

# The political and institutional blockages to good governance: the case of the Lyari expressway in Karachi

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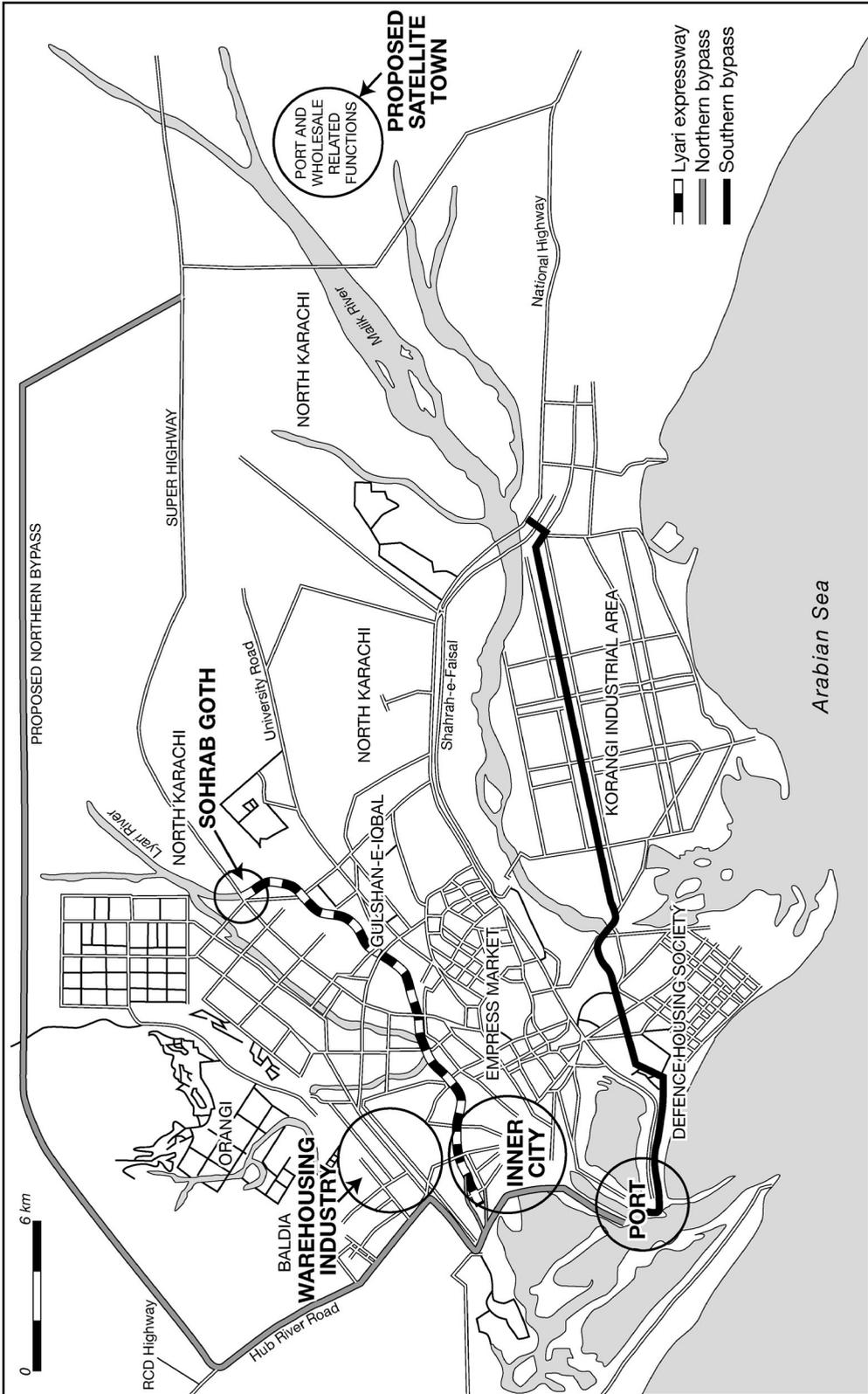
**SUMMARY:** *This paper describes the attempts by government agencies to build an expressway along the Lyari River in Karachi, and the struggles by the long-established communities, whose homes and livelihoods would be destroyed, for consultation and consideration of less damaging alternatives. Official proposals would destroy the livelihoods of 40,000 wage earners and the schools of 26,000 students, along with household and community investments worth some US\$ 80 million. Government planners and politicians failed to follow official procedures to allow public discussions of the plans or to provide communities with details of how and when they might be affected. The paper also describes how political parties failed to respond to the concerns of the inhabitants who were their supporters, even as they recognized that these concerns were legitimate. With no consultative process that can resolve differences and make planning more pro-poor and pro-environment, powerful interests have been able to impose their decisions despite well-planned alternatives to official proposals, which are more effective, less costly and far less disruptive to Karachi's economy. However, these alternatives are being discussed more widely, as community organizations formed by those affected by the plans work with local academics, researchers and NGOs – and as the middle class and the media begin to see the legitimacy of their concerns and the value of the alternatives they propose.*

## I. INTRODUCTION

A NORTHERN BYPASS highway was proposed in the Karachi Development Plan 1975–85 to create a direct link between the port and the super-highway to the north (Map 1). As a result of this bypass, heavy port-related road traffic would not have to go through the city. However, for a number of reasons that will be discussed in this paper, the bypass was not built.

