

MINIMIZING EVICTIONS AND HOUSING THE POOR

Disclaimer

This is a draft of the Quick Guide on Approaches to Low-income housing. It was prepared by Mr. Peter Swan.

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1. Introduction: What this booklet is all about

This booklet initially examines the usually devastating impacts of forced evictions and slum demolitions on poor urban families and communities. It then explains how the poor have had to occupy the urban spaces on which they face eviction. In this context the key factors that drive the poor from rural areas as well as the main features of the urban economy and living that attract the poor to migrate to the city are discussed. The enormous challenges posed by rapid urbanization and the consequent need for urban infrastructural modernization and expansion for urban economies to compete in a globalizing world are then considered. These, together with a lack of realistic and effective policies for urban land management, low income housing and poverty alleviation are found to be the major causes for the continuing shortfalls in affordable land and housing for existing populations of urban poor as well as for new rural to urban migrant populations in the cities of the developing world.

In essence it is argued that the poor are in the cities because they have no where else to go. Under these circumstances, the blind application of eviction laws and procedures is shown to be destructive, wasteful and increases poverty on the one hand and inhumane, politically costly and ethically questionable on the other. Lack of secure tenure and the threat of eviction are themselves seen to be major factors underpinning the poor housing and environmental conditions in squatter settlements. It is then noted that, even though eviction may be legal within existing national legal systems, there are international covenants on housing rights that recognize the helpless and blameless predicament of the poor. The protection of housing rights through community organization together with concrete efforts to improve the economic circumstances and tenure security of the poor are proposed as a sound basis for identifying viable and innovative alternatives to eviction.

The booklet recounts in summary some of the constructive alternatives to evictions that have been pioneered in Asia and elsewhere. These approaches and strategies have effectively tackled the interrelated problems of urban poverty, inadequate housing and homelessness on the one hand and the urgent need for effective city planning, urban rehabilitation and infrastructural development on the other. Significantly, in all of the creative solutions to eviction stand offs presented, organized communities have played an essential role. But the supportive roles of hard working civil servants, pro poor political leaders, as well as dedicated NGOs, academics and professionals, are also seen as being vital to achieving successful outcomes. Indeed an alliance between communities, their networks and civil society supporter together with national and local authorities is seen as necessary to achieving a large scale reversal of eviction trends within the cities of Asia and the rest of the developing world. This is underscored by several summaries of fruitful partnerships between national and local government agencies, NGOs and poor squatter communities in various cities.

Stressing the importance of community-centered approaches, the booklet reviews some of the major development trends in community organizations and their networks within cities and in countries as well as regionally and globally. In particular community based savings and loan groups and networks are seen to be very effective in building durable community organizations which empower the poor. The booklet closes with a series of recommendations on what policy makers, legislators, urban managers and related professionals can do to minimize evictions and, when there are no possible alternatives, to jointly designing relocation projects with the affected poor communities, in such a way that the new settlements really help the poor in their struggle out of poverty and insecurity.

2. How eviction destroys the assets of the poor and condemns them to even worse poverty and suffering.

We have seen the pictures in the newspapers and on the television all too often. An elderly woman squats on the ground in front her demolished shack. Tears stream down her bewildered face as she clutches a makeshift bundle of tattered clothes and battered household utensils that she has managed to rescue before police and demolition workers tore down the roof and walls of her only shelter. Her helplessness and distress are undeniable proof that, though forced eviction may be technically legal, it is not always in the service of justice.

Poor people – children, women and men - living in slum and squatter communities are the main victims of eviction laws and slum clearance practices in cities in Asia. The evicted people are usually left with no alternative shelter except for another illegal settlement, either an even more densely crowded one within the city or an even more under serviced squatter settlement out on the urban edge. But this time they will be poorer than before because, besides losing their homes, their household assets and their community support system, many will have lost their livelihoods as well. Evicted households are plunged into debt because of having to set up their homes again. Many evicted families will find the costs of staying and working in the city surge, particularly those related to the setting up of a new shelter and new socio-economic support system in their new location. Another cost that will surely rise will be for daily transportation to places of employment for themselves and to schools for their children. Some of the most vulnerable among the urban poor, like female headed households, the elderly and handicapped, will be reduced to homelessness and beggary.

The majority of such communities are evicted from tracts of land owned by state or city agencies or from public roadsides, railway lines or canal banks and the like. Usually they have had to buy into such settlements where local *mafias* work hand in hand with corrupt officials to profit from the enormous demand for low cost housing and accommodation. In cases where the illegal settlements are on tracts of state land rather than on public rights of way, the poor households are tolerated and often pay unofficial rents until the commercial value of the land becomes so high that state landlords want to change their land's use by selling it for commercial development or developing it themselves thereby reaping huge speculative profits for their ministries and agencies. In cases where squatters live on public rights of way like road and canal sides and railway sidings, the threat of eviction begins as plans are being made for infrastructural expansions and modernization like road widening, canal dredging and rehabilitation, railway upgrading and development etc.

A smaller proportion of urban squatter communities are evicted from undeveloped (lacking urban infrastructure and services) private lands. In most cases the residents of such settlements have been paying low ground rents for decades but as the value of the land increases due to the city's population growth and physical expansion of roadwork and utility systems, private landlords also want to collect their enormous capital gains by changing land use and getting rid of the poor.

All too often when we read of evictions, the reports are couched in black and white terms, in formal legal language which do not really capture the realities of the situation. They are presented as thus: there are government or private landowners whose formal rights to land and buildings have been violated by tenants who have refused to leave or by squatters who have illegally occupied their land. In such cases eviction, the forced removal of people (and their property) from land and buildings that do not legally belong to them, is seen as the due process of the law. But if the law is supposed to secure justice for all citizens, can the eviction of the poor and powerless by the rich and powerful ever be perceived as just in any modern and democratic state?

A commonly held view amongst higher and middle income groups in urban areas is that the poor should go back to their villages in the countryside. In previous decades it was widely believed that letting the rural poor come into the cities when there was insufficient formal sector employment and affordable housing and services available for them, was *the* primary cause of the slum and squatter problem. The usual response to the question, "How can the poor be prevented from migrating to cities and towns?" was to adopt draconian measures to stop them from doing so. Such actions inevitably failed because those who introduced them had not asked themselves the more challenging and disturbing question, "Why do the poor continue to come to the cities even when their living conditions in slums and squatter settlements are so appalling?" As we shall see in the following section, it is not because the poor are stupid and enjoy the polluted squalor of their urban settlements to the clean and healthy lifestyle of the village.

3. The poor are in the cities because they have nowhere else to go!

Over the last forty years developing countries have undergone enormous changes in the way they provide housing and livelihoods to their populations, especially the poor who comprise the great majority. A primary dimension of this transformation has been demographic: rural populations have grown rapidly, placing ever greater pressure on the carrying capacity of rural economies and agricultural land. At the same time, the towns

and cities, which have been leading the conversion of traditional rural agrarian economies into modern urban commercial, industrial and services economies, have been expanding their populations at an extremely rapid pace, unprecedented in the history of human civilizations. Whilst in the 1960s and 1970s, urban population growth was primarily caused by rural to urban migration, by the 1980s it was increasingly caused by the growth of city populations themselves.

The other major factor affecting the way in which developing countries provide livelihoods and employment to their populations has been the changing relations between the international or global economy and the domestic economies of those countries. Indeed the rapid change in where people live and pursue their livelihoods, has been accelerated and skewed by the impacts of increasingly unrestrained global capital on both the rural and urban economies of developing countries. Besides being a major contributing factor to astronomical rises in land prices, the increasing flow of foreign capital has resulted in a growing concentration of land ownership in both rural and urban areas in most developing countries.

