lilongwe, Blantyre, Mzuzu and Zomba have high population figures. Lilongwe for instance has the highest population of 669,021, while Blantyre has 661,444, Mzuzu City with 128, 432 and Zomba City 87,366 (NSO, 2008)

### **1.1.2 Health**

Health services are provided to Africans free of charge in government hospitals. The major health threats in Malawi are malaria, malnutrition, tuberculosis, dysentery and bilharzias. According to Integrated Household Survey of 2005, there are higher proportions of sick people in female-headed households relative to male headed-households. Morbidity in Malawi is also higher among rural than among urban population at about 27 percent and 16 percent respectively<sup>2</sup>. HIV-AIDS prevalence rate of 14.2 percent of the population (900,000 adults living with the disease in 2003) is another health challenge and is impacting negatively on the socio-economic development of Malawi. Life expectancy at birth is at 43.45 years.

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<sup>1</sup> The State of African Cities 2008: A framework for addressing challenges in Africa. Pg 149

<sup>2</sup> Integrated Household Survey, 2004-2005, NSO

### **1.1.3 ECONOMY**

Landlocked Malawi ranks among the world's least developed countries. The economy is predominantly agriculture with about 85 percent of the population living in the rural areas. Per capita GDP is less than \$800 of which 40 percent is contributed by the agricultural sector, 18.1 percent by industrial and services for the remaining 44.1 percent. The performance of tobacco sector is crucial to short term growth as tobacco accounts for more than half of exports.

The principle crops are corn, potatoes, cassava, sorghum, pulses, peanuts, and macadamia nuts. Tobacco, tea, sugarcane, cotton, and tungoil are produced on large estates. With the aid of foreign investments, Malawi has instituted a variety of agricultural development programmes. Large numbers of cattle, goats, poultry and pigs are raised. There are small fishing and forest product industries. Malawi has unexploited deposits of uranium, coal, and bauxite.

### **1.2.0 Characteristics and Condition of Housing in Malawi**

#### **1.2.1 Households and Households Sizes**

Table 1.0 below shows that there are 2,957,683 households in Malawi. This represents a 37 percent increase from 2, 273,846 households in 1998. Malawi has a 4.4 average number of persons per household. Lilongwe City according to the 2008 Census Results, has 153,717 households with a 4.4 average household size rising from a 3.4 average household size in 1998 (NSO, 2008).

In Malawi, about 80 percent of the population live in the rural areas. The traditional dwelling, used between 45 percent and 65 percent of the total population is a single-family home made of mud brick walls and a thatched roof as shown in Figure 1 below. Permanent structures are made with concrete, stone, or burnt brick walls and iron sheet, concrete or asbestos roofs. Most of dwellings have two or three rooms.

Table 1: Households and Households Size for Major Cities 1987,1998 and 2008

	2008	2008	1998	1987
	Total Number of Households	Average Household Size	Average Household Size	Average Household Size
<b>Malawi</b>	<b>2,957,683</b>	<b>4.4</b>	<b>4.3</b>	<b>4.0</b>
<b>Northern Region</b>	345,752	<b>4.9</b>	<b>5.1</b>	<b>4.8</b>
Mzuzu City	26,858	4.8	4.6	4.2
<b>Central Region</b>	1,222,365	<b>4.5</b>	<b>4.5</b>	<b>4.3</b>
Lilongwe City	153,717	4.4	3.4	3.1
<b>Southern Region</b>	<b>1,389,566</b>	<b>4.2</b>	<b>4.1</b>	<b>3.7</b>
Blantyre City	154,782	4.3	4.0	3.9
Zomba City	142,394	4.1	4.0	4.0

Source : Population and Housing Census Report, 2008, NSO



Fig 1: Examples of Houses in Mchesi Residential Area in the City of Lilongwe

Housing conditions in informal settlements in urban areas are generally poor such that basic and community services such as portable water and proper sanitation, clinics, access roads are often lacking.

### 1.2.2 Access to and cost of Education

Malawi has an adult literacy rate of 65 percent. The difference in literacy rate between urban and rural areas is 83 percent and 62 percent. The difference decreases as new generations enter into adult ages. Among 15-24 year olds, 81 percent of the males and 74 percent of the females are literate.

In Malawi primary education is free. However due to high levels of poverty, children fail to attain primary school education. Around 80 percent of children in the 6-13 years age group are currently in primary school, but 12 percent of children aged 13-20 years do attend secondary school education. The cost of education in Malawi especially secondary (between US\$ 350 and US\$965 per year) and university education (at US\$3,220) is very expensive such that many fail to attain secondary or tertiary education due to high school fees yet education is an important vehicle for poverty eradication

### **1.2.3 Access to Shelter**

Housing deficit in Malawi is very critical now. For example, currently Malawi Housing Corporation (MHC) has only 6000 houses throughout the country against a waiting list of almost 100,000 applicants. Lack of affordable housing is forcing low-income groups to erect poor houses in informal settlements such as Mchesi, Kauma, Kaliyeka, Chinsapo, Mgoni, Ntandire in the City of Lilongwe, just to mention but a few.

### **1.2.4 Occupancy**

In as far as occupancy is concerned, there are four categories of land occupancy in Malawi. The first category is through membership of founding lineage. The second is through inheritance. This is where an individual who is related to the founding lineage inherits a building or land. The third category is occupancy through purchase where an individual who is not related to the founding lineage buys a building or land to build his dwelling and is expected to pay gifts at the commencement of the allocation, usually to the village headman or his subordinates. No rent is paid in the above cases. Fourth category is occupancy of a dwelling house by payment of rent. The rent is usually paid to the one who claims ownership. It is difficult for the low-income groups to get a good house through rent or purchase because rent for a standard house is about K9, 000 (US\$ 64) per month while on average, low-income groups earn between MK3,000 (US\$ 20) and K5,000 (US\$35) a month. In general, settlers in Malawi occupy public, freehold or customary land. Those that occupying public and freehold land can be further classified as squatters and settlements are deemed unplanned.