In 1989, an expressway running along the banks of the Lyari River, through the heart of the city, was proposed as an alternative. The expressway project was immediately opposed by the communities living along the Lyari, since their businesses and homes would be bulldozed. Some of the settlements that were to be affected were more than 200 years old. The communities organized themselves against the project with the help of NGOs and concerned citizens, and academics also opposed the project on technical grounds. Public pressure led to public hearings, as a result of which the expressway project was shelved and, in 1996, it was decided to build the northern bypass alternative. However, in 2001, the military

Map 1: Karachi and the Lyari expressway



1. "Unleased settlements" are squatter/informal settlements with no security of tenure.

2. Editor's note. For more details on the formation and early development of the Urban Resource Centre (URC) in Karachi, whose role in promoting discussion and consultation on the Lyari expressway is described in this paper, see Urban Resource Centre (1994), "The Urban Resource Centre, Karachi", *Environment and Urbanization* Vol 6, No 1, April, pages 158–163. For other recent papers on Karachi, see Urban Resource Centre (2001), "Urban poverty and transport: a case study from Karachi", *Environment and Urbanization* Vol 13, No 1, April, pages 223–233; also Hasan, Arif (2002), "The changing nature of the informal sector in Karachi as a result of global restructuring and liberalization", *Environment and Urbanization* Vol 14, No 1, April, pages 69–78.

government decided to go ahead with both projects, and refused to negotiate with the communities, NGOs, professionals and academics who were opposed to it.

The opponents of the project joined hands, and a movement against it developed. Many lived in "leased settlements", where they had legal title to the land on which they had built, through 99-year leases. The leased settlements went to court, and NGOs, representatives of political parties and concerned individuals filed public-interest litigation against the project. NGOs also approached the United Nations Human Settlements Programme (Habitat), which sent a fact-finding mission to Karachi. As a result of the mission, "unleased settlements"<sup>(1)</sup> were provided with land and compensation, and the Sindh High Court gave a judgment against the leased settlements. The judgment is full of incorrect information, and shows that the judges have little or no knowledge regarding the city and/or the expressway plan. As a result, the leased settlements have now appealed to the Supreme Court. Meanwhile, demonstrations and resistance to the bulldozing continue.

The expressway project illustrates the conflicting interests of the actors involved. The federal government, the National Highway Authority, developers, contractors and materials suppliers all support the project. Academia, NGOs, concerned professionals, communities and much of the media oppose it. The pro-establishment political parties, the city government and the provincial government, while concerned about the project in private, have refused to take a stand against it. Another group of professionals has proposed alternative designs for the expressway that do not affect the leased settlements, but the government agencies have refused to consider them. This paper will discuss the different concerns of the different interest groups involved in the Lyari expressway controversy. It is the first time in Karachi's history that academics, professionals, the media and NGOs have all come together to support communities in their struggle against development projects. What has made this possible? This paper will try to answer the question.

## II. BACKGROUND<sup>(2)</sup>

THE LYARI RIVER rises in the foothills of the Kirthar Range. It is a seasonal river and flows only when it rains in the catchment area; these rains never last for more than 10 to 12 days a year. Four kilometres before reaching the sea, the river used to divide into two. The northern branch enters the sea through the sand spit backwaters; the southern branch used to enter the sea directly through the China Creek, which is the river's estuary and Karachi's natural harbour. The fortified settlement of Karachi (or Kolachi as it was then called) was built in 1729, on the left bank of the southern branch and on the eastern edge of the natural harbour. By the end of the eighteenth century, two working-class suburbs had developed outside the walled settlement, on the right bank of the southern branch of the Lyari River. These suburbs were called Lyari and Khadda. Most of their inhabitants were of Makrani origin, and had migrated to Karachi because of the famine in Makran. Tanneries, salt works (producing Karachi's main export at the time, other than textiles) and graveyards were also located in these suburbs. The British blocked the southern branch of the river in the 1890s, since it was eroding the left bank and endangering the buildings of the old town. Thus, these suburbs were integrated into metropolitan Karachi.

From the 1730s, Baloch families from Makran<sup>(3)</sup> were allowed by the rulers of Sindh (the Kalhoras) to settle along the right bank of the northern branch of the Lyari River, and subsequent rulers (the Kalat, the Talpurs and the British) have continued the tradition. These settlements, or *goths*, were also given land on renewable one-year leases for agriculture and livestock-grazing purposes. As a result, over the years, there developed along the right bank of the northern branch a large number of Baloch *goths*, with extensive orchards irrigated from wells on the Lyari riverbed. Most of the Baloch population, however, worked as port labour, gravediggers (they also looked after the cemeteries, and still do) and in the tanneries and salt works. When Karachi expanded in the nineteenth century, they worked as building site labour and also became skilled in stone masonry and carpentry; they rightfully claim that their ancestors built modern Karachi. In addition to the Baloch *goths* and their mosques, the graveyards and the *eidgahs*,<sup>(4)</sup> Hindu cremation sites, which are still in use, were also established on the right bank of the northern branch as early as the beginning of the nineteenth century.

After the blocking of the southern branch of the Lyari River, the northern branch became the city's northern boundary. The area between the river and the old town became the working-class district, which also housed small-scale manufacturing and cemeteries and, after the devolution plan of 2001, became known as Lyari Town. Colonial Karachi developed to the south of the old town, and comprised the city's major wholesale markets, port-related warehousing and business houses, civic institutions and residential areas for the indigenous merchant classes. That was the situation at the time of partition.