Over recent decades landlessness in rural areas has increased in most of the developing countries of Asia. It is still rising as many small scale farmers whose holdings are barely economically viable fall deeper into debt and are then forced to sell out. The advent of agribusiness and large scale land holdings which make it harder and harder for small producers to compete, has contributed to this trend despite decades of rural development projects ostensibly to lift the rural poor out of destitution.

Life for the poor in rural areas, especially the landless, is very harsh and precarious. The cost of rural labour is extremely low and the prices for rural produce increasingly volatile in the face of global market competition. In the developing countries of Asia the farmers are not subsidized and in some countries the domestic prices for staples like rice are fixed by governments so that poor farmers themselves are forced to subsidize the food supply of urban populations both rich and poor.

Consequently the rural poor endure extreme privations with regard to food supply and shelter. Many, if not most, cannot afford even the most basic health services and education opportunities for their children. So for the rural poor, moving to the cities and towns makes sense because it allows them to survive economically which they can no longer do in rural areas. It also brings them within reach of basic physical utilities like clean water and electricity as well as social services like schools, clinics and hospitals. And perhaps most importantly the move also provides better prospects for their children, particularly if they can benefit from the better standards of education available in urban areas.

4. How governments and city authorities have responded to inbound migration from rural areas.

In the vast majority of cases, cities in Asia have not been able to develop their infrastructure and services fast enough to cope with the continuing influx of poor people who have left the increasingly harsh conditions in the rural areas to seek a stake in the emerging urban economies. Though this ongoing influx and the natural urban population growth have provided a huge labor pool to fuel urban economic growth, policy makers, city managers and urban planners and have found themselves confronted with a range of perplexing and persistent problems.

In the 1960s, 70s and 80s, cities and towns increasingly experienced acute backlogs of infrastructure like roads, water and electricity supply, drainage, sewerage systems and social services like health and education. The continuous flow of, for all intents and purposes, physically evicted rural communities and economically evicted small and landless farmers, necessitated the emergence of slums and squatter settlements to shelter them. There were no other affordable and viably located land and housing options for the rural to urban migrants to occupy, so they had to put up their own shacks on vacant land or rent them from others who had arrived before them.

National policy makers, city managers and urban planners, in some cases panicked by what appeared to them to be a slide into lawlessness and anarchic development, have been unable (and probably unwilling) to see things from the point of view of the poor. Apart from condemnation, harassment and periodic evictions, a common response of national and local governments was to do nothing to improve the plight of the poor lest such policies and actions encouraged more people to migrate from rural areas. However, official negligence did not stop the flow of men, women and children seeking survival in the urban areas of their countries.

5. The poor live in slums and squatter settlements because they have no alternatives

Historically urban economies have always prospered on the cheap labor of large populations of poor and unorganized people who were willing to work simply to survive. Over time, the urban poor have continued to make enormous contributions to the smooth functioning and growth of the city economy by doing the lowly paid work that the better off would not do; by sweeping the streets, cleaning the drains and collecting and recycling the garbage; by providing (through the informal sector) very cheap goods like food and household utensils and affordable services like domestic help and transportation to a much broader span of the city's population; by working in its shops and factories; and by building the new generations of buildings and infrastructure to serve the diverse needs of all income groups and economic sectors.

But while the wealthy and higher income groups have benefited and prospered from the urbanization of national economies, the urban poor have been left behind. Their work has been under-remunerated and they have had to pay much higher rates for basic services like water and electricity (because they live in illegal and therefore un-serviced settlements). Consequently the urban poor have been unable to achieve any formal social security or minimal level of economic security. Instead they have had to struggle to survive and shelter themselves in such a markedly sub-standard manner.

The formal land and housing market has been unable to provide land and/or housing that the poor could afford to rent or purchase. Government housing programmes, which usually entailed huge subsidies, have also failed partly because:

- the amount of housing produced by such programmes came nowhere near to meeting the real demand.
- the housing products were badly located and inappropriately designed for low income users.
- of the corruption in the construction and allocation of the dwellings.

- even when genuinely poor households obtained a house or apartment, the monthly payments were too high for them to repay on a regular basis so they sold their units off to richer households.

Consequently the vast majority of the urban poor have had to rent spaces in inner city slums or squat in vacant land on the periphery of the city. In both situations the poor have had to improvise and provide most of their own basic services for themselves.

Over successive decades, the burgeoning population growth on the one hand, and the rapid physical expansion of the urban centers on the other, only served to threaten their presence in increasingly densely populated inner city slums and in now, no longer peripheral squatter communities. While successive evictions have already wiped out the household assets of many, the continual threat of eviction has continued to limit the capacity and willingness of most to invest in improving their housing and settlements. The constant threat of eviction and the lack of secure tenure prevent the poor from investing in improving their housing and settlements. As a result the urban poor have been perceived by the economically better off as social ‘undesirables’ who flagrantly breach laws and who enjoy living in squalor. As such, they are viewed as both a threat and an embarrassment. Consequently, their communities have been seen as blights on the landscapes of their cities that must be removed as quickly as possible in the name of urban rehabilitation, development and beautification.

6. Understanding the housing needs of the urban poor

Housing for the poor has to meet different needs or functional criteria than housing for the middle and higher income groups. Understanding these needs helps us to understand why the formal private sector and state housing agencies in almost all Asian countries have been unable to effectively address the housing needs of low-income populations.

Location

For the poorest of the low-income groups, day to day survival is the primary concern. This means that accessible employment opportunities are the paramount consideration in choosing a place to live. Housing quality is much less important. A housing arrangement that is close to the best income opportunities at the present time and flexible enough to enable a move to another better job when it arises is what the very poor seek. A poor household may therefore opt to purchase a minimal shack in an overcrowded slum or squatter settlement on low-lying flood prone land or alongside the railway tracks rather than buying a soundly built house or apartment in a public housing programme on the outer fringe of the city.

Many housing programmes intended for the poor, including medium to high rise apartment blocks and sites and services schemes, have failed to attract or retain them because they were too far away from the city’s commercial centre or industrial areas as well as from schools, health clinics and other essential social services. For the poor, daily expenditures on bus fares for a family of five can easily mount up to 10 or 20 percent of their household income. As well as not being able to afford the cost of traveling to and from the places where they earn their living, the poor cannot afford to lose too much of their time in commuting. **A good location means access to jobs or livelihood opportunities. A bad**

location means higher transportation costs and losses of employment time and hence less income.

Moreover, because they lack basic legal documents and have had few educational opportunities, many of the poor are self employed petty traders and artisans. This means that if they were to commute they would have to carry their goods and equipment with them. This is usually just not feasible using public transport even when the latter is provided by informal entrepreneurs. Many people, who are street sellers of fresh or cooked food for example, usually have to walk or bicycle with their trolleys or carts to the places where they ply their wares. This imposes physical limits on how far they can live from their places of work.

Multiple functions

Housing for the poor is often not just a dwelling but a workplace as well. The urban poor use their houses not only for living, but also for work related activities such as small scale production of household items and foodstuffs or providing services such as sewing, cleaning various items (including laundry) and repairing machinery and other equipment. The simultaneous residential and economic function of their housing makes living at ground level far more suitable. In many slums and squatter communities they may even rent out a room or a portion of their dwelling to others to increase their family income.