#### **1.2.4 The National Housing Policy (NHP)**

The most recent policy document in Malawi, is the 1999 Draft National Housing Policy (NHP). Its preparation commenced in 1996 and was approved by cabinet in 2001 but has not been implemented. This policy explains the government's decision to draw up strategies to regulate the provision of housing after recognising that issues of shelter development could not be addressed without a clearly defined policy. The NHP also intends to tackle poverty by making the housing objectives and strategies consistent with country's socio-economic goals and national endowments. In this policy, Government acknowledges its primary role in promoting efficiency in the housing market so that sustainable shelter is provided at affordable prices by most households especially the low income groups.

#### **1.3.0 Actors in Shelter Delivery and their Roles**

##### **1.3.1 Central Government**

Government formulates policies on the basis of which all actors contribute to housing development for all categories and ensuring tenure security of the population of Malawi. It also provides institutional housing to accommodate employees such as military, police, health workers and teachers.

While this has contributed significantly to the housing stock in the country and urban centres, the introduction of housing allowances to replace employer-paid accommodation has reduced its importance recently and might be a contributory factor to squatter development. Government through provision of home ownership and housing loans to civil servants is to a certain extent contributing to housing delivery.

##### **1.3.2.1 Ministry of Lands and Natural Resources (ML &NR)**

Land administration and management is centrally controlled. At the moment, the Ministry of Lands and Natural Resources, is charged with estate management, physical planning and surveying of land on both customary and public land. The central government transferred some of the public land to Malawi Housing Corporation (MHC) and the local authorities including city assemblies of

Lilongwe, Blantyre, Mzuzu and Zomba to enable these institutions carry out their respective infrastructure developments.

#### **1.3.2.6 Malawi Housing Corporation (MHC)**

MHC was constituted in 1954 to develop high density residential areas in Blantyre Township. By 1963, it changed its name to Malawi Housing Corporation (MHC) to develop, construct and manage housing estates throughout Malawi for all sections of population on viable commercial basis. It was charged with the development of housing for both high income earners and low income groups. The high-income groups were provided for through development of conventional housing schemes whereby MHC built a complete structure ready for occupation. The low-income groups were provided for through development of site and services that were since 1992 transferred to the City Assemblies. According to MHC (1998) 5,274 units were built by 1981 of which 48 percent were built in the City of Lilongwe and 45 percent were in Blantyre City while the rest were in other smaller towns and districts.

#### **1.3.2.8 Habitat for Humanity (Malawi)**

The Habitat for Humanity (HFH) works in partnership with local communities and local authorities to build legal and simple houses with latrines for the urban poor. HFH provides loans in form of materials (e.g. cement) and repayments from the completed houses are ploughed back into a revolving fund for the communities to build more houses and latrines. It encourages active participation of the local communities and volunteer labour in order to ensure commitment on the part of the beneficiaries. No interest is charged on the loan. Land for housing development is acquired from local government as a block lease and plots allocated by Habitat to target groups. HFH also collaborates with service providers for water and power supply. HFH Malawi has so far built 5528 houses in both urban and rural areas since 1986 when it started as an NGO in Malawi of which 913 are in the City of Lilongwe.





Figure 2 : Planned housing for low income groups supported by HFH in Lilongwe

### 1.3.2.9 Centre for Community Organization and Development (CCODE)

**CCODE**, formed in 2003 works in alliance with the Malawi Homeless Peoples Federation (MHPF), a social movement comprised of groups of people living in squatter areas. More than 75 percent of its members are women and were renting in various informal settlements in the city. After in-depth consideration of their capabilities, they noted their inability to address housing problems individually. They agreed to start saving money collectively towards house construction under the Mchenga Fund. The money saved is loaned to individuals and accounted for by the elected committees.

CCODE and federation groups have recently acquired plots from Lilongwe City Assembly that were according to members found too big for them and were reduced in sizes. A total of 222 plots have since been acquired and properly surveyed for sharing to 222 members out of a total of 400 members.



Figure 3 : Low income houses under construction supported by CCODE on land provided and serviced by Lilongwe City Assembly in Area 49

#### **1.4.0 Shelter Design and Delivery**

Provision of housing depends very much on availability of land and the effectiveness of policies. There is presently no explicit planning policy in Malawi. Planning policy is implied in the Town and Country Planning Act provisions, urban structure plans, building regulations and by-laws. These instruments also determine the supply of and delivery of land which in turn affects provision and development of housing.

The Town and Country Planning Act (1988) seems to suggest that customary land rights get extinguished when an area is declared a planning area. It is assumed that all land under planning is public yet there are chunks of customary and freehold land within planning areas. Notable aspect is that planning standards are prohibitive in relation to affordability and meeting housing needs of the poor. Similarly the planning system has concentrated on separation of housing locations by density which has had social implications. The planning “policy” has also not allowed allocation of unserviced land and yet the government has been unable to provide serviced plots due to financial constraints. Therefore, the poor resort to informal means of acquiring plots through traditional chiefs, self-imposed landlords and squatting or invasion.

Land policies influence the price of and access to land. The Malawi National Land Policy of 2002 aims at providing an enabling environment for investment in housing and recognises the need for equitable access to land in rural and urban areas. The policy addresses the causes and consequences of tenure insecurity through strategies that provide access and security to all citizens with ability and resources to make productive and environmentally sustainable investment in land.

