

# Chapter 7: Enhancing legitimacy



This chapter deals with how to increase the acceptance and legitimacy of UPA by working together with multiple stakeholders in order that UPA can work for the benefit of the city and the consumers as well as for the producers themselves.

## Key points



**The situation**

**What can be done**

**GA actions**

**Summary**

## The situation

Urban agriculture is in many cases not welcomed by city authorities or by city residents - even those who directly consume its output. Consumers



may be happy to have access to fresh produce but are usually less pleased to have cows, pigs or chickens being produced next to them.

Crops produced using untreated waste water and sewage can pose a significant health risk and many city authorities see urban agriculture as inappropriate to a modern city. Because of this, they then make it illegal or at least discourage it and impose difficult conditions and regulations. In a number of cities now though, the attitude toward UPA is changing. Increasingly city authorities are interested in integration of UPA into city plans and economies (**see Harare declaration box and the Quito declaration below**).



### The Harare Declaration

*by Ministers responsible for Local Government from Kenya, Malawi, Swaziland, Tanzania and Zimbabwe, at our meeting in Harare on Urban and Peri-urban Agriculture (UPA)*

*We the Ministers "Call for the promotion of a shared vision of UPA that takes into account the specific needs and conditions in the region, and accordingly commit ourselves to developing policies and appropriate instruments that will create an enabling environment for integrating UPA into our urban economies".*

***Thus done at Harare on 29th Day of August, 2003***

Developing opportunities for urban agriculture will always depend to some extent on improving both its popular perception and its legality. Where an activity remains illegal, eventually it is likely to be shut down by the authorities regardless of how successful it is. While pressure may be put on authorities to allow activities to continue, particularly if there are many people involved, a more successful approach can be to work together to reduce the negative aspects of UPA (especially health and hygiene

issues) whilst promoting the positive aspects (such as employment, filling a market need, contributing to a greener city).

The laws on urban agriculture vary widely from city to city and country to country. Sometimes within a city, laws are contradictory with one apparently allowing agriculture, and another specifically preventing it.

Legality does not necessarily help with the problems of Urban agriculture. Sometimes, it is impossible for a group to be registered as a legal enterprise because the law

bans it, whereas it clearly supplies a need. By registering such a group, unless the law is changed, it will be unable to continue! A group may be legitimate in that it is supported by a government in power, but not actually be socially relevant to the people.

**Ghana, Accra Municipal Assembly (AMA) by-law**



*“no person shall keep any swine, cattle, sheep or goats within the area of administration of AMA without a permit issued by the AMA for that purpose which shall be determined in accordance with the fee fixing resolution”. The number of goats and sheep to be kept in any dwelling house shall not exceed 10. No person shall keep swine and cattle in any premises except at designated places based on application approved by the AMA. Offenders who contravene any of these byelaws shall be liable on conviction to a fine or to a term of imprisonment not exceeding six months or both”. (City case studies, Accra, Ghana)*

*In Hyderabad, milk production is still largely within the city limits with stall fed animals. In order to supply these animals with fodder, groups of urban farmers produce and supply forage grass to the dairies even though this is not a legitimate activity according to the municipal regulations.*

**(City case studies, Hyderabad, India)**



## Formalization and legitimization

Without formal organization and recognition it is very difficult for UPA producers to have any influence on their access to resources, including land, water, credit and training and advisory services. Informal groups have difficulty in obtaining any legal access to land but are also afraid that they will risk having the land they do farm taken away from them if they meet with city authorities.



From the city authorities point of view on the other hand, the urban poor are a large and growing group in most countries and need to be able to feed themselves. Local by-laws, to control urban agriculture, however well intended, are always difficult to enforce. Urban agriculture can, however make a significant contribution to cities through areas such as food security, waste management, greening of the city and employment. By working with, rather than against urban agriculture, cities and UPA producers together can collaborate to improve the contribution of UPA to the city.