Partition changed Karachi. From a city of 450,000 in 1947, it grew to a city of 1.137 million in 1951. This was due to an influx of migrants from India. There was also an exodus of Hindus and Sikhs, as a result of which the Hindu population decreased from 51 per cent in 1941 to 2 per cent in 1951. Since the immigrants were Urdu-speaking, the Urdu-speaking population increased from 6.3 per cent to 50 per cent during the same period. Meanwhile, the Sindhi-speaking population decreased from 61.2 per cent to 8.6 per cent.<sup>(5)</sup> Most of the migrants settled in properties in the old town and its suburbs, which had been vacated by the Hindus and the Sikhs. They also occupied all available open spaces and public buildings in the city, from where they were moved to land adjacent to the Baloch *goths* on the right bank of the Lyari River. Thus, a number of informal Mohajir settlements developed adjacent to the Baloch *goths* and on land that the Baloch *goths* had originally acquired for agricultural and grazing purposes through yearly leases from the government. In the 1950s, formally planned settlements were built on the right bank of the river, and the orchards and grazing lands disappeared. The graveyards, however, remained.

As Karachi's population expanded, more migrants settled along the Lyari River. Mianwali migrants arrived in the 1950s, along with their camels, which provided transport for port-related cargo. Eventually, they became truck owners and established their garages, workshops and warehouses adjacent to their settlements. In the 1960s, communities displaced as a result of the building of the Tarbela Dam also settled along the Lyari River, and their settlement is called Tarbela Colony. Between 1980 and 1995, Pathans, Hazarawals and Afghans settled on the right bank, in Sohrab *goth*, and almost all of them are involved in the transport trade. Sarais, Katchis and Bengalis are the latest arrivals. Most of them work as domestic servants in the neighbouring middle-income settlements, or in the garbage recycling

3. Makran is the coastal region of Balochistan.

4. *Eidgahs* are open spaces for large prayer congregations.

5. Government of Pakistan population census reports.

6. Mirza Arshad Ali Beg (2004), "Urbanization of Sindh", Status Paper prepared for the IUCN, Switzerland.

7. Masqat is the capital of Oman, also known as Muscat.

business or as day wage labour in the neighbouring *go-downs* and markets.

The wholesale markets and warehousing in the old town and its colonial extensions expanded rapidly in the 1970s and 1980s as a result of an increase in population and in industrial and port activities in Karachi. The main expanding markets were the *Dhan Mandi* (grain market), the chemical market and the paper market. Metal-related manufacturing and garbage recycling (most of it in the informal sector) also established themselves in these areas and in what today constitutes Lyari Town. This expansion of industrial and wholesale activity, along with its transport and warehousing-related needs, has caused massive congestion and environmental degradation. Densities in some of the neighbourhoods are as high as 8,000 persons per hectare, and air and noise pollution levels are well above the national environmental quality standards.<sup>(6)</sup> This process of degradation has pushed wealthier residents into moving to the newly planned areas of the city. As space for the development of warehousing and small-scale informal industrial activity was limited, it spilled over into the Lyari corridor and onto the riverbed itself. Most of the labourers who worked in these establishments were able to build shacks on the riverbed by bribing the police, and continued to live there by paying *bhatta* to police touts and musclemen.

The operators of wholesale markets and informal manufacturing have constantly petitioned the government agencies to move them to areas that are easily accessible by rail and/or road, and where badly needed space for their planned growth is available. Residents of these areas have also requested this, as a move would improve environmental conditions and reduce congestion.

The Baloch *goths* have ownership papers going back to the early British period. In the case of Ilyas *goth*, the ownership papers date from the Talpur period. These *goths* did not feel insecure, and thus invested in a big way in building their homes and in acquiring infrastructure. This investment was made possible because of money earned from temporary migration to Masqat in the 1970s.<sup>(7)</sup> Makranis were given preference by the Masqat government because of its long association with the Makran coast. A sizeable proportion of the population of these *goths* is now employed in running businesses and in government jobs. They have developed urban middle-class values and aspirations. Successive governments have also supported the Lyari *goths* to acquire water, electricity, sanitation, schools, health centres, telephones and gas lines. Most of the non-Baloch settlements that are above the flood line have, over the past two decades, been declared as *katchi abadis* by the municipal authorities and, as such, have been notified for regularization, which entails the granting of 99-year leases. Almost all of them have built homes and have acquired physical and social infrastructure. In addition, the residents of *goths* and the *katchi abadis* have formed community organizations and registered them. Through these organizations, they, like all other Karachi communities, have promoted their claims with government agencies and politicians, and have protected their gains.

The political affiliations of the Lyari corridor settlements vary. The Baloch settlements invariably vote for the Pakistan People's Party. However, they contain a sizeable number of left-wing activists who have supported Baloch nationalist parties and who have close links with other Baloch communities and political groupings throughout Pakistan, through the Baloch Ittehad Foundation. The Mohajir settlements by and large vote for the Muttahida Quami Movement (formerly the Mohajir Quami Movement). The Mianwali

Colony has links both with the Jamiat-ul-Islam and the Jamiat-i-Ulema-i-Pakistan. The Pakhtoon communities support the Awami National Party, and a minority among them are active members of the Jamiat-i-Ulema-i-Islam. The groups living on the riverbed or in the non-notified *katchi abadis* are not effectively organized politically or socially.