Apart from development control, low supply of land for housing affects shelter design and development in Malawi. Even in cases where one applies for a plot, the procedure is too cumbersome and costly which has forced majority of the urban poor to take shortcuts leading to crowded environment in spontaneous settlements. In the City of Lilongwe for instance, the poor constitutes over 78 percent and they live on less 20 percent of land area.

It is worthy to note that planning controls have not been extended to informal sectors where land is predominantly under customary tenure. The effect of this is that traditional leaders retain the authority to allocate the use and occupation of

land without conforming to any plans in place. However the Town and Country Planning Act considers all development in a planning area without planning permission as illegal or unauthorised. The present National Land Policy under Section 6.3.2 extends the application of planning and development control to all rural and urban areas. The implication is that all development in the country will require planning permission.

Gender issues and social inclusion is also crucial to the development and delivery of housing to any country. In the case of Malawi, the NLP is silent on gender and youth access to housing. The Policy emphasizes on creating a dynamic, efficient and equitable urban market improving access to land and low-income households and vulnerable groups. However, there is no mention of specific needs of the women and children neither does it have any provision for the handicapped. So, to ensure sustainable development, all people have to get involved otherwise low-income groups will find their way into unplanned settlements where quality and conditions of housing are very poor.

## 2.0 Department of Physical Planning

The Department of Physical Planning which under Ministry of Lands and Natural Resources is mandated to provide physical planning services in the country. It is headed by a Commissioner who reports to the Principal Secretary and is assisted by two Deputy Commissioners one responsible for policy and research and the other for technical services. The basic legal instrument for providing physical planning services is the Town and Country Planning Act (Cap 23:01) which became operational in 1991. This Act is currently under review. There are other related statutes which work closely with this legal instrument. For effective operations, the department has four Regional Offices based in Blantyre, Lilongwe, Mzuzu and Zomba. Each regional Office is headed by a Regional Commissioner who reports to the Commissioner.

Physical planning, essentially seeks to influence broad location decisions for facilities and services in space. It varies location range of permitted and desired activities and facilities over space to ensure that there will be a place for every worthwhile activity of future growth and thereby helps to influence not only the

configuration/shape of settlements, but also overall societal health, safety, welfare and environmental benefits.

Its policy is that once plans are prepared development should start only after infrastructures (plan-service-land/plot/shelter) are provided. The department is supposed to be contacted for comments for any proposed change of land use in both rural and urban setting. The functions of the department are complex in the sense that in any development that is to take place, a map is prepared by Surveys Department and all the utility companies such as Lilongwe Water Board (LWB), Electricity Supply Commission of Malawi (ESCOM) and other parastatals have to comment on the plan before a final draft is made. This long process delays the delivery of land to urban citizens.

## 3.0 Lack of Effective policies in housing Delivery

### 3.1 Background

Where we live, can determine whether or not we are likely to be healthy, educated, employed, safe or impoverished. People who live in slums like Mchesi Residential Area in the City of Lilongwe, face serious threats to their well-being. Living in poor shelter conditions often means being more vulnerable to a host of social and economic threats that make the achievement of Millenium Development Goals (MDGs) in cities both a challenge and an urgent need.

This chapter is therefore trying to examine how government policies on land, housing and related legal frameworks have influenced the growth of Mchesi in the city of Lilongwe where poor access to physical infrastructure such as roads, electricity and poor access to social services such as health, education, water and sanitation, insecure tenure and poor housing conditions and high crime rates is the order of the day. It is further reviewing approaches being used by government in upgrading housing conditions ranging from policy development, site and services, land acquisition and title issuance to shelter delivery and development and how housing conditions could be improved by all the players.

#### 3.1.2 Demography of Lilongwe City

Lilongwe is the capital city of Malawi with a population of 669,021 rising from 440,471 in 1998. There are 339,030 males and 329,991 females in the City of

Lilongwe with 344,995 persons aged 18 years old and above. Lilongwe City covers 456 km<sup>2</sup> land area<sup>3</sup>. This means the population density of the City of Lilongwe is 1467 persons per km<sup>2</sup>. The population density in this case had risen from 966 in 1998 Census Results. (NSO, 2008). 78 percent of the city's population is poor and live on less than twenty percent of the land area in such spontaneous settlements as Mwenyekondo, Mgoni, Mtandire, Kawale 1 & 2, Area 22 & 23 and Mchesi just to mention but a few. In Sub-Saharan Africa, Malawi is 5<sup>th</sup> in the rate of urbanization.

Mchesi Residential Area (Area 8) is situated in the southern part of Lilongwe City with a population of 20,487 of whom 10,272 are males and 10,215 are females. Out of 20,487 people, 10,931 are persons aged 18 years old and above which means over 50 percent population of Mchesi is within the economically active age group. It is located about half a kilometre from the Central Business District and about three kilometres from the new City Centre.

### **3.2.0 Findings on problems and Housing Conditions in Mchesi**

The study revealed the following general problems and conditions of houses in Mchesi Spontaneous:

#### **3.2.1 Challenges of the Urban Poor in Mchesi Residential Area**

The number of people migrating from rural areas to urban cities in Sub-Saharan Africa is growing rapidly. These populations arrive in cities with no resources and are forced to seek shelter in one of the many unplanned slum areas characterised by deplorable living conditions. Already overcrowded, Mchesi for example has makeshift structures, woefully inadequate sanitation systems, scarce and insufficient water supply, no security of tenure, and few opportunities for income generation. Other problems include lack of personal security and increased health risks related to HIV/AIDS, malaria and outbreaks caused by unsanitary conditions.