Reliance on community-based social security systems

Poor families in squatter settlements and slums have to rely on their neighbours not just in times of emergency but also on a day to day basis for many different kinds of mutual assistance and support. Unlike the middle and higher income groups, they cannot receive many of the basic urban services like electricity and water supply through formal individual household connections so they have to obtain them from the informal networks of neighbours. Similarly, when the people in such communities lack drainage, walkways and access roads, they have to come together to make some rudimentary version of such infrastructure themselves. They also have to mind each other's children, look after each other's security and provide company, support and solace for each other.

The poor have to help each other and though the process is not always trouble free, it is what enables them to survive. Indeed it is this human interaction of caring and sharing that makes slums and squatter communities, places of happiness and hope despite their often ramshackle and squalid outward appearances. **In poor settlements and neighbourhoods people live in day to day contact with their neighbours. This provides them with a 'community' form of social security.**

It is no wonder then that when poor households become "beneficiaries" of low-income housing projects which isolate them in high rise apartments or low-income housing estates on the edge of the city, they often feel alienated and at a loss. They are reacting to the loss of something valuable to their daily survival and their humanity - their neighbours, their community. Living in better housing with better services has its benefits but it renders them more reliant on estate managers and officials than on themselves and their neighbours. As such it denies them a means of asserting their wishes and of maintaining their self esteem, human solidarity and control over their destinies.

7. Eviction contributes to the problems of urban poverty and slums and squatter settlements rather than solving them.

As we have noted above the poor are the main victims of evictions in cities in Asia. In such cases they are unfairly treated because, unlike people from higher income groups, they are unable to acquire viable alternative housing opportunities through the formal land and housing markets. Evictions that forcibly remove poor people from their houses and communities and that demolish their housing and destroy or confiscate their household property, leave already very poor people, even worse off, sometimes completely destitute and psychologically damaged.

Most governments and city authorities argue that when they evict squatters from public (and even private lands) to install physical infrastructure like new roads, drainage, electricity and water supply grids, they are only trying to meet the infrastructural needs of current and future generations of city residents. However, through forced evictions they are systematically denying very large numbers of currently poor urban residents' access to such basic services. So by having their meager shelter and other physical assets destroyed and being pushed out to other unserved areas of the city, the poor are twice penalized for being poor.

Many development professionals and highly respected members of civil society have questioned the logic and justice of evictions in the context of national social and economic development. Though legal codes do state that governments or private title holding land owners have the right to physically evict people from their land, in the context of an urbanizing developing country, **eviction is not a sensible or constructive approach to solving the problems of poverty, landlessness and homelessness that underlie squatting.**

8. Evictions also violate United Nations covenants on housing rights.

One of the key insights that underpinned the writing of the remarkably enlightened United Nations Charter was that the majority of national political and legal systems that existed in developing and developed countries alike were inevitably biased in favor of the 'haves' and against the 'have nots'. The Charter declared that the UN should work specifically to rectify that inequity and injustice through negotiating and ratifying covenants to protect the powerless and oppressed and to redress the economic and social disparities that sustained such flawed systems of governance. Since then many international covenants on economic and social rights have implicitly addressed the right to housing. Under the auspices of the UN, the latter covenants should effectively supersede national laws including eviction laws which unfairly penalize the poor and socially marginalized. Not all countries immediately signed off on these covenants but over the last two decades the great majority has done so. In those countries which have committed themselves to these covenants, one course of action for communities and their coalitions is to appeal to incumbent governments to honour their commitments to international law.

Box 1: Housing Rights

What is the Right to Housing?

The right to housing is much more than simply a roof over one's head. Housing requires a habitable space that fulfills the basic needs of humans to personal space, security, and protection from the weather. The right to adequate housing means people must have equal

access to a safe, habitable, and affordable home. It also means people must be protected against forced evictions.

What are the minimum requirements?

- **Legal Security of Tenure:** this protects people from eviction, harassment, and other threats. The States must provide and enforce security of tenure in consultation with affected groups
- **Availability of Services, Materials, Facilities, and Infrastructure:** Housing includes facilities essential for health, security, comfort, and nutrition. For example, there must be safe drinking water, energy for cooking, heating, lighting, sanitation facilities, refuse disposal, storage and emergency services
- **Affordability:** The cost of adequate housing should not compromise the satisfaction of other basic needs
- **Habitability:** housing must protect its inhabitants from cold, damp, heat, rain, or other health threats and structural hazards. It must also provide adequate space for its users
- **Accessibility:** all people are entitled to adequate housing, and disadvantaged groups in particular must be accorded full and sustainable access to housing, which may mean granting them priority status in housing allocation or land-use planning
- **Location:** housing should be located in areas with access to employment options, health-care services, schools, child care, and other social facilities. This applies equally in urban and rural areas. Housing should not be built on or near polluted sites or sources of pollution
- **Cultural Adequacy:** activities geared towards development or modernization of housing should ensure that the cultural dimensions of housing are not sacrificed, while simultaneously ensuring modern technical facilities

However, as we look at developing countries around the world whose governments assert that they are striving for the economic and social development of their poor people, it is hard to find any that are not engaged in evictions of some kind, almost always of people and communities who are economically disadvantaged or socially handicapped. One thing is sure, the more eviction that is taking place within a country, the more inhumane and inequitable that country's national development is. Eviction, whether it occurs in rural or urban areas, is a primary indicator of social and economic injustice.

So it is clear that what is needed are humane and just alternatives to eviction. When and where there are absolutely no alternatives to eviction, then more humane and collaborative solutions have to be found. Happily there is a wealth of experience on both courses of action.

9. Finding alternatives to eviction: How security of tenure helps poor people to improve their housing and settlements

As far back as the 1960s it was already clear that the lack of secure tenure and the continual threat of eviction were the major obstacles to hard working urban poor communities making any headway in achieving better quality housing and living environments for themselves and their families. Studies conducted initially in Latin American cities which were experiencing the highest urbanization rates during that period,

revealed that there were striking improvements in those settlements where the residents felt that they were less likely to be driven off the land on which they had settled. In many cities these settlements had resulted from organized mass invasions of often state land on their urban edges. A particularly famous example of such settlements was Villa El Salvador in Lima, Peru.

Box 2: Villa El Salvador, Lima, Peru

In late April 1971 more than 50,000 poor people invaded land on the outskirts of Lima that was intended for residential houses of upper-class people. Although they were repressed at first, these hard working people were later relocated to a desert area without any services, 19 kilometers from the capital city. In that desertified and empty prairie, without external aid or support from any NGO, the community organized to eventually create Villa El Salvador. It did so by forming a new kind of civilian organization: the Comunidad Urbana Autogestionaria de Villa El Salvador (CUAVES), to guide the people's efforts to better their lives. Its communal organization, was based on and inspired by the ancient peasant community, the labour unions, and the Cuban territorial organization.

The self-management is based on residential groups and blocks, which construct premises, plant trees in parks, streets and avenues and take care of such matters as health and education. Blocks or group of blocks have their own central parks and premises for communal deliberation, recreation and culture. Practically all the population has been, in one way or another, directly involved. The methodology used in this experience has been "community self-management" which implies a grassroots' democracy. The secret lies in the creation of multiple interlinking social networks strong enough to survive very harsh and trying moments.

After its first ten years, Villa El Salvador was recognized as a new legal municipality with 300,000 inhabitants. It elected a mayor and organized the Popular Women's Federation that played a leading role in defining community problems. Although focused on the women's traditional reproductive role, these organizations have proven an impressive potential in changing uneven gender relations and in strengthening civil society.

The Villa El Salvador Municipality has created a radio station used to discuss community problems. Recently it has become one of the first municipalities to incorporate public computers' outlets in its democracy. They are equipped with interactive devices, so that Villa's inhabitants not only can receive information about the topics of the day, but give their opinions and comments too. It is a sort of 'online' democracy.