### **III. THE LYARI EXPRESSWAY PROJECT**

THE NORTHERN AND southern bypasses were proposed by the Karachi Development Plan 1975–85. They were to run from the port to the super-highway and to the national highway, respectively, and, as a result, all port-related traffic would bypass the city. The plan considered these bypasses to be important in both economic and environmental terms. The southern bypass could not be built because of opposition from the Defence Housing Authority (DHA) (the then Defence Housing Society). The DHA was concerned about the environmental pollution that the bypass would cause in some of its neighbourhoods, and it was politically powerful enough to get its point of view accepted. The northern bypass was not built either. This was because of the administrative and political anarchy that existed in the post-1977 period of Karachi's history that made decision-making difficult and development projects a non-priority.

In 1978, heavy rains caused flooding in Karachi. In the Lyari corridor, a number of houses along, and on, the riverbed were washed away, and about 200 people lost their lives. As a result, the Water and Power Development Authority (WAPDA) prepared a flood protection plan for the Lyari River belt. Monuments were erected to mark the flood levels on both banks, and embankments were proposed, along with a proposal to channel the river. However, this plan was not implemented either.

In 1986, a group of public-spirited citizens proposed the Lyari expressway as an alternative to the northern bypass. This proposal consisted of a plan to build a road from the port, along the Lyari River to the super-highway, which is Karachi's main link with the rest of Pakistan. A government study found that the construction of the Lyari expressway along the riverbanks was not feasible, as over 100,000 people who, at the time, were living along the river would have had to be evicted as a result of its construction. However, the idea of the expressway appealed to politicians and planners and so, in 1989, the Karachi Development Authority involved the Canadian International Development Agency (CIDA) in the Lyari expressway project. CIDA proposed an elevated corridor on columns (a skywalk) in the middle of the river as the most feasible option, as it would not displace any Lyari corridor communities. The cost of the elevated expressway was put at 6 billion rupees (at the time, equivalent to around US\$ 133 million). However, in 1993, rains flooded the lower-lying Lyari corridor settlements again and, as a result, planners proposed building the Lyari expressway along both banks as a solution for flood protection, and also a toll to generate funds for cost-recovery. The skyway project, however, remained unaffected.

The Urban Resource Centre (URC), a Karachi NGO involved in research and advocacy, objected to both the proposals. The URC's objection was that the expressway was not an alternative to the northern bypass. It would cause immense noise and air pollution in the most densely populated of Karachi's settlements, the elevated option would be aesthetically ugly, and the riverbank roads would displace poor communities. Nor would the

expressway project open up land for relocation of the inner-city markets, warehousing and informal manufacturing units, as the northern bypass would. The URC expressed its point of view through a number of fora and newspaper articles; however, there was little or no response from politicians and government planners on the concerns raised by the URC.

The URC then held meetings along the Lyari corridor to explain the Lyari expressway project to the communities. Separate meetings were held for women and for men. As a result, the Lyari Nadi Welfare Association (LNWA), consisting of 42 community organizations, was formed. Meanwhile, the URC also developed alternative plans for redirecting port traffic from the port to the super-highway, and costed them. The plans, along with photographs, maps and estimates, were given to the LNWA and they, in turn, contacted their provincial and national representatives (members of the provincial assembly and members of the national assembly) and the chief minister of Sindh. As a result, the project was delayed. All the information and documentation was also sent to CIDA and to the Canadian Embassy, and a visit by a Canadian journalist, John Stackhouse, was also arranged to the expressway site. CIDA finally backed down and the skyway proposal was shelved.

Finally, in 1994, the Karachi Metropolitan Corporation (KMC), during the second Benazir government, decided to build the expressway on either side of the river on a Build–Operate–Transfer (B–O–T) basis, as an alternative to the northern bypass. The cost of the expressway was estimated at 720 million rupees and it was to pass under 12 existing bridges on the river. Eight thousand shacks and small business enterprises at the lower end of the river were removed for its construction, and no compensation was given to those who were affected; and since almost all those affected were encroachers, they were politically weak and unable to put up any resistance. The project was further modified after the involvement of the Frontier Works Organization (FWO) and, as a result, the underpasses were abandoned in favour of bridges over the existing bridges, and the cost increased to 3,200 million rupees. An Abu Dhabi consortium was contacted to build the expressway on a Build–Operate–Own (B–O–O) basis. The changes to the project also meant a considerable increase in the number of those who would be affected, and the demolitions along the Lyari River led to opposition to the project by citizens, NGOs and the more consolidated and comparatively politically powerful Lyari communities, as a result of which a number of politicians became concerned. This opposition led to public hearings in 1996, which were arranged by the senior minister of the Sindh government. As a result of the public hearings, it was decided to build the northern bypass and to abandon building the Lyari expressway.

Subsequently, in 2001, the Karachi Port Trust, after considerable consultation with interest groups, finalized the proposal for building the northern bypass as a six-lane highway 68 kilometres long. It was to join the super-highway well beyond Karachi's municipal limits so as to minimize congestion on Karachi's main exit point to the northeast. However, in June 2001, the government of General Pervaiz Musharraf decided to build both the northern bypass and the Lyari expressway within the northern bypass budget, on the basis of the FWO plan and in violation of the decisions taken as a result of the 1996 public hearings. To subsidize the Lyari expressway, the northern bypass alignment was changed to make it shorter. It now joins the super-highway just beyond Sohrab *gothi*, and its six lanes have been reduced to four. Previously, the proposed expressway project had been a Sindh government and KMC undertaking, but this too was changed, and

the National Highway Authority (NHA), a federal government institution, was entrusted with its construction.