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<sup>3</sup> Population and Housing Census Report, NSO, 2008



**Figure 4:** Poor Overcrowded Housing Conditions in Mchesi Residential Area

According to the UN Habitat report titled “Urbanization Challenges in Sub-Saharan Africa” the most important determinant of slums is lack of proper sanitation<sup>4</sup>. While there is significant variation, Mchesi Spontaneous Area has inadequate sanitation facilities, drainage systems, and rubbish collection services. Refuse and human waste fill the common areas, making sanitation related diseases rife and contributing to environmental degradation and contamination of water sources. Water related diseases such as cholera, dysentery and typhoid is also proving to be a problem in Mchesi.

### **3.2.2 Characteristics of Mchesi Settlement**

Of those interviewed 30.5 percent were males while 69.5 percent were females showing that majority of men were working outside the home while women attended to domestic work and other informal income generating activities. The study also revealed that about 29 percent and 19 percent were female household head and male headed respectively. The implication is that in total about 48 percent of the families are headed by women. This means that the upgrading programme in Mchesi is likely to affect this group. The study showed that about 73 percent of the women received incomes of less than a US\$1 per day while only 60 percent of the males were in this category. In many of the households only one member is working (36 percent). This means that several households in Mchesi rely only on the salary of the household head. Apart from the income from

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<sup>4</sup> <http://webworld.unesco.org/water/newsletter/161.shtml> Accessed Nov. 23, 2008  
SIDA, *Shelter Design and Development International Training 2008-2009*

the main occupation, 43 percent of the respondents get other income from selling goods (26 percent), rent (13 percent) and other occupations (6 percent).

### 3.2.3 Common Problems of Mchesi

The study also revealed that the communities in Mchesi face multifaceted problems. Some of the problems mentioned in the focus groups included lack of access roads, community services like clinics, secondary schools, lack of water supply and poor sanitation. Only 16 percent indicated that they have tap water inside their houses while 13 percent have stand pipes outside their houses. As such when households cannot afford the cost of water, they resort to the use of unsafe water from wells and rivers. This contributes to waterborne diseases such as cholera and dysentery as mentioned by some respondents.

In terms of energy for cooking, 87 percent of the respondents use firewood and charcoal. Mchesi is one of the main charcoal selling points in the City of Lilongwe as shown in Figure 5 below. This is a very worrisome situation because it can result in environmental degradation.



Figure 5: Buying and selling of charcoal outside Mchesi Main Market

### 3.2.4 Quality of Houses

Observation also confirmed the state of housing in Mchesi Spontaneous area although there are some few good quality housing in the settlement. It was therefore observed that most of the housing structures were built of temporary material and most of them were in dilapidated condition. These houses were hastily constructed to meet the demand of the poorest therefore no regard was given to the health requirements of the occupant especially in rented housing.



The quality of houses was measured through observation of materials for construction of floors, walls and roofs but also by asking the number of rooms for each household. The number of rooms and people sharing, usually determines the degree of crowding. It was noted that 57.6 percent of houses were built of mud bricks, 3.8 percent of mud and wattle. The repair condition of walls was poor (26 percent) to fair (46 percent). The roofs were mainly constructed of iron sheets (91.5 percent) while 3 percent were thatched with plastic papers. In terms of conditions of repair, it was noted that many roofs were still in good repair condition (43 percent) while 39.5 percent were in fair condition and 17 percent were in poor condition. The floors were mostly of cement (82.4 percent) while 15.4 percent were of mud. The general repair conditions of the houses in these areas were fair (48.8 percent) good (28.5 percent) and bad (22.7 percent). In general most of the houses are small. About 18.5 percent were one roomed, 30.5 percent were two roomed, 26.8 percent were three roomed and 14.6 percent were four roomed. Those with five or more roomed accounted for the balance.



*Figure 6:* Poor Quality Housing in Mchesi Informal Settlement in Lilongwe

### **3.2.5 House Ownership and Plot Acquisition**

In terms of land tenure, the research revealed that 56 percent of the respondents actually rent the houses, 40 percent own their houses and about 4 percent stay in the houses rent-free. A high percentage of renters suggest that upgrading for purposes of title might benefit about 50 percent of the population whose motive for building houses may be rent rather than shelter.

An attempt was made to find out if respondents are interested in acquiring plots. It was found that 7 percent had applied for plots, 52 percent had not applied for any plot. Those not applying for plots said they did not know the procedure SIDA, *Shelter Design and Development International Training 2008-2009*



(44 percent) or cannot afford the costs involved (32.4 percent). Even those who are aware of the plot allocation process, indicated that the plot acquisition process is too long. Some 37 percent of the respondents were not sure if applications had been made by their spouses or parents who were household heads. While some revealed that majority of the Mchesi dwellers do not know the procedure for land acquisition some indicated that they couldn't afford to build a house. For example, while about 7 percent had applied for plots, 52 percent had not applied for any plot. Those not applying for plots said they did not know the procedure (44 percent) or cannot afford the costs involved (32.4 percent).

### **3.2.6 Lack of Security of Tenure**

From the focus group discussions it was noted that some members of the communities were aware of their insecure position in relation to land tenure. Respondents were asked whether they were owners of the houses or the plots. 56 percent said they were renting with rentals ranging from MK1,500 (US\$11) to MK15,000 (US\$107) per month. Some plot owners own up to between three and seven houses in the same area. It is therefore evident that any upgrading exercise might benefit only the owners of plots who might as well decide to sell to rich or indeed to raise rental fees in turn keeping out the present low income groups. Over 81 percent population of Mchesi live in slums without secure tenure, proper shelter, water and other amenities.