In other Latin American cities where vacant state owned land was scarce, individuals and groups of the urban poor households purchased plots and parcels of land on the urban fringes from farmers and began to construct their houses and communities. However, as such land was not in areas approved for residential or housing development, these new settlements were still technically illegal and potentially subject to eviction. However, over time these land conversion processes became commercialized and new households wanting to build in such settlements could buy in at a cost determined by the informal market. The important outcome was that those living in these increasingly commercially successful informal settlements were gradually able to upgrade the quality of their houses and to obtain basic services and infrastructure, sometimes through state or city provision and

sometimes through the informal sector itself. Thus *de facto* the tenure status of individual plots and settlements could also change over time from initially one of illegality to ones of semi-legality and finally full legality.

At each more secure stage in time households would invest in housing improvements with increasing confidence in their right to stay. And each time they achieved improvements to their community infrastructure and their housing quality they were enhancing the status of their tenure security. This in turn enabled the occupants to invest even more in housing improvements with full confidence that their houses would not be demolished or confiscated by the state. The more improved a settlement becomes, the more attractive and acceptable it becomes to city authorities who in turn, become more reluctant to engage in politically costly and economically wasteful destruction of decent housing and infrastructure.

The growing recognition that lack of secure tenure prevented urban squatters from developing better housing and infrastructure (without any major expenditures from the city or state authorities) was further accelerated and reinforced by a number of landmark provision of tenure or slum regularization policies and programmes in Asian countries in the 1970s and 1980s. Despite the possible political opportunism that prompted them, these programmes are worth our consideration because they help to illustrate the more positive proposition that if poor people living in cities are granted security of tenure, they will take initiatives to improve their housing and communities.

The Katchi Abadi Improvement and Regularization Programme in Karachi, Pakistan came about as a result of the Karachi Master Plan of 1975-1985. Under this programme *katchi abadis* “notified” through the regularization procedures would be accorded secure tenure, incorporated into Karachi’s development planning and receive various kinds of infrastructure development support from the Karachi Municipal Corporation (KMC). This programme became part of a National Strategy that was launched under the Sixth Five Year Plan. As a follow up, the Government of Sindh Province promulgated Martial Law Order 183 stating that all *katchi abadis* existing on or before the date of its promulgation would be regularized and improved. Subsequently the Martial Law Order was converted into the national Katchi Abadi Act of 1978 and each province subsequently enacted its own Katchi Abadi Act using a similar regularization approach.

These various steps eventually enabled community based upgrading initiatives in housing and infrastructure on a very large scale to blossom in many of Karachi’s squatter settlements. In the half of the Orangi Township that was guided by the Orangi Pilot Project (OPP) from 1980 until 1988, 34,856 houses out of 43,424 built their own sewerage system. Over 173 secondary drains were constructed; 135 financed by the lane residents and 38 by the KMC. The Orangi households invested almost US \$1.7 million in the development of a waterborne sewerage system for their own communities.

This process of regularization of *katchi abadis* still continues today as the Katchi Abadi Act was revised in 1985. As of 2003 some 5.5 million people lived in *katchi abadis*. Almost 85% of *katchi abadis* in Karachi have been notified as of 2005 for regularization and improvement.

Box 3: Orangi Pilot Project, Karachi, Pakistan

The Orangi Pilot Project (OPP) was established in 1980 with the purpose of overcoming the constraints faced by the government in regularising and improving *katchi abadis* as informal settlements are called in Pakistan. The objective of the OPP was to: i) understand the problems of Orangi (the largest *katchi abadi* in Karachi) and their causes through participatory research; ii) through community based action research develop solutions that people can manage, finance and build; iii) provide people with technical guidance and managerial support to implement the solutions; and iv) in the process, overcome constraints that government authorities face in the upgrading of *katchi abadis*. Participatory research identified four major problems: i) Sanitation; ii) Employment; iii) Health; and iv) Education. Sanitation was considered the most important and has been the main focus of the OPP ever since. The OPP divided the delivery of sanitation into “internal” and “external” components.

Internal development by lane organizations and their confederations

The process has consisted of mobilising communities in Orangi. Meetings were held in the lanes and people were told that if they formed a lane organisation and elected, selected or nominated a lane manager, then they could apply to the OPP for assistance. Once a lane applied for assistance, the OPP sent its team to survey the lane and a map and estimates for its development were prepared and handed over to the lane manager or the lane team. They then collected the money from the residents and organised the work with OPP technical supervision and managerial guidance. Initially, only those lanes which were near a natural drainage channel into which they would discharge, could participate. Later, lanes that were far away from the drainage system began to apply. For them to discharge into the natural drains, the construction of collector sewers was required. This led to the creation of confederations lane community organizations that financed and built the collector sewers. In certain wards where the confederation of lanes was strong, the elected ward councillors funded this effort. Maps of the ward, identifying where the collector sewers were required and their costs in terms of labour and materials were prepared by the OPP and handed over to the lane organisations and the elected councillors.

External Development by local, provincial and national authorities

It was clear to the OPP from the very beginning that the natural drains into which the sewage was being disposed could eventually be converted into box trunks with treatment plants where they meet the natural water bodies. It was also clear that a long term solution would only be possible through a genuine partnership with local, provincial and national government agencies. The expanding community based achievements of the OPP gradually won the collaboration of the Karachi Municipal Corporation which is now converting the natural drains into box trunks with treatment plants where they meet with natural water bodies.

Scaling up the OPP Sanitation Programme

Overtime other Government agencies and departments have adopted the OPP concept with the OPP technical team serving as consultant and trainer. The first, the Sind Katchi Abadi Authority (SKAA), was the provincial government organization empowered to develop and regularize *katchi abadis*. By adopting the OPP methodology, communities got themselves organized and contributed to their own development. This resulted in a more equitable relationship between them and the SKAA. Previously the SKAA depended entirely on International Funding Institutions but it is now solvent and requires no external finances.

In Orangi 96,994 houses have built their neighbourhood sanitation systems by investing Rs 94.29 million (US\$ 1.57 million). Local government for the same work would have invested Rs million (US\$ 10.06 million). All sewage discharges into the natural drainage system as for over 80 per cent of Karachi. Infant mortality in areas that built their sanitation systems in 1983 has fallen from 128 to 37 in 1993. OPP-RTI investment versus people's investment is 1:18.2.

As of the end of 2005, 46,821 houses outside of Orangi in 11 Pakistan towns at 284 locations have built their internal sanitation at a cost of Rs 88.15 million (US\$ 1.46 million). The replication projects have been able to mobilise Rs 146 million (US\$ 2.43 million) from local government funds for building "external" development and sewage disposal systems not only for their settlement but for large areas of the town and/or city. In two replication projects water supply systems have also been laid on an "internal-external" basis. In three small towns the replication project has become consultant to the government for water supply, sanitation and road paving projects all being built on the "internal-external" concept.

Another landmark Asian experience in abandoning eviction and ineffective state housing construction programmes was the Million Houses Programme (MHP) launched in 1984 in Sri Lanka. Instead the MHP provided secure tenure (in this case freehold titles) as an enabling measure for the rapid development of large supplies of improved housing stock and basic infrastructure and amenities through a community led process supported by the government. The state and local government agencies provided technical guidance, small house construction loans and basic infrastructure to support the communities in their own settlement development.