Ultimately, temporary land licences, access to municipal land, access to government services and access to credit will be difficult to arrange unless groups are at least formalised and preferably registered as legal entities. This sets the scene for contracts to be made for access to land and other resources between government or private landowners and urban producer groups.



### **Yiriwaton Cooperative, Mali**

*Yiriwaton is a well organized and effective registered cooperative which promotes urban agriculture, supporting farmers and regulating agricultural activities in Bamako. It offers a credit facility to its 160 members to purchase seeds and tools, and runs a saving scheme for the members. Members farm mainly privately owned land, on the basis of informal rental agreements made with the landowner. Yiriwaton is politically active, defending farmers' rights and lobbying government offices to obtain and secure access to public land. It takes cases of land eviction without compensation to court in order to recover the farmers' production and investment costs.*

**(UA Magazine no.17)**

Establishing a legally registered group also makes it easier for the group or its representatives to be invited into a policy dialogue with the authorities as to how UPA can be developed for their mutual benefit.



*Stable producers' organizations can negotiate terms of tenure to provide greater security for their members. They can represent their members in policy exercises and negotiate contracts with suppliers or buyers on their behalf. They can also strike alliances with other stakeholders with shared interests in urban development strategies. Public and private agencies and NGOs have struck partnerships with producers' organizations to undertake a wide range of activities, including tending public parks, maintaining open spaces, providing security to estates, reforesting areas prone to degradation, discouraging dumping, reducing the costs of wastewater treatment plants, supplying medicine to public health clinics, providing food to schools and government facilities, and even offering local produce in the city's supermarkets.*

**(Luc J.A. Mougeot, IDRC 2006, *Growing better Cities*)**

The most effective UPA policy will be developed when a broad section of stakeholders are included from the producers, to the city residents and the consumers.

## Hygiene

In most cases, production is under poor or inadequate conditions regarding space, sanitation, use of pesticides and fertilizers (both organic and inorganic), use of sewage and other waste-water and disposal of waste products – particularly from animals. Produce is not only produced under unhygienic conditions, it is often transported, processed and sold under unhygienic conditions.



The smells, noise and pollution associated with much of urban production are unwelcome by urban residents.

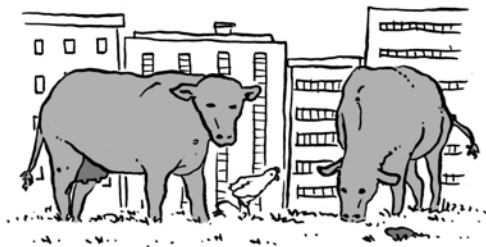
Produce grown by road-sides or areas with heavy air pollution is often also contaminated with heavy metals adding to the health risks.

For urban agriculture to be accepted as a part of modern cities, as it is in some cities in the industrialised world such as Amsterdam in the Netherlands and Vancouver in Canada, the health, hygiene and noise and smell pollution aspects MUST be brought under control. In western industrial cities, water quality is generally high, leafy vegetables are not grown near to major highways and the use of agrochemical and disposal of waste are strictly controlled.

In developing regions though, some, often the majority, are involved in UPA from lack of choice and lack of resources. They grow vegetables for their own consumption to survive and when they manage to produce a surplus, try to sell it. Many would be happy to find other work, but while that does not exist, they have no other option to survive. As such, while they would often be willing to use cleaner water and more hygienic production methods, they do not have time or money to spare hence the first initiatives should not increase either the amount of time needed, or the cost of production.

### **Animal production**

Animal production is usually more of a problem than vegetable production because of the smell, noise and waste products. Some production is not really appropriate to urban



conditions and will need to be controlled and eventually phased out. In some cities, milk production, is still widespread and on a large scale such as in Hyderabad. The majority of the milk for the city is supplied through stall fed cows dependent on fodder brought in from fodder

grass producers groups in the city. With an efficient transport system, good refrigeration and pasteurisation, production would not be needed within the cities, and would be more practical in the rural areas. For the time being, however, it proves to be more practical to produce the milk (and the fodder) near to the consumers. In many cities, there is still a high demand for 'fresh' milk that is then made safe by the traditional method of prolonged and repeated boiling.