### **3.2.7 Gender and House Ownership**

Of those interviewed 30.5 percent were males while 69.5 percent were females. The presence of more women could be due to the fact that more males were out to work or business activities. This may imply that women work within their house vicinity combining their income generating activities with their reproductive role. This has implication on the way the upgrading exercise should be carried out such that it should have regard to the way the areas should be designed as well as to how facilities should be located to allow women combine the roles as income generators and house wives. The study also revealed that about 29 percent were female households heads and 19 percent were male headed households. While 48

percent were household heads, 32 percent were spouses, 14 percent were sons or daughters and 6 percent were parents. An important aspect of the results is that about 8 percent of the respondents are widows while 14 percent were single parents. These findings show that there is good number of women headed households of up to 37 percent and hence have a stake in upgrading exercises.

While women are likely to be left out in upgrading and other housing programmes the gender policy does not address the issues of access to shelter. Gender participation in shelter is generalized in the environment and natural resources. Current work on gender is concerned with representation of women in land management institutions; nothing is said about the important issues such as spousal co-ownership of land, inheritance and succession as these relate to land. Lack of recognition of women's shelter needs in the gender policy is disadvantaging women and other urban poor groups in housing programmes.

### **3.2.9.0 Waste Management**

For the disposal of human excreta, about 55 percent of the respondents had pit latrines while 36 percent shared pit latrines. In such type of pit latrines hygiene is very poor. Only 9 percent had flush toilets. Regarding solid waste, 38 percent used rubbish pits on their plots, 19 percent threw wastes on the roads, 4 percent in nearby streams, 12 percent in the gardens and 27 percent in communal pits. Communal pits include tip sites provided by the Lilongwe City Assembly. Large heaps of solid wastes were observed in all areas visited suggesting wastes are not collected regularly. It was reported that the City Assembly is supposed to collect solid waste every Saturday but this was not happening. Lack of adequate solid waste management within Mchesi has contributed to pollution of the three rivers namely Lilongwe, Mchesi and Kaliyeka passing through the area.

During the interviews and focus group discussions the participants emphasised on poor sanitation as one of problems in Mchesi especially as it relates to waste water, and indiscriminate disposal of waste. They indicated that the skips located in the area were not emptied after being filled. This contributed to indiscriminate disposal of waste at the market, along the main roads and housing areas (See Figures 4, 5 and 6). Other characteristics of poor sanitation include temporary nature of pit latrines, with no slab and some of them almost collapsing and overflowing in the open spaces or immediate surroundings. This has been

exacerbated by lack of proper drainage in the areas. Wastewater was observed flowing indiscriminately. The informants indicated that over development of plots also contributed to poor sanitation as there is no room for provision of a pit latrine or rubbish pit. This results in re-use of filled up pit latrines. They also indicated that this has been one of the causes of contagious and hygiene related diseases in the area leading to many deaths.



Fig 7: A busy residential 'street' also serves as drain (left) and Waste dumped along the main Road

### 3.2.10 Access to Piped Water

The problem of inadequate water supply was also highlighted. The respondents indicated that although there has been efforts from the government to supply water in the area, the population is growing so that the present supply lags behind demand. The community indicated that at present there are inadequate kiosks while the number of household has increased. This means that women and girls wait too long on queues. This is confirmed from the household survey where about 80 percent of the respondents said they have problems with water in the area. The study shows that 66 percent of respondents get their water from kiosks. This may explain why most of the respondents indicated that they have problems with water because the kiosks may be far away from plots of residents.

They also indicated that there have been cases of busting and vandalism of pipes in the area which deprive residents of water and further raised concerns it takes long for Lilongwe Water Board to repair such pipes. As a result people resort to unsafe sources such as wells and streams. However discussion with Water Board officials indicated that access to the area (plots) is very difficult and

maintenance of leaking or vandalised water pipes takes time because of lack of coordinated maps of the pipelines resulting in delays to repair pipes. As a result most households resort to unprotected wells. These sentiments were confirmed when it was found out that about 9 percent of the respondents have tap water inside their houses while 11 percent have stand pipes outside their houses. The reason for the low level of taps inside houses appears to be the higher tariffs.

During group discussions, it was revealed that although the tariffs charged by Lilongwe Water Board were lower than individual connection, the cost borne by the communities was higher because the water committees managing the kiosks charged even higher rates. In order to reduce demand for water from kiosks some respondents said that there is need for Lilongwe Water Board to bring communal taps close to residents' houses so that at least one tap served ten houses or more.

### **3.2.11 Uncontrolled Development**

Uncontrolled development was mentioned as one of the problems resulting from lack of proper planning and non compliance to detailed layout plan which could have regulated and guided development of land in the area. The communities indicated that lack of development control in the area has encouraged haphazard development in the areas whereby individuals have developed their acquired pieces of land without regard to reserving land for roads and other services. One informant indicated that 'uncontrolled construction of housing and selling of land has contributed to obstruction of openings suitable for access roads' He further lamented that "houses are constructed with no order" in spite of detailed layout plan prepared for the housing development of Mchesi. Each house has its own orientation which does not provide privacy at all'.

The communities recommended that city authorities should review the plan or provide a detailed layout for the area showing land reserved for services such as roads and water and electricity although implementation of the same would mean heavy compensations and relocation of some residents.



Figure 7 : Overcrowded Housing in Mchesi, Lilongwe City, Malawi

### 3.2.12 Planning Policies, Laws and Housing Delivery

Several laws, institutional frameworks, policies and regulations have an impact on housing delivery. For example planning policies insist on land being planned before allocation and house building. The land policy is not clear on tenure issues and its emphasis on ability to develop in order for one to be allocated land, has the effect of excluding the youth, women and vulnerable groups. Planning standards and regulations are very rigid and therefore expensive for the poor and marginalized. The banking system is biased against titles from low-income areas.

As stipulated by SIDA (October 2006) that urban development is seldom defined as a sector and analyzed as such and that poverty reduction strategies have too little recognition to the potential of urbanization for socio-economic development<sup>5</sup>. This is true with Malawi because housing is regarded as a social service and a burden. Preference is instead given to major investment in commercial or industrial complexes, leaving out urban development and housing issues.