Box 4: The Million Houses Programme (MHP), Sri Lanka

The MHP's Urban Housing Sub-Programme focused its approach on organizing poor communities in inner city slums and peripheral shanty settlements to participate in the process of physically re-planning their communities in order to facilitate the upgrading of basic infrastructure like drainage, water and electricity supply and access roads and lanes. Many of the communities had existed for decades and there were great differences in the sizes of the existing houses and housing plots of the residents. Usually those that had come earlier had occupied more space and had more time to develop more substantial houses whilst those who came later had had to make do with much smaller spaces and houses.

The communities would form Community Development Councils (CDCs) in which all households were represented. It was the CDC, together with NHDA social and technical staff, that would draw up the new lay out for each community. It was a challenging process and there was considerable resistance from some of the better off residents to reduce their land and house areas in order to provide additional land for the housing plots of those who had occupied very tiny spaces as well as for the new infrastructure grids. Additionally many households, including the very poor, were reluctant to move to new locations within (and sometimes outside) the settlement to enable the rational allocation of formal titles for their housing plots. In each community the negotiations were very complex and challenging but the incentives of legality, security and better services and living environments proved highly effective in gaining consensus and collective commitment of the households and communities to the programme.

The negotiation process within each CDC was a vital tool for building better organized communities that could share a common vision for their mutual development in the future and work together to achieve it. Householders were also assisted with phased construction loans that enabled them to begin building their new core houses as soon as they had moved onto their new or adjusted plots. Between 1984 and 1989 more than 38,000 households in Colombo alone saw their housing and settlements improve dramatically with consequent positive impacts on their health and economic well being.

Large scale experiences like these have served to demonstrate the enormous potential that secure tenure provision has for generating better quality housing and living environments for the urban poor without resorting to evictions. These approaches are still being emulated in many cities and towns in Asian countries today. However, the intense pressures on urban land for commercial developments as well as for infrastructural network modernization and expansion, is making it more difficult to sustain such policies in major cities. Also, it is increasingly difficult to prevent higher income groups from buying up the tenure rights of the poorer families and gradually gentrifying well located low income communities. This throws into question the widely advocated approach of providing households in low income communities with individual land titles and suggests that other mechanisms like collective or community titles might be more effective in sustaining poor communities in good urban locations.

Box 5: Land titling programmes and gentrification

One of the greatest obstacles to the gradual improvement of many low income urban neighbourhoods is that they lack secure tenure and are therefore vulnerable to eviction or demolition at any time. Ironically however, lack of tenure security along with poor environmental conditions and a lack of essential services, is one of the key factors that keeps richer families and speculative investors from moving into a centrally located poor urban neighbourhood. These legal and physical deficiencies enable the poor to retain their hold on such coveted locations.

One of the paradoxes of social development and poverty alleviation programmes is that once you make a squatter settlement more secure by regularizing it, formalizing users' rights or giving land titles to its residents, richer people will begin approaching the poor householders with tempting sums of money to buy them out. And what sane person is going to refuse an offer to trade in their shack for more cash than they could make in 5 years? But when the poor do take up these offers, as many invariably do, just listen to the chorus of condemnations coming from all sides: "See what the poor do when you provide them with secure land tenure and housing? They sell it off and return to the slum!"

Not everyone sees gentrification, the process where poorer households are bought out of very good urban locations by those higher income groups, as an unwelcome outcome for urban real estate. Land titling schemes are being launched, often under the rubric of poverty alleviation programmes, in which land assets already being used informally by the poor are being formalized through the issuance of full individual land titles. The titling schemes are being undertaken ostensibly so that the poor can use their land titles as collateral for loans to start up or expand their own small businesses. But in the minds of many, alarm bells are going off because they see this as a thinly disguised subterfuge for

pushing out the poor by means of market forces. In this version of eviction there are no villains, no victims, no messy and embarrassing demolitions. It all happens very gradually, one plot at time, so hardly anyone notices until one day, all the poor are gone!

10. Finding alternatives to eviction: Strengthening communities through secure tenure rights and developmental support.

It is now clear to academic researchers and development practitioners, as well as to the thousands of urban poor communities themselves in Asia and elsewhere, that the best way to help the poor gain access to better housing and living conditions is through providing them with basic levels of tenure security and supporting jointly planned settlement upgrading activities with them. Over the last 20 years or more there has been much learning on how this collaboration can help to strengthen the communities themselves and to improve their relationship with the local authorities and other government agencies concerned in the process.

Community participation or involving poor communities in their own development efforts or is not just a mechanism to cut costs to the state or city through obtaining contributions in cash or in kind from the householders to the upgrading process. Neither is it simply a means to gain the householders' consent to the city's planning goals or their cooperation in the implementation of the physical upgrading. Having the poor participate in the planning of the upgrading is primarily important because it helps to restore their civic rights. It also increases their commitment to their community's development and deepens their understanding of their ongoing and potential role in their city's development. This kind of community development builds citizens who are aware of their responsibilities towards their neighbours and fellow urban dwellers and who have a sense of solidarity with them, something which is dying off in more affluent parts of the city where people no longer know or even want to know their neighbours. In this respect, the rehabilitation of tens of thousands of households in the larger cities of Asia through more people centered rather than profit centered approaches to urban development, may hold the promise for more peaceful and socially responsible urban futures for us all.

However, in certain cases it may not be possible to provide much in the way of tenure security for squatter communities. For example, for some communities that occupy land that is too vulnerable to natural or man made hazards, it may not make sense to provide tenure to them. Providing tenure security in such cases may undermine other public health and safety policies. In such cases it might be best to leave them where they are and to plan for residential alternatives with them in the medium term. Just providing basic services like water and electricity supply, sanitation, and walkways might be enough to generate marked improvements in the health and well being of the residents.

In the meantime the local authority and local NGOs can assist the community in strengthening its community organization by helping it to identify alternative locations to which the community would be willing to move. Other measures, like the formation of community based savings groups and undertaking study trips to other communities that have successfully relocated to safe locations where they can own or lease land, can help to build stronger, better informed and more capable communities. When poor communities are encouraged rather than harassed and when they are linked to networks of other poor communities, they can pull themselves up out of poverty and dependence and achieve

secure futures for themselves with relatively small contributions from the state or other external sources.

11. If resettlement is absolutely necessary then make it as ‘poor friendly’ as possible

Under certain circumstances however, some communities may need to relocate to other areas. A particularly obvious case is when the settlement is located on very hazard-prone land like on a river bed or low lying bank or on a steep slope prone to mudslides. Leaving people in perilous conditions would amount to a dereliction of duty on the part of the authorities concerned. In such cases an agreement with the community to resettle on a new site that is acceptable to its members, together with adequate compensation and start up support on the new site, should be negotiated as expeditiously as possible. The poor do not relish living in hazardous conditions and only do so when there is no other alternative site on which they can live and economically survive.

Box 6: Vasna Relocation Project, Ahmedabad, Gujarat, India

When the Sabarmati River swelled to overflow its normally safe banks on 31 August, 1973, it devastated the makeshift huts of some 3,000 desperately poor households living on or alongside the river. Some lost their belongings, a few lost cattle and at least three families lost all their children.

While the Ahmedabad Municipal Corporation (AMC) set about arranging emergency relief with the support of voluntary agencies, one of the latter, the Ahmedabad Study Action Group (ASAG) found that this time, the sheer severity of the flood had made the victims recognize that living on the bed and banks of the river was no longer safe. If a viable, affordable and acceptable alternative were offered, they would consider shifting voluntarily. ASAG pointed out to the AMC that earlier efforts made to relocate the riverside slum dwellers had met with resistance as the riverside squatters were either forcibly driven out or offered accommodation at a price and a location they could neither afford nor accept. For successful relocation it argued, the involvement of the flood-affected communities at every stage in the process was essential.