The 2001 NHA expressway proposal was for a 16.5-kilometre three-lane road along both banks of the Lyari River. The expressway would consist of 16 overpasses and the construction costs were estimated at 5.1 billion rupees, with the cost of resettling those to be evicted at 2.1 billion rupees. Completion time for the project was set at three years. Evictee resettlement would consist of the provision of a plot measuring 80 square yards in the peri-urban areas of Karachi for each demolished housing unit, plus 50,000 rupees in cash. The government justified the project by saying that it would ease traffic flow within the city and would also remove people in the flood zone to safer locations.

#### **IV. CITIZENS' AND COMMUNITY CONCERNS**

WHEN THE PROJECT was announced in the press, the LNWA and various other community organizations approached their political representatives and local government functionaries. They asked for details of the project, especially concerning the homes that were to be affected, and for plans showing the expressway alignment. They also demanded consultations on the project. None of this information was made available to them. In addition, they were told that under no circumstances could the project be changed or altered, and that this was a project completely controlled by the federal government. The district *nazim* (mayor) and six town *nazims* (the expressway would pass through six Karachi towns) came out strongly in support of the expressway, and emphasized that its construction would remove people living in miserable conditions to better locations. However, as opposition to the project increased, the six town *nazims* expressed concerns about the inadequacy of the resettlement plan, and four of them also expressed a preference for the earlier 1994 plan.

A number of NGOs and urban planning academics got together with the Lyari community organizations and drew up a list of concerns. Through the URC, these were sent to the president, the city *nazim* and all other relevant agencies and government departments. There has been no reply. The six major concerns are summarized below.

**Concern 1: city-level planning issues.** The expressway project is not part of a larger city planning exercise. There are cheaper and easier ways of easing traffic flow in Karachi, which have been proposed repeatedly by the Karachi Development Authority's Traffic Engineering Bureau, Karachi academics and professionals. More than half of those affected by the expressway do not live either on the riverbed or in areas prone to flooding. They are simply being relocated because their homes and businesses are in the expressway alignment. An expressway is not necessary to rehabilitate those who are living on the riverbed or in the flood zone. In addition, the building of the expressway does not solve the city's major environmental problems, or those of the areas it passes through. These problems can only be solved by relocating the inner city's major wholesale markets and congested informal industrial activity and warehousing. On the other hand, curtailing the northern bypass will result in a smaller area being opened up for Karachi's future development, and will increase congestion at Karachi's main exit point. Furthermore, demolishing the settlements and building the expressway would introduce land-use changes along the corridor for which there is no planning and no infrastructure.

**Concern 2: environmental issues.** If the expressway is going to be used for heavy port-related traffic, it will cause severe environmental pollution, and hence further degradation along the already densely polluted Lyari corridor. This degradation will lead to downmarket land-use changes and the expansion of industrial, storage and transport-related activities that are inappropriate and that should be shifted from the inner city. On the other hand, if the expressway is to be used only for intra-city traffic, a different sort of land-use change will take place. In this case, there will be a sharp increase in land values and this will lead to evictions in the remaining old settlements along the corridor. The residents of the trans-Lyari area are aware, and afraid, of this. In addition, the expressway is designed as a roller coaster along the riverbanks, and its height varies between 8 and 27 feet (2.4 to 8.2 metres) above the banks. As such, it will consist of two walls on either side of the river (further dividing an already divided city), linked by 12 gates (where the existing bridges are). Therefore, it is also undesirable in social and aesthetic terms.

**Concern 3: destruction of homes and businesses.** According to government estimates, 13,531 housing units, 1,222 commercial and manufacturing units, and 58 mosques, churches, graveyards and temples will be demolished. However, according to URC and community surveys, 25,400 housing units and 8,000 commercial and manufacturing units would be demolished. As a result of these demolitions, 26,000 students will have their schooling discontinued and about 40,000 wage earners will lose their jobs.<sup>(8)</sup> Almost all of these people either work in the commercial and manufacturing units that are being demolished, or are supported by those who work there. At a modest estimate, residents and local government have invested 5 billion rupees in building homes, schools and social sector facilities and in acquiring legal infrastructure connections (water, electricity, telephone, gas). Less than half of those affected by the expressway live within the flood plain as identified by the WAPDA study of 1978 and, as such, there is no justification for moving them.<sup>(9)</sup>

**Concern 4: the expressway violates state laws and government commitments.** The government of Pakistan is a signatory to the Global Plan of Action of the UN City Summit (Habitat II) of 1996, which is against forced evictions and demolitions. Section 12 of the Pakistan Environmental Act 1997 requires any proponent of a project to submit an environmental impact assessment if the project is likely to cause any adverse environmental effect and, on this basis, must seek approval (or modification) of the plan from the relevant federal authority. This has not been done in the case of the Lyari expressway. Again, land can only be acquired from leased settlements and notified *katchi abadis* through the Land Acquisition Act and its well-laid-out procedures. These procedures have not been followed.