Also, land delivery systems is slow and too complex to be comprehended by the low income and sometimes uneducated people. This makes them resort to acquiring land through chiefs because the land is cheaper and process is smooth. This reinforces the development of the spontaneous settlements such as Mchesi. Approaches to provision of shelter by MHC, City Assembly and Central

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<sup>5</sup> SIDA in Fighting Poverty in an Urban World” Support for Urban Development, October 2006, pg . 6

Government have largely become ineffective due to the absence of a comprehensive housing policy that would regulate and guide stakeholders in the development of housing. 72 percent of the respondents acknowledged that the current policy environment largely ignores urban development issues, instead the policy focuses on the development of rural areas as a method of stemming urbanization and encouraging country-wide socio-economic development. It was mentioned that there has been little action to address existing urbanization issues or implement planning and policies that would help cities effectively deal with future urbanisation waves.

On whether urban poor of Mchesi are aware of the procedures used to acquire land for the development of housing, 63 percent of the respondents said they do not know the procedures used in the Department of Lands and by the Lilongwe City Assembly when allocating land to developers. 18 percent of the respondents said the procedure only favours the higher income groups and is very expensive to acquire a plot from the Department of Lands, the Malawi Housing Corporation or the Lilongwe City Assembly. Hence growth of slums. Currently the cost of acquiring a plot is between MK1,500,000 (US\$ 10,715) and MK2,000,000 (US\$ 14,286)

It was also revealed further that it is not the policy of the Department of Lands to allocate land/plots for high density residential areas such as Mchesi. It was therefore reported that allocating land to high density residential areas is the sole responsibility of the City Assembly<sup>6</sup>. This clearly indicates that pro-poor planning has lagged behind the demand for such services leaving the only available neighbourhoods such as Mchesi to increase in densities. It also means Department of Lands only services medium and low density residential areas before houses are constructed, leaving Traditional housing areas unserved. This has led to unplanned sprawl in and around existing spontaneous settlements.

In view of the above, one can conclude that there is lack of coordination among landlords in the City of Lilongwe leaving such areas as Mchesi being regarded as anomalous or a pathological phenomenon, an eyesore in the city, under-served,

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<sup>6</sup> Interview with Mr. Oscar Matope, Acting Deputy Commissioner for Lands (EstateManagement), 16<sup>th</sup> October, 2008

with squalid, unsafe and unhealthy living conditions due to lack of effective policies and poor administrative framework.

#### **4.0 Proposal for Change and Improvement**

According to World Bank (1996) upgrading involves improving physical environment of slums and informal settlements such as improving or installing of basic infrastructure like water, sanitation, waste collection, access roads, footpaths, storm water drains, lighting, public telephones and land regularization. The Cities Alliance (2002) however include governance aspects in the definition of upgrading holding that it consists of the physical improvements undertaken cooperatively and locally among citizens, community groups and local authorities. Therefore, the following conclusions and recommendations are made to change and improve housing conditions in Mchesi and other spontaneous settlement areas in Malawi.

## **Conclusions and Recommendations**

### **4.1.0 General Conclusions**

Malawi's poor economic performance and rapid urbanisation have contributed to housing problems. In the City of Lilongwe this is worse. Most of the squatter settlements have developed on public, freehold and customary land because owners lack capacity to protect it or in case of customary land because of the relatively cheap methods of its acquisition.

Over the years, several approaches have been adopted to provide housing for the urban poor both globally and locally. Such approaches have included evictions, public housing programmes, site and services and upgrading. To develop public housing the Malawi Government established the Malawi Housing Corporation to provide housing for all income categories since the 1960s. Although sites and services have largely been the main contributor to planned and legal housing, supply has failed to match demand due to rapid urbanisation of the generally rural country leading to the growth of spontaneous settlement areas.

### **4.1.1 Lack of Commitment**

Government has not shown commitment to housing as the national housing policy has been kept in draft form for over a decade. Housing and urban development are considered as merely a community service under national budgeting. Planning regulations and standards also have been kept high much to the disadvantage of the poor.

#### **4.1.3. Presence of Multiple Landlords**

The existence of many institutions concerned with land administration in the City leads to conflicts between them regarding control and management of land. This together with low supply of land for housing due to cumbersome acquisition methods, has forced majority of the low income to take shortcuts leading to overcrowding in both planned housing and unplanned settlements areas. It is therefore unsurprising that the weak and poor have opted to find land in Mchesi and other unplanned settlements through unauthorised mechanism such as buying from self imposed landlords, chiefs or by simply invading vacant land. This likely increases the number of people in spontaneous settlements particularly as the country continues to urbanise at a fast rate. Since Lilongwe City is the largest city with most of the employment potential, the housing problems would be worse than elsewhere in the country.

In order to reduce the number of spontaneous settlements and improve lives of people and conditions of informal settlements, the following reform proposals and recommendations are made:

## **4.2 Specific Conclusions and Recommendations**

### **4.2.1 Planning Policies, Standards and Regulations**

Land deficits arise because of the belief held by urban planners and managers that land surveying, and title registration are the only way of establishing security to land. This belief is highly undermined by lack of institutional capacity. As a result, the formal spatial allocation process is bogged down with unnecessary delays. This encourages a proliferation of an informal system of semi-regularized housing, land supply and settlement organisation which today supports over 70 percent of the population in Lilongwe.