In order to draw a profile of the community, a household survey was conducted immediately after the floods. This revealed that the affected families had been living in 20 unauthorised clusters on the river’s banks. The survey indicated that the average family size was 4.6 persons and that the two predominant religious groups were nearly equally represented—44 per cent being Muslim and 54 per cent being Hindu. While around 25 percent were employed as office and factory workers, most of the remainder was self employed in the informal sector or worked as day labourers. Approximately 23 percent of the households earned Rs.75-150 per month, another 23 percent earned Rs.150-225 and 20 percent earned Rs.225-300.

ASAG convinced the AMC that, to help the flood-ravaged slum communities lift themselves out of poverty and insecurity, a comprehensive development programme was needed, not merely a housing project. So the AMC adopted the broad based development strategy outlined in ASAG’s proposal. In support of this the Government of Gujarat, as part of its flood rehabilitation policy, agreed to allocate a 43-acre site, 7 km from the centre

of the city, together with a subsidy of Rs.700 per family. Though the site was outside its jurisdiction, the AMC, in an unprecedented gesture, agreed to provide the infrastructure and services including piped water, sewerage, street lights, roads and social amenities such as a school, shops and community centres. OXFAM, a British development aid agency, supported the proposed overall 'development strategy and agreed to contribute Rs.400 per household and an additional grant to support a social action component.

A detailed inquiry through personal discussions, group interviews and surveys revealed that a large majority of the disaster victims was willing to pay between Rs.15-20 per month per family for a new house. The Housing and Urban Development Corporation (HUDCO) approved a low interest, easy instalment loan to be repaid by the families over a 20 year period. A large majority of the affected slum dwellers, after weighing the implications of the move, indicated their willingness to shift to the new housing site at Vasna.

The resulting community at Vasna was a pioneering example of a sensitive squatter relocation project that engaged the affected communities in all aspects of the process including the house design, the community layout and most importantly, the right to an economically viable and acceptable relocation site.

Another more frequent reason for such relocations in recent decades has been the implementation of large scale infrastructure projects like expressways, ring roads and transportation systems. Many of these mega projects are being funded by international development loans or as joint ventures between big local investors and international finance companies. As the scale of finance involved and the profits for investors and the construction contractors are enormous, the pressures to remove poor communities that stand in their way are extremely powerful. Too often the planning of such projects is carried out without any sustained public scrutiny and routes are chosen in such a way that they do not disrupt the neighbourhoods of the 'haves' but instead target those of the 'have nots'. As the box on the Baan Krua Community's response to such blatant injustice demonstrates, policy makers and city administrators should take care to conduct decision making on infrastructure planning in a transparent and accountable manner with the due participation of all interested and affected parties. Not only does the unjust threat of eviction put communities in a corner leaving them no alternative but to resist, it also galvanizes support for the victims from members of the public at large who naturally fear that the same injustice could one day be inflicted on them.

Box 7: Baan Krua Community, Bangkok, Thailand

In 1987 the historic community of Ban Krua, comprising some 1200 wooden houses along one of the last remaining navigable canals in central Bangkok, was served with an eviction notice by the Expressway and Transit Authority (ETA). The spiritual life of this Cham Muslim community was closely attached to the land on which it stood which had been granted by King Rama 1 to their ancestors whose remains still rest in the graveyard in the heart of Ban Krua. Besides expropriating half of the community and bulldozing the mosque and the cemetery, the construction of the expressway would cover what was left with ten lanes of noise and air polluting traffic.

As soon as they heard of the plan the people took to the streets in vocal but peaceful protest. The complex conflict dragged on until May 2001, with public hearings and

various cabinet resolutions as well as cancellations and resurrections of the project under successive governments. The long battle between the community and the ETA galvanized a virtually indomitable community resistance to the powerful political forces and vested interests ranged against it making Ban Krua's experience an object lesson in community mobilization against eviction.

The community's highly organized campaign against eviction included meetings, protest marches, sit-ins, rallies, exhibitions and behind the scenes detective work. To counter the threat of arson, which in Bangkok as in other Asian cities, is a common means of clearing old, usually wooden, settlements, the community maintained 3 fire stations, each with 20 trained community volunteers operating in shifts throughout the day and night, and 8 motor boats fitted with sophisticated fire fighting equipment.

From the beginning community attended all ETA meetings and armed themselves with all relevant information. They knew that projects like the expressway gave the city authorities a legal means of eradicating "underdeveloped" settlements like Ban Krua. Two public hearings determined that the on-ramp expressway was unnecessary but powerful retailers kept pushing the project to improve parking access to their nearby shopping malls. Ban Krua's stiff resistance to eviction touched a responsive chord in Bangkok's population which was increasingly aware of all the cultural richness that it had sacrificed in the name of economic development. Academics, historians, journalists, artists as well as a growing network of community groups, human rights activists and sympathetic government officials put themselves behind the community from the very beginning. Finally in May 2001, the ETA announced that it would abandon the planned expressway project.

In many cases, however, there are valid and justifiable reasons for asking squatter communities to relocate. Communities are usually willing to cooperate if they can see that they will have a better future in the proposed new settlement. The three fundamental factors that determine a positive outcome for the affected community in a relocation project are the following. First the communities must be accorded the right to form their own representative organizations and/or savings groups which can negotiate effectively for all the residents, renters as well as house owners. Second the community organization must have a full say in whether the proposed relocation site is acceptable to them, that its members see it as a place where they can survive economically and gradually improve their standard of living. The third factor is that the relocation process must be as painless as possible, meaning that the new site must be adequately prepared, that the physical removal process protects their socio-economic assets as far as possible and that they are given adequate support in the settling in period.

In order to protect the poorest and most vulnerable groups it is important that city authorities and/or state agencies involved, together with the poor communities facing relocation jointly develop a set of guidelines which set down clearly the terms and conditions for the selection, preparation, removal and settling in phases of the relocation process. Such guidelines need to include a clear timeframe for the relocation that allows the communities concerned to fully prepare themselves for the move.

Well before the joint selection of a suitable relocation site, each community needs to undertake a full enumeration survey of its residents to determine who are occupying their own houses and who are renting accommodation from others. This is necessary for the

community and the authorities to make decisions on who will be entitled to get a plot in the new relocation site. For example in Phnom Penh in 2001, people relocating from the Bassac community decided that renters who had been living in the community for 3 years should have the right to a plot but house owners who were not actually living in the community should not get a plot on the new site. Mutually verified data from the survey will be vital later to ensure a transparent plot allocation process. The community needs time to organize its members and to engage them to analyze their location and plot size preferences so that they can set about identifying a suitable relocation site with the authorities.

New sites must be selected with due attention to the availability of vital services like water and electricity supply, drainage, flood protection and sanitation as well as health and education, public transportation and police protection. Indeed the design of the relocation lay out should place particular emphases on adequate public space for health centers, pre-schools and recreation as well as garbage collection points and fresh markets.

The guidelines should also specify clearly that physical relocations cannot be conducted until the new site is fully prepared and not during stressful periods such as in times of natural disasters or monsoon rains etc. Transportation should be provided by the authorities during daylight hours to enable people to protect their household effects and building materials from loss or damage. Additionally, there must be provision of support for disadvantaged people like the elderly, handicapped and female headed households to dismantle their old houses and to re-erect them as temporary shelter on the new site. In cases where the community members are unable to continue their employment and livelihoods until they have erected some basic shelter, food and water supplies should be provided for a specified period.

Finally the relocation guidelines need to specify the timeframe and procedures for the provision of land titles or lease agreements to the households. It is also vital that the authorities and the community organizations hold workshops prior to the relocation process to explain the terms and conditions that apply to the tenure agreements and to payments for utilities like electricity, water and garbage collection in the new settlement.