**Concern 5: the resettlement plan is flawed.** The resettlement plan is not an integral part of the project. The alignment of the expressway has been determined not by on-site surveys but by using satellite imagery. As such, the houses that are affected have also been determined by satellite imagery. When actual demarcation of the alignment takes place (as it does in bits and pieces), major differences between on-site and satellite imagery details surface. In addition, the number of households in different buildings, many of them multistoreyed and housing a number of families, cannot be determined through satellite imagery. Similarly, differentiating between residential, commercial and industrial buildings cannot be done in this way, and the resettlement plan does not differentiate between old villages, leased settlements and informal occupation of land for residential purposes.<sup>(10)</sup> The

8. Urban Resource Centre (URC) and community joint estimates quoted in newspaper articles and URC reports.

9. See reference 8.

10. The settlements below account for about 85 per cent of those who are affected.

- Old villages: Hasan Aulia, Ilyas Goth, Angara Goth, Gauharabad, Jahanabad.
- Regularized *katchi abadis* and planned areas: Mianwali Colony, Liaquatabad, PIB Colony, Gharib Nawaz Colony, Muslimabad, Farooqabad.
- Notified *katchi abadis* marked for regularization: Haji Murad Goth, Muslimabad, Madina Colony.
- Squatter colonies on the riverbed: Peoples Colony, Mohammadi Lane, Iqbal Colony.

commercial and manufacturing units that provide direct employment to about 40,000 wage earners are being demolished without compensation or support for relocation. Under the law, it is obligatory for the concerned authority to publish notification of the affected people, but no listing was available when the project was initiated, and even now such a list does not exist. As the listing survey is carried out in bits and pieces, and areas for demolition are determined periodically, the affected families suffer immense mental stress, not knowing whether or not they will be moved. These periodical listings are carried out with the involvement of councilors, *nazims* and government officials, but without consultation with community organizations and groups. Hence, they lack transparency, and have promoted large-scale corruption in the allotment of plots and in the compensation process; to make matters worse, these listings are made available only three or four days prior to demolition. In addition, 50,000 rupees compensation is not enough to build a new home. Surveys show that this sum is used up in transport costs to the distant relocation site and/or in hiring a place to live in between demolition and the construction of a new house. Surveys also show that the majority of people who have been given allotments have not built their homes and, while retaining their plots, have hired accommodation nearer to their traditional places of work.<sup>(11)</sup> It will take well over 20 years for the relocation sites to develop the social and physical infrastructure that had been acquired in most of the affected Lyari corridor settlements. Surveys show that, as a result of relocation, there has been an increase in unemployment (especially of women); a discontinuation of schooling for children; exorbitant cost and time increases in commuting to and from work; unaffordable costs of house construction; an end to community support systems that had been built up over the years; and a sense of insecurity, especially among women and children when men go away for work.<sup>(12)</sup>

**Concern 6: absence of consultation.** The Lyari expressway project should have been presented for consultation with the affected communities, concerned professionals, relevant academic institutions, NGOs and other civil society organizations at the conceptual stage. All attempts by interest groups to initiate a meaningful dialogue with the NHA or with the district and provincial establishments have failed, although many promises to initiate these dialogues have been made by the city government. Such consultations are all the more important as Karachi has a long list of failed development projects that have damaged the city. Professionals, NGOs and concerned citizens had pointed out correctly the shortcomings of these projects, and had offered viable alternatives when the details were published in the press.<sup>(13)</sup> During periods of military rule, such concerns were largely ignored. In addition, the Lyari expressway project has not been approved, or even discussed, by the national and provincial assemblies or by the city council.

## V. ALTERNATIVES TO THE LYARI EXPRESSWAY DESIGN

THROUGH FORA AND various publications, the URC and its supporters have proposed that, instead of building the Lyari expressway, the river should be dredged and channelled according to the recommendations of the 1978 WAPDA study, and embankments should be built on either side. A proper resettlement plan for people living below the flood line of the

11. Urban Resource Centre (2003), "Monitoring surveys", URC, Karachi, July; also Urban Resource Centre (2004), "Livelihood substitution: surveys carried out for ongoing joint URC/WEDC research", URC, Karachi, February; and Toseef, Ashish, Fatimah Rashid, Saima Ismail (2003), "The rationale behind government takings: a case study of the Lyari expressway", Lahore University of Management Sciences (LUMS) unpublished report.

12. See reference 11.

13. These projects include:

- Metrovilles of the KDA, 1975;
- Lines Area Redevelopment Project, 1983 onwards;
- Asian-Development-Bank-funded Greater Karachi Sewage Plan;
- Asian-Development-Bank-funded Baldia Sewage Project 1996;
- Karachi Mass Transit Project Corridor 1;
- Gulshan flyovers.

Lyari River should be prepared through consultations with the affected communities and their nominated experts. The old settlements and notified *katchi abadis* and a large number of shacks would remain unaffected if the WAPDA study findings were followed. The recycling and garbage sorting yards in the old city and in the Lyari corridor (and the labourers working there) should be moved to solid waste landfill sites after negotiations with the owners and the labourers. The now-defunct governor's task force for the improvement of municipal services has already undertaken such negotiations. If the sorting yards and the garbage recycling industry move, along with their labour, very few homes and businesses will be left in the Lyari flood line. Wholesaling, manufacturing and related activities should also be transferred to the northern bypass, and all land acquired in the process and through channelling the river should be used for badly needed amenities for the trans-Lyari settlements and for the resettlement of those who are affected. The URC also emphasized that, in order to reduce traffic congestion, priority should be given to the revival of the Karachi circular railway, the building of inter-city and intra-city transport terminals, the development and implementation of a traffic plan for the city, and the development of a land-use plan, including the establishment of an organization to oversee its implementation.

An alternative was developed by Professor Shaoib Ismail, who is the principal of Planning, Engineering and Services, a highly respected consulting firm. His design is based on the WAPDA study of 1978, and reduces the number of affected families to less than one-quarter of those affected by the NHA proposal. It saves approximately 2 billion rupees on compensation alone, and 1 billion rupees as a result of changes in construction technology. In addition, Professor Ismail's alternative makes the expressway pass under the existing bridges and, as such, does not call for "separation walls" along the river. Professor Ismail's alternative was also sent to the president and all other concerned agencies, but no response from any individual or agency has been received.