***Declaration of Quito, 2000***

*We are urging*

*Local governments to promote Urban Agriculture in their cities, develop tax incentives and other policies, and promote the collection of information on Urban Agriculture activities in their territorial planning processes. State and national governments to include Urban Agriculture in their programs to alleviate poverty, food safety, promotion of local development and environmental and health improvement.*

*We are encouraging*

*Cities to recognize the significance of the contribution of Urban Agriculture to social development approaches, generation of jobs and income, self-esteem, environmental improvement and particularly food safety, and to add them to their key development goals in a transparent and concerted way.*

*We reaffirm*

*Our commitment to improve urban management through the promotion of Urban Agriculture experiences in our cities, ...as to enhance food security, address urban poverty, improve urban environment and health management, and develop more participatory and less excluding governance processes, as well as to protect urban biodiversity*

***(Quito, Ecuador, on April 16-20, 2000, on the occasion of the "Urban agriculture in 21st century cities" workshop, signed by 27 Latin-American cities)***



## What can be done?

City authorities, and ultimately all stakeholders, involved directly or indirectly in UPA, need to work together to look for ways to improve the production and hygiene of UPA.

It can help to start with this question for all stakeholders:

### **‘What can UPA do for the city (rather than what can the city do for UPA)?’**

The main answers to this are that UPA can help with poverty reduction, employment, food supply and nutrition, waste disposal, and improving the environment with green areas. Assuming these are areas the city authorities would like to integrate into city plans, the next question becomes,

### **‘How can we encourage these aspects and reduce the problems areas?’**

Measures such as identifying suitable land and provision of a supply of treated water for urban agriculture will need the collaboration of city authorities and concerned ministries.

Aid agencies, NGOs and university departments may be able to help with studies and surveys needed (such as city mapping).

Training courses, publicity and control campaigns can either be arranged directly or in association with Ministries of Agriculture, Extension, Health, Water and waste authorities, NGOs, Aid agencies, universities, colleges and schools etc. who are interested in taking part. Simple measures such as training on safer use of waste-water and disposal of waste often cost little or nothing and as such are practical for even the poorest to take up.

Many of the worst effects of pollution can be avoided by proper use of waste-water and manure (e.g. only applying them to the base of plants, not the leaves), proper levels of treatment of waste water, and selection





of plants and animals for different areas (e.g. not growing leafy vegetables by roadsides).

If the city authorities and departments of health, water, and agriculture can work together to provide access to a treated water supply, UPA producers can help with productive use of city organic waste and in making a cleaner better environment. For example, a group could undertake to keep an area clear of rubbish for the city in exchange for provision of treated waste water for urban agriculture, or in exchange for use of site for compost production.

*Accumulated research experience points to a set of simple recommendations for governments that have made the decision to work with UPA rather than against it. These recommendations may also prove useful to researchers, NGOs, community activists, and others involved in the study or practice of UPA.*

- *Municipal governments should start with the right question: What can UPA do for my city (not what can my city do for it)?*
- *Use UPA to make suitable vacant space productive for all*
- *Include UPA as an urban land-use category and as an economic function in your planning system*
- *Use a participatory policy-making approach*
- *Experiment with temporary occupancy permits (TOPs) for urban producers using private and public open spaces*
- *Support the organization of poor urban producers to manage UPA in more and better ways*
- *Bring the needed research in tune with your policy exercise at the earliest opportunity*

***(Luc J.A. Mougeot IDRC 2006 - Growing better Cities)***



## Group Advisor actions

Discuss the following areas with the producer group (section A) and with the city authorities (section B).

For discussion with the city authorities, it may be practical and appropriate for this to be done jointly with producer group leaders (or IGA/other network leaders). In other cases, it may be more appropriate that initially the approach is made by the GA's organisation or another concerned NGO or aid organisation.