City authorities and related state housing agencies should bear in mind that relocation is always a very stressful and disaster prone event in the lives of very poor families. But when sincere efforts have been made to prepare and assist people as much as possible there can be satisfactory outcomes for all.

Box 8: Toul Svey Prey Relocation Project, Phnom Penh, Cambodia

In 1999 when 129 families in a roadside settlement called Toul Svay Prey, were to be evicted to make way for a municipal drainage project, they organized themselves through their savings group and negotiated their voluntary and self planned resettlement in a new site at Akphiwat Mean Cheay, about 8 km from the city center. The community had identified and selected the land for the relocation themselves and the Municipality of Phnom Penh agreed purchase it from its own project funds. The community savings group were active members of the Urban Poor Development Fund (UPDF) which had been set up in 1998 with initial capital of \$US 60,000 as a joint venture between the Solidarity for the Urban Poor Federation (SUPF), a federation of low income communities in Phnom Penh, the Municipality of Phnom Penh and the Asian Coalition for Housing Rights (ACHR). So

once the new site had been provided with basic infrastructure like drainage, water supply and sanitation by the United Nations Center for Human Settlements (Habitat), the households moving from Toul Svay Prey were able to obtain small housing loans amounting to \$US400 per family from the UPDF. The people planned and built their own houses and managed their own loan repayments.

SUPF turned each stage of the relocation process into training laboratory for other poor communities around the city through a constant stream of exchange visits. This collaborative project provided an instructive example of how an eviction stand-off could be resolved by a process which all parties could agree to and support in their different ways and through which the needs of all parties would be met. The city got the road clear in good time to complete its drainage project, and the 129 poor families got secure land tenure, decent houses and infrastructure.

The project was a learning process for everyone involved and Phnom Penh's first chance to see how a community centered relocation project could benefit all concerned.

12. The best way to avoid evictions is to have a policy to work in partnership with the poor and develop mutually acceptable solutions.

There is no doubt that most of the cities in developing countries are still confronting great challenges in providing enough serviced land and trunk infrastructure to cope with the rapid population growth that they are experiencing due to natural growth and to inward migration from rural areas. In many countries serious mistakes have been made on meeting the housing needs of the poor because policies were conceived and adopted without any consultation with the urban poor themselves. However, there have been some promising changes in policies and practices in countries throughout the Asian region over the last decades.

The first is that in many countries, where urban development was once presided over by central government agencies, there has been a trend towards devolving powers and decentralizing decision making on a broad range of issues to local levels. Hopefully gone are the days when all urban development plans were drawn up in far away capitals cities (by planners with little awareness of the realities on the ground) and then inflicted on towns and cities around the country. This kind of 'top down' planning often resulted in poor people being driven out of their communities onto the streets and into deeper poverty and social rejection.

Now, in most countries, local authorities have more autonomy and more responsibilities in city planning, land use management and infrastructure delivery whether or not they have the competence, capacity and ethics to carry them out successfully. At the same time local governments have been increasingly given responsibilities for social services including social housing and poverty alleviation and in addition, for environmental protection and management. In many ways these are all potentially positive steps because local governments are closer to the daily lives of their poor citizens. As such they can be made more accountable to the urban poor provided that poor communities are allowed to form their own independent organizations, that clean and fair local elections are held and that transparent and accountable local administrations are eventually achieved.

The second vital change in most countries (but unfortunately still not all) is that poor urban communities have also evolved over the last two decades. They have become more

organized and informed. At the same time they have become federated at city and even national levels. Poor communities have learned that by taking initiatives and developing their solidarity, commitment and discipline, they can build better relationships with city administrations and other sectors of the urban population. By doing so many communities and their networks have achieved much improvement in their housing, their settlements and their livelihoods. Ironically, the eviction issue has often been a primary stimulus to building solidarity within communities and between communities in cities and countrywide. Confronting the threat of eviction has been a vital step in engaging and empowering the poor in solving their problems in partnership with local and, where helpful, with national or state authorities and agencies.

Local governments can take the initiative on fostering community organizations by encouraging their formation through allowing NGOs, voluntary organizations and concerned academics to work directly with communities. Local governments can also introduce municipal bye laws to legalize community organizations formally or make recommendations to state or central legislators for the legalization of community organizations. The important issue is that the poor are given a means of collectively defining their own needs and assessing their financial and in kind commitments so that they can negotiate constructively with city authorities and landowners. In this way creative solutions which optimize outcomes for all sides can be developed.

Once these steps have been taken the urban poor communities, the local authorities and other urban stakeholders can work constructively to tackle the land and housing problems besetting their city and a spectrum of other imperatives like environmental rehabilitation and protection, social welfare, law and order and so on. Once the government-community/civic alliance begins to evolve it brings problems out of their sectoral isolation and into the domain of local collective action and responsibility.

Box 9: Banyu Urip Graveyard Community, Surabaya, Indonesia

In the 1950s, when poor migrant refugees and “freedom fighters” from the independence struggle began pouring into Surabaya, there was not enough land or housing available to accommodate them. So many of them had to improvise and develop their own solutions by squatting on any vacant land that they could find. At Banyu Urip there had only been a few houses for the graveyard’s caretakers but during this period a lot of these pioneering families (which included many prostitutes) began using the vacant spaces between the gravesites to build houses. By the late 1960s the graveyard had become a densely populated informal settlement comprising more than 3,000 houses in which over 40,000 people sheltered and lived their lives.

Despite pressures from some quarters to evict the families the Municipality of Surabaya made a wise decision to evict the dead and to protect and support the efforts and investments of the living community had made to house themselves in an overcrowded city. In 1967 the Municipality officially closed the cemetery and asked the descendants of the dead to relocate the remains of their loved ones to a newly allocated graveyard site. This move effectively gave security of tenure to the community enabling them to develop their housing and infrastructure through small scale improvements over time.

At a time when most Asian governments were evicting inner city slums, the *Kampung Improvement Programme* (KIP) was one of the first large scale government programmes to

demonstrate that upgrading poor settlements was in the best interests of the city as well as its poor citizens. KIP showed that when people have secure tenure and basic services, they will very quickly turn their *slums* into clean, healthy and attractive communities.

In 1979, Banyu Urip was included in the *Kampung Improvement Programme* (KIP) and upgraded over the next few years with paved walkways, sewers, storm water drains, tree planting and garbage collection, making as few changes as possible to the existing settlement layout as possible in order to preserve the resident's houses. The official status that KIP brought to Banyu Urip encouraged the development of many other kinds of social infrastructure such as mosques, meeting halls and schools. Secure tenure also encouraged the proliferation of new home based enterprises as well as a thriving market for rental houses and rooms. All the residents of Banyu Urip now have full tenure certificates as well as individual water and electricity connections. As a result of the Banyu Urip experience, squatter settlements in several other old cemeteries have been similarly transformed under KIP into decent low-income neighbourhoods with secure tenure.

But this kind of evolution towards constructive partnerships between local government and communities cannot occur unless certain practical measures are dealt with at the appropriate levels. In the first instance communities have to be accorded the right to organize independently of the state or local government authority itself. Community organizations need to be legitimized and legalized so that they can genuinely represent the interests of their members. They cannot be sham institutions controlled by the politicians, city authorities, local *mafias* or by powerful traditional leaders within a community. Over the last four decades there has a lot of exploration and experimentation to find optimal forms and mechanisms for building and sustaining community organizations and federations capable of leading their own development and partnering constructively with local and national authorities. Community based savings and loans groups and their federations have emerged as the most promising to date.