## Recommendations

- The Malawi Government and City of Lilongwe should speed up land delivery through THA basic plot allocation which can be realised quickly by opening up vacant land even on the periphery to avoid urban dwellers seeking alternatives in spontaneous settlements
- Planning laws, regulations and by-laws should not be used as harassing instruments. Restrictive regulations have made good citizens to become prey of unscrupulous and exploitative squatter and THAs landlords.<sup>7</sup> Urban managers need to shift their paradigm of planning within the local environment and using the scarce resources available to achieve maximum benefit for minimum cost (Norwood, 1973).
- Physical Planning Department should revise standards in order to reduce plot sizes so that over development (hence slums) for rental purposes is avoided, but also to benefit more people and use land more efficiently. For example, currently the minimum plot size in the Low Density Residential area is 30 x 50 m or between 2000 -4000m<sup>2</sup>
- Physical Planning Department should allow provision of a mixed land uses to cater for rising demand instead of exclusive zoning which forces people to overcrowd while other land parcels remain idle especially in low and medium densities. This would encourage high rise development in areas previously zoned for low density housing thus saving a lot of land and making extra land accessible to low income groups.
- The Malawi Government should review and harmonise legislation that bears on housing and infrastructure standards. This should include decentralising issuing of leases to local authorities by having land registries at local governments

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<sup>7</sup> *In the Lilongwe City land invasions of July 2005, there were reports that actually land was being bought from 'some people' at costs between K20,000 and K80,000 depending on the size and client. High ranking civil servants had also fallen prey to the syndicate.*

#### **4.2.2 Urban Land Markets**

According to SIDA (2006), land markets and market-based housing finance systems are crucial for adequate housing, slum upgrading and overall economic development. They also catalyse domestic investment and local capital markets. Therefore creating a viable and efficient land market, one protecting the interests of the poor, reducing land speculation, involving the private sector and the community can help speed up land delivery and thereby enable access by the urban poor.

#### **Recommendations**

The Malawi Government should transfer all informal settlements as well as other areas to local governments such as Lilongwe City. This will make it easy to implement upgrading programmes as chiefs will no longer claim authority over the same land. To make this efficient, land registries should also be decentralised as stipulated in National Land Policy of 2002.

- Lilongwe City Assembly and other land lords like Lands Department, MHC and Airport Development Limited (ADL) should open up or unlock idle land for urban development especially housing to reduce the need for the development of new informal settlements
- The Malawi Government should develop integrated land information and mapping system and make an inventory of all publicly held land and develop a programme to make it available for shelter and human settlement development.
- The Ministry of Local Government and Lands Department should ensure that provisions of the Chiefs Act Cap 22:03, Section 5 are followed and should not involve chiefs in land allocation in urban assemblies

#### **4.2.3 Land Policy and Land Tenure**

Many of the residents in Mchesi are renting. Some plot owners own up to between 3 and 7 or more houses in the same area. Any upgrading exercise might benefit only the owners of plots who might as well decide thereafter to sell to rich people attracted by the upgrading or indeed to raise rental fees to keep out the present low income groups.

There are several stages of upgrading comprising land acquisition, planning and adjudication in the field as well as land registration in the office. All these are essential. However, land tenure deals with what security individuals will have over their plots and in what form. Security of tenure may mean being a freeholder or a leaseholder. If it is freeholder, the individuals are sure that the piece of land will be theirs for unlimited number of years. Freehold tenure is the most secure because the owner is assured that the land will belong to him and his unborn generations. Unlike under leasehold where the duration is short and there is always a condition attached, this type of tenure is likely to encourage permanent investment and economical use of the piece of land, knowing that no one will grab the land from them.

### **Recommendations**

- The Malawi Government should provide security of tenure by providing long leases in THA and upgraded settlements to confirm ownership and thus encourage investment in household housing but also enable plot holders access credit
- The Malawi Government should attempt communal land title ownership as this can reduce the temptation of individual owners to sell off their plots but also prevent would be rich people ‘taking’ over the areas meant for the poor. It was stated during group discussions that some plot owners sold their plots or houses out to the rich and forcing the poor out in the end.
- Land tenure registration process by government and city assembly should protect the interest of women, orphans and the poor.

#### **4.2.4 Finance for Housing for Households**

Access to credit is a very crucial prerequisite for shelter development. This entails that the beneficiaries have access to loans to improve houses in upgraded areas or to build houses on allocated plots.

Low incomes and lack of access to credit are the major constraints to the majority of urban dwellers in Mchesi to purchase (or lease) land or property. It was established that some banks do not recognise or indeed impose strict

conditions on titles from spontaneous and upgraded settlement areas due to risk of default as houses are of traditional type and due to the short length of title. Also, interest rates are too high for customers compared to bank staff. The purposes of title include its proof of ownership and use as collateral for accessing loans. If it cannot be used for such purposes upgrading for title is therefore questionable.

### **Recommendations**

- The Malawi Government and employers should discuss with all banks to allow the urban poor develop housing and improve their own lives by accessing loan facilities. The interest rates should be in line with the affordability of the urban poor and should consider that the main purpose of the loans is to contribute to housing for the urban poor as a social obligation, rather than for banks to make more money.
- The Malawi Government should encourage non-conventional models of housing finance to lower the loan requirements, reduce risk and borrower cost. The use of group lending and borrower labour contribution which can be on an individual basis or house construction cooperatives should be introduced in the country. The models of Habitat for Humanity and CCODE should be recommended and financially supported in order to benefit more urban poor
- The Malawi Government should improve efficiency of formal markets by involving more players, guaranteeing loans, savings mobilisation, and supporting efficient loan collection methods and systems
- The Malawi Government should give incentives to new entrants using innovative models of lending such as small loans to groups lending for members to access loans with their groups as collateral as is done with agriculture input loans
- The Malawi Government should promote non conventional house finance via NGOs and other institutions and thus reduce dependency on government subsidies.