### **CULP: Zambia Copperbelt Urban Livelihoods Project**

*CULP has demonstrated that NGOs can play an important role in improving security of land tenure for periurban farmers, by facilitating interest-based negotiations between landowners and aspiring farmers. At least three components were crucial to the success of this process:*

- *Organisation of farmers into groups;*
- *Willingness and ability of the farmers to adopt appropriate land-use practices; and*
- *Credibility of the NGO or other third-party facilitator.*

For change to take place, action needs to be taken both by the city authorities and the producer groups themselves.

Changing the policy environment is generally a slow process. Every opportunity should be taken to highlight the positive effects of UPA and to work in partnership with all stakeholders. At the same time, action needs to be taken to reduce the negative effects, especially the unsafe/unsanitary aspects of UPA. These two actions together, will eventually lead to more positive views of UPA and its place in the city.



## Section A

### Urban producer groups

The main areas where urban producers can help to improve the quality and safety of their produce, improve the image of UPA and ultimately encourage a favourable policy environment are:



- *Learn about the importance of safe and hygienic production methods and practice the methods in line with department of agriculture recommendations.*
- *Reduce use of chemical pesticides and fertilisers in favour of integrated pest control and organic fertilisers (composts and manures).*
- *Learn how to dispose of all agricultural (especially animal) waste safely.*
- *Look for areas where UPA groups can actively help with reducing waste (composting) and improving the environment (tree production and clearing waste areas for agriculture)*
- *Learn the importance of the image of urban agriculture both for sale of produce and to improve the legal/policy environment*
- *Learn how to be more influential with other stakeholders through advocacy and lobbying*

Discuss the importance of these areas and actions with the producer groups. With their agreement, then arrange training on health and safe production issues (either directly or through your organisation or another suitable agency).

Producer groups can help public health authorities by ensuring all members know of the health hazards of UPA production and keeping to the regulations. The more producers comply with authorities on such vital issues of health and safety, the more willing authorities will be to work with producers on other matters.

Once health and safety of produce have increased, this is worth publicising to consumers as it will increase the standing of UPA amongst consumers and so increase demand. The most effective media for this are likely to be an interview with a local radio station and with city newspapers.

### **Advocacy and lobbying**

For more mature groups (who have been established for some time) or with IGAs and farmers associations, training on advocacy and lobbying can be helpful to enable the urban agriculture groups to influence the authorities more directly. Such training can often be arranged through a local NGO.



Political tactics to influence policy may include such ideas as proposing a candidate from amongst the urban producers themselves for election to the town council, or to make an MP, city councillor or other sympathetic and influential persons, a patron of their organisation. What tactics work best will vary from town to town and country to country. In some, occupation of unused land can lead to eventual formal permission being given for its use for UPA. In other cases, this can be rejected by the city authorities who may even forcibly eject those attempting to take over the land.



### **Legitimacy**

Urban farming is often controversial. Many consider it undesirable, a 'non-urban' activity that causes nuisance and pollution. There are certainly grounds for such negative attitudes and, as found in a study carried out by the African Studies Centre (ASC) Nakuru, Kenya was no exception:

- Over half of Nakuru farmers used chemicals.
- Keeping animals in free range was quite common often being a nuisance to citizens
- One third of the livestock keepers dump their animals' waste in the street.
- Concentrations of heavy metals in soils and plants are higher in areas where sewage water is used for irrigation.

Politicians and municipal officials were against urban farming activities, which were considered illegitimate. The ASC research project however, contributed to bring about an important policy change:

"A workshop in 2002 to present the results of the studies created an awareness among officials that urban farming is a fact of life and a very important livelihood source for the urban poor. It was suggested that it would be better to try to regulate the sector than simply to ban farming activities. The Director of the Department of Housing said the workshop was "an eye-opener: we need to revise our housing policy". The Director of the Department of Environment was initially against any form of urban agriculture, but modified his opinion as the workshop progressed. Recently his department has become actively involved in a programme aimed at developing the sector, provided that farming is done in an environment-friendly way.