13. Community based savings groups and federations are mechanisms through which the poor can often organize sustainably

Savings and loan groups and federations or other mechanisms like community cooperatives and associations can help to bridge the huge gap between informal and formal systems- the informal system inside the community and the formal market system in outside world -so that money can flow back and forth in a balanced way to allow the informal community system to survive and sustain its members. When external capital is loaned to the poor without this bridging mechanism that savings groups provide, poor people are more likely to become further indebted than they were at the outset.

Community savings groups have a fundamental relevance to all slum and squatter communities, especially very poor communities facing eviction, because they tackle poor people's primary problems of poverty of income and lack of affordable credit. When people begin saving together, even on a very small scale, they are taking the first psychological, social and financial step towards climbing out of debt and eventually out of poverty. Joining together to form a savings group that is owned and managed by the members themselves, marks their first step out of individual isolation and resignation into collective mutual interest and a shared commitment to changing their situation in life. By encountering their fellow savings group members to contribute their savings and through meeting regularly together to manage their savings and decide on how they are to be

allocated to their members as loans, the group members begin to develop their solidarity, self esteem and confidence. By saving together on a regular basis the members are gradually able to overcome their social isolation and develop a range of knowledge and skills that have previously been unavailable to them.

Box 10: Mahila Milan, Mumbai, India

Mahila Milan which means “women together” in Hindi was formed in 1984 in Mumbai in response to the frequent demolitions that faced Mumbai’s 200,000 pavement dwellers at that time. A Supreme Court judgment against pavement dwellers the following year convinced the members of Mahila Milan that their best weapon against the immediate threat of demolition was to focus on the long term goal of obtaining secure houses.

Later that same year the Society for the Promotion of Area Resources (SPARC) conducted its landmark survey of pavement communities titled, “We, the Invisible,” which showed that pavement dwellers were not transients or parasites, as popular prejudice would have, but people who had lived in the city for decades, who worked very hard but earned only half of the official minimum wage.

A few months later, the Mahila Milan began working with SPARC to learn more about the politics of housing in Mumbai and to develop a shelter strategy to present to the city authorities. They located vacant land in the city and began to ask why none of it was being utilized for the homeless. They began saving money and talking to banks about why poor people couldn’t get loans. They designed model houses that they could build and pay for themselves looking at ways that they could mitigate the impact of relocation on their livelihoods and incomes. As their strategy took shape, the women of Mahila Milan began to talk about it to officials who at first agreed only to stop the evictions but gradually began to accept the logic of the formula that the women had proposed. In 1995 the government of Maharashtra enacted the Slum Rehabilitation Act (SRA) which included pavement dwellers for the first time in a policy which entitles the urban poor to land for relocation.

Community savings groups, by their very nature require widening networks through the creation of new groups to expand their capital base so the lateral connections to other communities are a natural progression. The larger their network of savings groups, the more attractive their savings groups networks and federations of networks become to other communities as well as to external sources of ‘seed’ capital such as governments and aid donors. When these savings and loans enhanced modes of community organization and development are able to link up with sympathetic and responsible sources of loan capital, then communities are able to access and manage the financial resources they need to support their own people centered development process.

14. Constructive community responses to eviction threats.

Communities in many countries in Asia, especially over the last two decades have identified a variety of valuable strategic tools to help them develop themselves and their federations, to defend themselves from arbitrary eviction, to increase their legitimacy and acceptability to the authorities and to help them improve the environmental and living conditions in their communities. One of the most basic but useful activities is the community based surveying of poor settlements in sections of the city or citywide.

One of the first such self enumeration surveys was conducted in 1985 by the Society for Promotion of Area Resource Centres (SPARC) and Mahila Milan, a federation of pavement dwellers' women's savings groups in Mumbai, India following the Supreme court's ruling that the city had the right to evict pavement dwellers. The first survey revealed that, contrary to popular belief, the vast majority of pavement dwellers were hard working people whose cheap labour and services made substantial contributions to the city's well being. However, unlike slum dwellers, street dwellers were not a recognized "category" so they were denied most entitlements or assistance like ration cards, basic services, loans or access to rehabilitation schemes. The survey also pinpointed the fact that repeated demolitions of their shacks only further impoverished them and forced them to move to other pavements in the city.

When communities and their federations undertake community or city wide enumeration surveys, they are often gathering vital data on the living conditions of large segments of the urban population that has never been assembled before. By so doing they help the poor communities in the city to see that they are a critical mass and not just isolated victims or socially dysfunctional 'losers'. The surveys also help the local authorities, national governments and other relevant local and international agencies and NGOs (most of whom have only an abstract idea of who the poor are and how many they number) to have a clearer understanding of how many poor are living where, how poor they are and what their respective problems are. Up to date quantitative and qualitative information can be extremely helpful to communities and their federations as well as government authorities and other external agencies in identifying what possibilities there are for useful interventions that would generate sustainable benefits for the poor.

These self enumeration surveys help to dispel false impressions as to who the urban poor are and to replace them with more constructive perspectives on the livelihoods, living conditions and aspirations of the poor. Clearly poor people themselves know their mindsets, needs and priorities better than middle or upper class professionals and academics do. The poor also understand the linkages between the attitudes of the poor and their daily insecurities. They are also in a better position to verify the data they collect through their own experience and local knowledge. Most importantly community initiated surveys give the community ownership of the data which has been gathered. Finally when communities and their federations undertake enumeration surveys with some user friendly technical assistance from government or NGO professionals or volunteer academics, they quickly develop a range of important new skills ranging from social and communications skills through to data collection and validation, data analysis and reporting skills.

Another practical tool that communities now often utilize is community mapping. Usually this is done with a view to upgrading some of a community's infrastructure, like access roads, walkways or drainage, either by the community using its own resources or by externally funded programmes. As with the survey activity, community mapping enables the community to better understand its overall composition as well as its spatial and topographical potential and limitations. The participatory mapping process also enables the community to explain its settlement's spatial characteristics, physical conditions and infrastructural needs very clearly to the authorities as well as to other actors who might be willing to provide help for short or long term improvements. This can provide the basis for creative alternatives to eviction like land sharing or regularization of the settlement.

15. What governments, aid agencies, NGOs and others need to do to minimize evictions and help the urban poor obtain decent housing

- Recognize that the poor are only trying to survive and that usually squatting is a necessary condition for them and their families to do so. There are many good and sound reasons for people to be staying where they are now.
- Stop punishing the urban poor by forcibly evicting them from places where they currently earn their living and shelter themselves. Rather than enforcing eviction laws mechanically, work sincerely with poor communities to identify equitable and viable compromise solutions.
- Work with law reform and legal aid organizations to review and reform existing eviction laws and statutes so that they take into consideration the lack of land and housing options for the poor and better protect the civil rights and precious property of the urban poor.
- Review national property laws and land use regulations as well as city bye laws on land and housing in order to see if they provide loopholes for criminal abuse like physical intimidation and arson by unscrupulous 'land grabbers'.
- Introduce and/or better enforce land zoning and taxation measures to discourage and penalize ruthless speculation on urban land and property.
- Learn to listen to the voices of the communities facing the threat of eviction before developing policies and taking decisions that affect them. Study local and foreign experiences wherein intelligent compromises have resulted in non confrontational solutions to evictions.
- Support autonomous community organizations within individual communities and encourage the formation of CO networks as this will ultimately enhance the creativity, quality and sustainability of eviction alternatives.
- Develop urban plans in concert with federations of poor communities that can create access to affordable land for housing in locations that are viably linked to employment opportunities.