In spite of the differences between the two options, both sides agreed on the following: first, that before deciding on a future plan for the expressway, consultations must be held between government representatives, NGOs, CBOs in Lyari settlements, relevant academics and other stakeholders, and a consensus reached among them; second, that the 1978 WAPDA flood control study should be made the basis of all future planning; third, that all settlements and commercial and industrial units in the flood zone should be removed; and fourth, that a proper relocation plan, following Pakistan laws and procedures, should be developed for those who are affected and for the commercial and manufacturing units.

## VI. COMMUNITY OPPOSITION TO THE EXPRESSWAY

LYARI COMMUNITIES HAVE voiced their opposition to the expressway in a very organized manner and without violence, despite the fact that their homes have been bulldozed and/or are marked for demolition. This organized opposition has been supported throughout by two NGOs: the Action Committee for Civic Problems (ACCP) and the URC. Initially, Lyari communities turned to the LNWA leadership to initiate a dialogue with the government agencies. When the dialogue did not materialize, they pressurized the leadership into arranging demonstrations against the project.

At this stage, some of the LNWA's leaders disappeared from the scene, and others became active supporters of the project. According to rumours, the leadership had been bought over by the government agencies.<sup>(14)</sup> Consequently, local activists emerged in different areas, and the ACCP created a link between activists from different communities and settlements. It held, and still holds, regular meetings in the settlements under threat. Its members mobilize the communities to hold combined meetings in different settlements in rotation. It assists communities in their legal battles and has helped to establish contact between politicians and the communities. It holds press conferences in which the activists participate. And it is because of the linkages that it has created that black flags and banners were hoisted all along the river when General Musharraf inaugurated the expressway in an unscheduled ceremony, late at night on 27 April 2002.

The URC initiated the expressway debate, and has been involved in monitoring developments and commenting on them in the media and through public fora since 1990. It has provided documents on national and international law on housing rights and *katchi abadis* to the lawyers representing the affected communities in courts of law. These documents have also been provided to the community activists. It has arranged tours to the affected communities for journalists, NGO activists and concerned citizens. As a result, articles and films against the expressway project have appeared in the press and electronic media. The URC has sent letters to the president of Pakistan, and copies to all other relevant government agencies regarding its concerns over the expressway. It has published pamphlets on the project (both in Urdu and in English) and distributed these, along with copies of documentary films on the subject made by different satellite channels. It has initiated a letter-writing campaign and has expressed its concerns to NGOs, UN agencies and civil society organizations all over the world. As a result, on 17 July 2002, the UN took serious note of the violations of human rights in the Lyari corridor. In its letter to the president of Pakistan, it criticized the project. Meanwhile, over 1,000 international human and housing rights organizations from all over the world have sent letters of concern to the president of Pakistan. In February 2003, the Asian Coalition for Housing Rights (ACHR) sent a fact-finding mission, which visited the expressway site and reported major housing rights violations. The mission was received by the Karachi *nazim*. It also met with the Chief Secretary from Sindh, the Sindh Minister for Housing and Planning and the NHA general manager. The mission was assured that the government would do everything possible to improve the resettlement process, and would see to it that physical infrastructure and social facilities were provided at the relocation sites; there have been some attempts at this.

As a result of this coming together, the communities collected 3 million rupees for litigation purposes. They filed cases against illegal demolitions and attended court proceedings in large numbers. The court stayed the demolition of leased settlements and finally gave a verdict on 14 October 2003. This verdict will be discussed below. The communities have also held "people's assemblies", in which more than 300 men, women and children (in each assembly) from various settlements of the Lyari corridor gathered to protest against the project. These demonstrations have been held at the Karachi Press Club and in various settlements. Whenever teams engaged in surveys and demarcations of the expressway alignment have visited the settlements, there have been protests against them led by women and children.

With the support of the ACCP, eight all-party conferences have been

14. Author's discussions with activists and the coordinator of the Action Committee for Civic Problems (ACCP).

held. Representatives of political parties were invited, to discuss issues related to the expressway project and to the demolitions and evictions that are taking place. Representatives of all the political parties voiced their concerns and their opposition to the expressway project. However, none of the political parties represented in the Sindh Assembly were willing to take this issue to the Assembly floor, in spite of the fact that settlements that were their vote bank were being affected. They were interested merely in changing the alignment so as to save the settlements that had voted for them. The strongest opposition to the expressway came from parties that were not represented in the Sindh Assembly. The Pakistan People's Party could not oppose the expressway because that party initiated it in 1994, and simply wanted the original design to be implemented. The party expressed concerns over the flawed resettlement plan. The Muttahida Quami Movement leadership also expressed concerns, but has not been able (or does not wish) to do more than that. The Jamat-e-Islami now runs the city government and, as such, its leaders cannot be expected to oppose the expressway, although a number of them have expressed their concerns in private.

As a result of the inability of the political parties to take a stand on the issue, the various settlements have sought help from their ethnic-based or trade organizations. For example, the Baloch population approached the Baloch Ittehad Foundation, which is an all Sindh-Balochistan organization. This foundation has promised full support to the Baloch settlements, and has begun a process of contacting its influential members and Baloch political leaders. The Mianwali settlements have sought help and intervention from Mianwali politicians who are members of the National Assembly. There are rumours in the settlements that, as a result of these interventions, changes in the expressway design have taken place to save Baloch, Mianwali and certain Mohajir settlements. However, in the absence of consultations and information-sharing on the part of the government agencies, the truth of these rumours cannot be verified. With the fear of bulldozing, communities have also become interested in their history. This is especially true of the Baloch, some of whom have started collecting stories from their elders about their migration to Karachi. These stories have been repeated at the people's assemblies and at demonstrations.