The most tangible proof of the impact of the research project is the drafting of Urban Agriculture By-Laws in 2006, which is unique in Kenya and indeed in many other parts of Africa. Based on the recognition that "every person within the jurisdiction of the Council is entitled to a well-balanced diet and food security" and that this entitlement "includes facilitation by the Council to acceptable and approved urban farming practices", farming is now legally recognised as an urban activity. This opens the way for the local government to stimulate the activity among the urban poor – for instance by creating easily accessible zones for farming – as a measure to combat urban poverty."

**African Studies Centre, (ASC) Info Sheet on UA, April 2006**

## Section B City authorities

The main areas where city authorities can help develop UPA to the benefit of the city are in:



- Identifying areas and sites within the city where UPA can be allowed or encouraged
- Assisting groups to move out of the city to peri-urban areas for production which cannot be accepted within the cities for health or nuisance reasons
- Ensuring a safe water supply is available to agreed UPA areas
- Ensuring that waste is disposed of safely
- Providing training to groups on safe production methods
- Providing freely available guidelines on safe production methods
- Encouraging composting of organic waste
- Testing water and produce regularly to ensure health and safety standards are met
- Developing a certificate scheme for safe produce (see chapter 5)

### I Identifying appropriate areas for urban agriculture

City authorities can help by identifying areas where agriculture can be permitted or even actively encouraged at least in the short term through a city survey (see chapter 4). The city can also encourage private owners to let out land that is underused by providing tax incentives. For example, in Cagayan de Oro, Mindanao, the Philippines, a city ordinance is being prepared to give tax incentives to land owners who will make their land available for allotment gardens. For the land to be properly useful for food production though, there also needs to be access to a supply of suitable water and a way to safely dispose of waste.



In some cases UPA is either impractical or unsuitable and it may be best moved out to peri-urban areas as has been done in many cities. City authorities may be able to find a suitable peri-urban area where agriculture can be permitted and an agreement made with the group for at least limited land tenure. The problem is that unless

cities plan for long term zoning for food production and green spaces, inevitably, as cities grow, what was once peri-urban, becomes urban and the same issue arises again. The long terms solution is for systematic integration of open space into the growing cities.

One reason for food production within the cities is that it does supply a direct need for fresh produce since production is close to the consumer. Unless or until there is adequate transport from peri urban and rural areas to the cities, local production will always be in demand. City transport and city markets are therefore also stakeholders in deciding the place of agriculture within the city.

As wide a range of stakeholders as possible should be consulted for the most effective planning of the integration of UPA activities into a city. These should include the producers groups themselves or their representatives, consumers organisations, government departments such as health, sanitation, water, transport, agriculture and extension, NGOs and aid agencies etc. **(see stakeholders list chapter 5).**



### ***The Warren Park Women - Harare***

*In a low income suburb some 6 kilometres west of central Harare, a group of women farm a piece of land allocated to them by the Harare City Council some twenty years ago. The land measures approximately 10 hectares. It was allocated to the women as a group to farm it as a cooperative.*

*Whilst they have enjoyed uninterrupted access to the land for twenty years, they have one constraint: they have never received proof of the allocation in writing. Recently they approached an NGO for assistance with training and inputs. The NGO wanted proof that they were allowed to farm the land. Although both the women and the council officials could vouch that the women were authorized, there was no formal proof.*

*At the time of the research, the UPA Forum Coordinator had taken up the issue with a view to asking council to write a letter which would serve as proof of authorization from council.*

***(City case studies, Harare, Zimbabwe)***

## 2 Safer production methods

Training courses can be provided (through the extension department and/or NGOs) to groups in improved hygiene from production to consumption.