#### **4.2.5 Finance for Infrastructure**

It would have been better if a central housing fund as a source of housing finance would be established so that local authorities could access the fund to finance all public housing sector through it. Malawi does not have such a fund. As such lack of housing finance is still a major contributing factor to the shortage of housing in urban areas.

Infrastructure provision in terms of surfaced access roads, water, and electricity are largely confined to permanent housing areas while the spontaneous settlement areas have gravel roads which are poorly maintained. No formal roads exist in informal settlements or squatter areas and sanitation is in form of pit latrines.

### **Recommendations:**

- The Malawi Government should establish an **urban development fund** in which a housing fund is a major component to finance the implementation of urban development plans including upgrading projects in all urban centres. This can be done by extending the operation of the fund which was established for the development of Lilongwe City, the public land development fund which presently benefits high income areas only.
- The Malawi Government should encourage Lilongwe City Assembly to provide more legal housing land by devolving more land under its control so that the policy on spontaneous settlements, is enhanced because of its low cost and thus help reduce the development of squatters.
- The City of Lilongwe should upgrade existing infrastructure to provide incentives for the payment of rent and rates in informal settlements.

#### **4.2.6 Participation of Communities**

It is recognised that the City of Lilongwe took the initiative to establish community development committees in Mchesi to ease communication with the grassroots. However, some of these committees have been infiltrated by local and national politicians. It is possible that for this reason many people do not even know the existence of such committees; possibly thinking they are political party

structures. This affects people's participation even in issues that are to do with housing development.

### **Recommendations**

In order to ensure sustainability in housing, there is need for the Lilongwe City Assembly to:

- strengthen such community management structures by decentralizing to them some aspects of urban management and ensuring that they incorporate housing issues into existing community activities and encourage self reliance attitude.
- ensure that new community development committees should be established from the bottom rather than directly by the city Assembly. This will ensure ownership of activities and prevent accusations of impositions of community leaders. An attempt should be made to detach such committees from main stream political party structures.
- The Malawi Government should encourage income generating activities and formation of savings and credit clubs and house construction co-operatives. The models of Habitat for Humanity and CCODE can be adopted (See finance for housing). For this to be effective the Malawi Government or Lilongwe City Assembly should allocate land to the federation groups (block leasing), not individual members who only access individual plots inside the larger parcel.
- The City of Lilongwe should engage in public awareness campaign for this to be effective

#### **4.2.7 National Policies' Prioritisation and Political Will**

For a long period in Malawi, urban development and housing were being considered as a community service under national policy and budgeting. This reduces the importance of urban and housing development and its contribution to business and employment creation.

### **Recommendations**

- The Malawi Government and National Assembly should prioritise urban development and housing, (and in terms of MDGs housing for the poor) as a

national issue that contributes significantly to national economic development through multiplier effects but also directly through job creation. Housing development should be considered as one approach to poverty reduction.

- The government should with urgency approve the National Housing Policy; and, in addition, consider drawing up of a separate policy on informal settlements and housing for the urban poor
- The Government should strengthen the capacity of departments of Lands, Physical Planning, Surveys and the newly established Ministry of Housing and Urban Development as well as local authorities such as Lilongwe City Assembly in order to effectively implement the land policy

#### **4.2.8 Private Sector Participation**

The private sector has not taken up the challenge of contributing to housing for the urban poor. One of the reasons might be the absence of a housing policy to guide the private sector and lack of political will towards improving housing for the poor. For example, whereas Press Trust has as one of its objectives to support housing development, its contribution has been limited to the village housing scheme that was championed by the former president. Yet it is recognised that the state cannot realise the goal of housing provision alone.

#### **Recommendations**

The Malawi Government should give a conducive atmosphere for the private sector to participate in housing for the urban poor through

- Partnerships in infrastructure provision through grants or loans to the local governments,
- Direct low income house construction on vacant land allocated by local governments or central government
- Loan provisions to households in low income areas for house construction by recognising tenure titles from spontaneous areas.
- Malawi Government / Reserve Bank or employers' guaranteeing of such loans to households meant for housing
- Political appeals to the private sector

- The Malawi Government and City of Lilongwe should support NGO work by partnering with them in the delivery of land and associated services to the urban poor
- Malawi Government should exempt registered NGOs working in informal settlements from tax on building materials
- Malawi Government should financially support such organizations as CCODE that are involved in upgrading and delivery of housing

#### **4.2.9 Rental Housing and Tenants**

The percentage of households that are renting in Mchesi is very high at 56 percent. Usually the high number of households in rented housing signifies lack of adequate resources to build own houses. In spontaneous settlements where many houses are self built the reason is more of lack of land for housing. It is therefore possible that an effective land delivery mechanism and land policies can reduce the incidence of renting. In other words rental housing market is thriving because plot or house owners take advantage of the shortage of plots and houses. The rental fees may therefore be exaggerated. Since the households that are renting have stayed in Mchesi for a long time, they indicate they prefer to live in the same area after upgrading.

#### **Recommendations**

- The Malawi Government and City of Lilongwe should engage in a serious dialogue with the multiple plot/house owners so that they accept compensation to enable a take over of the land for unitary planning and redistribution so that other residents benefit thereby making the upgrading initiative more socially just. By so doing, even spaces for roads and other public spaces like schools, clinics and police units can be secured or provided.
- The Malawi Government should limit the number of plots held by individuals (land ceiling) to enable many people acquire plots to build houses rather rely on renting due to failure to access plots for own housing

It is therefore strongly believed that unless government and all stakeholders take pro-poor and pro-active approaches to housing issues, many people in urban areas will be forced to make a living in unhealthy working environment, pay excessive



prices for basic necessities like shelter and water, and live with the continual threat of eviction from their dwellings. The urban poor should have a voice also and be included in decisions making process regarding urban development.

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