There have been many attempts to initiate a dialogue with the government agencies. In March 2002, under pressure from demonstrations and press articles, the Karachi *nazim* promised that the city government would provide the community leaders with all the details, feasibility studies, estimates and environmental assessments regarding the project. He also promised that a list of affected families would be published and that a committee of experts would be formed to review the projects. However, none of the above has happened, although demolitions were stopped and a nine-member expert committee was formed to review the project. The committee could not meet, as, after its formation, the government agency experts were not available.

However, there is constant contact and dialogue between the communities and the Lyari expressway resettlement project director and his staff. The director is very clear regarding his role. He is not willing to discuss the pros and cons of the project. His job is simply to resettle affected families after bulldozing their settlements or negotiating an agreement to move. The NHA, which is in charge of executing the project, is unapproachable. Its staff puts up the markings for the alignment and initiates construction. Thus, the construction of the expressway is the job of the federal government, and the job of the provincial and the city governments is to acquire

vacant land along the expressway alignment and to hand it over to the NHA. Resettlement is funded by the federal government, but is the responsibility of the provincial and city governments.

The stay granted by the High Court against the demolition of leased settlements has prevented their demolition. The Sindh High Court, in its verdict of 14 October 2003, stated that the Lyari expressway is a project of national importance and, therefore, properties can be acquired, including leased settlements. It also stated that appropriate compensation should be provided to those affected, in accordance with the law. However, the relevant law has not been quoted or identified. Furthermore, the judgment states that only such land should be acquired as is absolutely necessary for the construction of the expressway. Since the judgment, no bulldozing of leased properties has taken place.

The court had not granted a stay to bulldozing of unleased properties. As a result, people there have been forced to accept compensation and move. Most have shifted to rented accommodation in the city, while sending a member of their family to take possession of the plot that has been offered to them in the resettlement sites. This process has divided the movement against the Lyari expressway between leased and unleased communities, and in the process the movement has weakened. How the government will deal with the leased settlements remains to be seen. Paying them compensation at market rates makes the entire project unfeasible in economic terms. Newspaper reports suggest that government has initiated a dialogue with the Kuwait Fund for Arab Economic Development to finance the expressway and for resettlement costs.<sup>(15)</sup> Again, no details are available or accessible. Meanwhile, public-interest litigation against the expressway was filed in December 2003 in the Sindh High Court, but has not yet come up for hearing. The petitioners are political parties and/or their representatives, along with a number of important Karachi-based NGOs.<sup>(16)</sup>

The opponents of the expressway (or of its present design) cannot understand why the government has refused to negotiate or consult with them or with those affected, and why serious concerns and alternatives presented by Karachi citizens, academics and politicians have been ignored. They also fail to understand why the details of the alignment cannot be made public. A news item in the press stated that 225 acres of land would be vacated for development as a result of the expressway construction,<sup>(17)</sup> and other newspaper articles have made similar comments. The Lyari corridor community activists are also sure that this is the case, and that the secrecy that surrounds the project is because "their" land is being handed over to developers. They argue that this is the reason why much more land is being acquired for the expressway than would be required if the WAPDA flood protection plan parameters were followed.

## VII. CONCLUSIONS

A NUMBER OF lessons and conclusions can be derived from the Lyari expressway project and the opposition to it.

- Conventionally trained planners and migrant politicians give no importance to the traditional rights of local communities, to their land, history and culture. Nor do community-related social and economic considerations figure in the design of projects that are seen as fulfilling a certain limited function, such as facilitating traffic or "beautifying" an area.
- Movements become more effective when poor communities, academics,

15. *The News*, daily newspaper, Karachi, 12 January 2005.

16. The petitioners are:

- Haider, Central Information Secretary of the Pakistan Peoples Party in his personal capacity;
- National Party;
- Pakistan Muslim League (N);
- Awami National Party;
- National Workers Party;
- Jiye Sindh Mahaz;
- Human Rights Commission of Pakistan;
- Urban Resource Centre (URC);
- Aurat Foundation;
- Action Committee for Civic Problems (ACCP);
- Orangi Pilot Project-Research and Training Institute.

17. *Jang*, daily newspaper, Karachi, 18 January 2002; 225 acres is about 91 hectares.

researchers and NGOs, who can provide organizational and managerial guidance, come together. It is only then that the media and the middle classes support the interests of poor communities and overcome their deeply ingrained prejudices against them.

- Manipulated and weak provincial and city governments, which depend on the centre for their survival, cannot protect the interests of their constituents. In the absence of such protection, their constituents have no option but to seek support from their ethnic and/or trade-related organizations. This fragments society and weakens the political and judicial processes.
- City planning is no longer a priority in this age of globalization and cutbacks on public spending. Planning has been replaced by projects supported by external funding, mostly in the form of loans or through the B-O-T or B-O-O processes. In the absence of planning, land values determine land use and project feasibility, to the exclusion of social and environmental considerations.
- The dependence of district governments and town councils on federal government funds makes them ineffective in challenging or disagreeing with programmes and projects that adversely affect their constituencies.
- There is no *de facto* nor *de jure* consensus-making or consultative process that can resolve differences and conflicts and make planning pro-poor and environmentally friendly. In the absence of such a process, the more powerful interests manage to impose their decisions on other interest groups.

