

AFRICITIES SUMMIT 2015



HOUSING RIGHT

The Mauritanian constitution of 1991 already recognizes, in its preamble, **the warranty intangible property rights** : Article 15 provides that «*the right to property is guaranteed. The right of inheritance is guaranteed. Waghf goods and foundations are recognized: the destination is protected by law. (...) The law establishes the legal regime of expropriation.*»

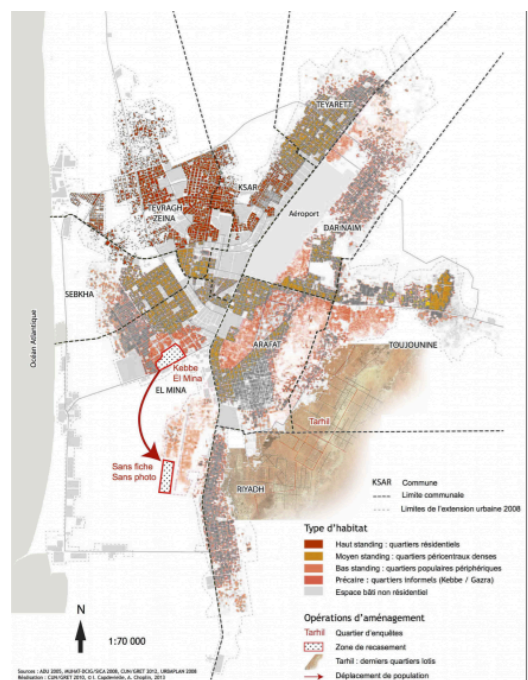
The state is the main actor in the policy planning in Mauritania because it is the sole possessor of the land. Since the creation of the state of Mauritania, it has sought to appropriate the land by dispossessing the tribes who based their right to land on the custom (not property as understood in our). **This process of appropriation of land by the State was completed in 1983.** To become an owner in Mauritania must obtain permission to occupy the land by hakem (official), this license is often regarded as a property right in itself by the public, then it has no value as final. It is issued against the price of land and the cost of demarcation. From this point, the beneficiary has two years to build (according to planning regulations) before claiming the outright ownership. **This circuit is very complex and slow.** There were many abuses illegal occupation, land speculation, issuing title by former hakem fired ... **This reform has created the phenomenon of gazra insinuating in the minds of the people that the occupation of land causes its legal ownership or at least legitimate.**



Nouakchott suburbs



Nouakchott
The population density is much higher than in the rest of the country



A resettlement policy to follow the precepts of good governance allows away unwanted populations strategic central areas. The case study of Nouakchott by A. Choplin

The **absence of cadastral maps** and records worthy of the name that the concept of ownership is not because of the old nomadic tradition. **From that moment on, the informalization of land and real estate market has not experienced real limits and continued with all the excesses of urban planning, the tensions and ensuing speculation.**

Source : Wikipedia

LAND LAW

The Land Code (Ordinance 83-127 of 5 June 1983), meanwhile, said:

Article 1 “the land belongs to the nation and all Mauritanian, without discrimination of any kind may, by complying with the law, owning in part”

Article 2 “The State recognizes and guarantees private ownership of land which is in accordance with Sharia, contribute to economic and social development of the country.”

This code also puts an end to the traditional property of the tribe stating that “any property right that is not tied directly to any person or entity and which does not result in a legally protected development is non-existent”. This system of traditional land tenure and abolished arise, indeed, as a obstacle to the implementation of this right.

Article 6 : Land Code recognizes that “collective rights legitimately acquired under the previous regime, previously confined to farmland, benefiting all those who have either participated in the initial development or contributed to the sustainability of the operation.”

Source : [Report UNDP](#)



In a thesis on [urban sprawl](#) in Nouadhibou, the author notes that for the land, access to plots became very difficult in this city. This has forced many poor families to build homes in outlying areas that are generally deprived of urban services.

MAIN PROBLEMS

FORCED EVICTION

To fight against the proliferation of slums, the Mauritanian government has implemented early 80s policy [evictions](#). But with the spread of kébbés, politicians have preferred to preserve social peace and consider more consensual solutions. But it has left traces in the fears of the population. (...) Source = CRIDEM

URBAN SPRAWL

In his thesis on [urban sprawl to the thesis](#), Al Arbi Ahmed Salem explains that “land management in Mauritania is very complicated, especially in the villages due to the effects of old traditional land tenure systems that existed before the land reform initiated in 1983, which abolished the system traditional land tenure (each community had its own tenure). example, newcomers to a village south lived on the edge and could not get land titles, they rented [plots](#) in exchange for a fee. (...)”

QUALITY OF HOUSING

More than a quarter of the population lives in Nouakchott precarious housing (housing tent, hut or box). This proportion reached 35% and 44% Kiffa Aioun. In some areas, only 18% of homes have electricity and about 80% use wood and charcoal as fuel. Hygiene conditions are very poor (...)

INFORMAL SETTLEMENTS

On the other hand, there are the “kébbés”, that is to say, the informal settlements or former informal settlements, which are the areas produced by the explosion of Nouakchott and suburbanization (extension of peri-urban areas). The name Mauritanian Kébbés are slums. The term comes from the word Hassanya (Arab-Berber language) which means “trash” in reference to the first eviction, when entire neighborhoods were evacuated from the city in trucks like garbage. The kébbés Nouakchott have specific characteristics. Slums, regardless of where in the world are squatter settlements, that is to say, not under town planning and not legal. (...)

HABITAT WORLDMAP

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