These could include:

- *Safe use of waste water,*
- *Disposal of waste*
- *Production and safe use of compost and manure*
- *Safe use of pesticides or shifting to more ecological forms of agricultural production*
- *More hygienic handling of produce from harvest to sale*
- *Safe production of animals in the city – including vaccination, waste disposal and hygienic processing*

**Simple guidelines** (ideally with illustrations of techniques suitable for illiterate people) should also be produced and made widely available for UPA groups. Allowing groups to continue production could be made dependent on producers following the city guidelines in these areas.

**Regular testing** of both water supplies and produce for infection is an important part of the control of disease and agreement and cooperation needs to be made between the health authorities and urban producers. Water and product quality standards need to be set and monitored. The revised WHO guidelines for wastewater quality for example now include health-based targets and could be used as the basis for food-safety standards.



In China, for example, the government is developing a movement for safe, healthy food production that includes a system of licensing and inspection.



**Animal production** - All animal producers need to be made aware of the dangers through public health campaigns and training in identifying symptoms. It is much easier for departments of agriculture and health to work with producer groups in such matters than individual producers.



**Promoting environmentally sound production** - Improved information and education on cleaner and more sustainable production techniques could lead to better development of urban agriculture production systems that rely on more organic forms of fertilisation and pest-control as opposed to use of chemical fertilisers and pesticides. Ecological farming practices can be promoted through training and experimentation and



*“...the business is okay because in a good month I can make more than 2 million cedis....Last year I did not pay anything for the land I use because there were too many groups from government demanding tolls for using government land; I could not trust any of them...now I know I have to deal with an office in Ayawaso sub-metro...they have advised us to keep the place clean all the time” - Madam Victoria Otutuo, Victory Gardes, Dzorwulu, Accra.*

**(City case studies, Accra, Ghana).**

provision of licenses and incentives to micro-enterprises that produce and supply ecologically friendly inputs. The problem is often one of cost and effectiveness – unless incentives are provided to encourage more ecological farming practices, often revert to chemical controls as being cheaper and more effective as found by the Ghana country study.

**Processing, Transport and Markets** - Sanitary standards need to be improved not only for production, but also for all aspects of the food chain from harvest to processing, transport and particularly markets – where there are often no facilities even for washing or basic sanitation. Regulation, inspection and licensing are also needed in these areas.

### 3 Incentives for improved production

In most cities, there are few, if any, incentives for urban producers. Policies are rarely supportive and may be actually opposed to any form of urban agriculture.

By working together, with urban producers organisations, the city authorities can help to promote better, safer production, particularly of produce which meets a market need and does not cause additional problems.

By providing market space, designating areas of the city for urban agriculture and providing access to treated water and extension advice, city authorities will be providing an incentive for producers in turn to cooperate on health and safety issues.



As the contribution of UPA to city development becomes more widely recognised, policies may gradually become more supportive as with the Harare declaration.

In summary, rapidly growing cities need increased food supplies, better waste management, more green areas and more employment. Urban agriculture can help in all of these areas and the way forward is a dialogue and partnership between city authorities, urban producers and other stakeholders to agree where UPA can best help the city. These areas should then be encouraged. At the same time, the standards of health and safety need to be raised through training and regulation to reduce the health risks. Some aspects of UPA production may be deemed inappropriate in certain areas of the city and the best option in these cases may be to assist the producers in moving to a more appropriate area. Health considerations should thus be taken into account when setting aside zones for specific types of urban agriculture.

### **Summary**

**UPA is often discouraged or illegal in many cities. Policies are often unclear however and regularly un-enforced.**

**UPA is increasingly recognised as playing a useful role in city employment, food production and environmental issues**

**UPA has a poor image in many cities due to unsanitary production methods and association with noise, smell and waste**

**Improving production methods will help to improve the image**

**Working together with city authorities can be mutually beneficial**

**Partnerships with authorities to improve production and provide services to the city can enhance the image of UPA and help towards enabling a more positive policy environment**

**Joint planning with concerned stakeholder groups is the most effective way to integrate UPA into cities for the maximum benefit of all.**

**The GA can work both with the city authorities and with the producer groups to help bring about these changes.**



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