Popular movements and the City Statute

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With Brazil's return to democracy in the 1980s popular housing movements emerged, within a context of broader social struggle, to constitute a key component for confronting the urban question. The movements were basically concerned with elaborating proposals and demands for submission to the public authorities, stimulating direct action leading to land occupation by poorer people, and encouraging resistance to eviction and repossession. They were also increasingly important interlocutors during the formulation of new housing programmes.

Today, introducing effective housing programmes and policies calls for citizens´ participation in the decision-making process at the design and implementation stages. This approach, probably the housing movements´ greatest achievement over the years, reflected the urgent need to find practical solutions to the burgeoning housing crisis in the latter part of the 20th century.

Regardless of the repression of the social movements during the worst years of the military dictatorship, the groupings forged by the occupants of irregular settlements under the aegis of the nationwide Movement for the Defence of Favela Dwellers gained prominence from the mid-1970s onwards. With Brazil undergoing a process of rapid urban expansion on the outer fringes of the cities—accompanied by an upsurge of social problems—many groups spontaneously emerged which, with the support of the Catholic Church, professional groups, pro-active organisations and a variety of supportive popular movements, began to focus on favelas, poor neighbourhoods and other parts of our cities in a bid to achieve better living conditions for inhabitants.

The large and rapidly growing substandard settlements spawned on the periphery of the larger cities were the driving force behind organisations which over time succeeded in linking ad hoc, specific demands to broader agendas. The latter included, for example, the concept of the 'right to the city'. Meanwhile, these activities went hand-in-hand with deepening criticism, at the national level, of the Federal Government's official housing policy, which had signally failed to respond to the problems of access to the city and its resources by the excluded urban poor.

The events known as Caravanas á Brasília (Marches to Brasilia), which took place from 1988 onwards, provided the incentive for the disparate groups to plan joint activities as well as an opportunity to press their demands in the nation's capital. In 1990 the 1st National Popular Housing Seminar, organised by the Brazilian National Bishops´ Council (CNBB) in São Paulo (with groups representing all parts of Brazil), saw the beginning of a coherent national movement and sowed the seeds for the 'popular initiative' parliamentary bill of law leading to the creation of the National Social Housing Fund, with social control and sufficient resource allocation and clear criteria for allocation and distribution of funds to municipal and state governments.

The end of the 1980s also witnessed the election of popular democratic municipal governments in various parts of the country. This development, together with changes in the role of the municipalities posited by the 1988 Constitution, began to have an important effect on the conduct of social policies, especially those concerned with housing, as the movements began to liaise more closely with the local authorities on urban processes and procedures. While this new approach failed to stifle disputes surrounding the housing issue, it nevertheless introduced a new dimension to the social struggle. At the same time, the housing movements joined forces with the urban reform movement which had prepared, mobilised and lobbied for the Urban Reform Popular Amendment during the run-up to the new Constitution. While keeping up the pressure on local governments, the movements also began to take a closer interest in house-building programmes.

All this activity led in the 1990s to the establishment of the National Struggle for Housing Movement (MLNM) and the National Union for Popular Housing (UNMP), both of which helped to highlight the question of popular housing. Furthermore, the agenda of the community-based movements was given a systematic framework by the formation in January 1982 of the National Confederation of Inhabitants´ Associations (CONAM), which brought together a large number of affiliated bodies such as mortgage holders, associations of families living in peripheral neighbourhoods and a variety of homeless movements. In 1993 the Popular Movements Confederation (CMP) was founded with a view to further firming up links between the different urban movements.

The abovementioned four movements (CMP, CONAM, MNLM and UNMP), with a major role in the National Urban Reform Forum targeted at fighting for the right to the city and housing, were joined by a substantial number of local and regional groupings engaged in the daily struggle for more and better housing. The national bodies possess a number of common mandates although they operate different forms of organisation and have a variety of remits. Together they presented the first ever 'popular initiative bill' leading to the creation of the National Fund and Council for Social Housing. For this they succeeded in obtaining one million signatures and the bill was finally given approval in 2005 by the National Congress, sanctioned the following year by President Lula. The positive impact of this development was such that it was imitated by social movements in a number of other countries in Latin America.

From 2001 onwards the various bodies assumed a greater degree of cohesion which enabled them to participate as key actors in the main urban reform agendas. This cohesion was manifested in the National Cities Conferences organised every two years beginning in 2003. By elaborating a joint strategy and agenda, the national pro-housing entities have succeeded in electing councillors to represent the popular movements on the National Cities Council.

The City Statute

One of the main impediments to progress towards urban reform in Brazil is the enormous concentration of urban land and the power wielded by the private property sector—a model where wealth and goods are heavily concentrated but from which poorer people are effectively excluded.

The 1988 Constitution contained an entire chapter on urban policy (Articles 182 and 183) in an attempt to establish certain limits to the right to property.

In our opinion the dilemma arising from the clash between the absolute right to property and the need for property to fulfil its social role has never been truly resolved, as can be seen in cities where conflicts over the issue are a daily and growing occurrence.

Proof of this is that Constitutional Articles 182 and 183 were only given regulatory force in 2001 with the introduction of the City Statute, following over 13 years of demonstrations and struggle by the National Urban Reform Forum and the efforts of a substantial group of related organisations throughout Brazil.

The struggle to implement the City Statute

Following its approval, the process of absorbing and disseminating the content of the City Statute by the various popular movements and other social sectors intensified. Regardless of the level of knowledge and comprehension required to understand the complexity of the Statute, the law was nevertheless immediately hailed as a victory for the urban reform struggle after years of pressure and popular mobilisation.

The Statute still needed to be fully understood as a prerequisite to its implementation. In order to do this the National Urban Reform Forum, universities, NGOs, etc. have over the years run numerous training courses focussed around three specific approaches: urban reform, the right to the city and democratisation of access to urban land and property. These courses responded to the need for training and also served to boost familiarisation with the Statute as a policy device not removed from concrete reality but which could be applied to the day-to-day lives of communities as a key instrument of social transformation.

The City Statute, over and above its detailed provisions, is endowed with three guiding principles:

- The concept of the social function of the city and property;
- The fair distribution of the costs and benefits of urbanisation; and
- Democratic management of the city.

These three principles are the key channels through which the housing movements can justify pressure on the municipal authorities to implement the law.

Another point worth mentioning is that since its approval, implementation of the City Statute has become a benchmark around which national movements and their local bases have been able to rally. Whether in its widest sense or employing the City Statute to justify one-off demands, people now use this law in order to pressure, and demand responses from, public authorities at all levels of government.

The Charter to Implement the City Statute approved at the National Meeting for the Right to the City, held in Rio de Janeiro (July 2002) in which different popular movements and other social actors participated, was intended to be a single document containing guidance on the law and the same time a political manifesto outlining the principles of the urban reform movement.

Elaboration and implementation of Master Plans

The requirement under the City Statute for municipal authorities to prepare Master Plans within a given timeframe engendered a widespread mobilisation process within the citizens´ movements. The concept of the "Participatory Master Plan" was henceforth the leitmotif for the movements to pressure municipal executive authorities.

In most cities the first battle to be joined was precisely the question of participation by society in decision-making. For years the authoritarian or technocratic approach by the authorities paid scant attention to the ability of the population to participate in designing urban planning initiatives. The tradition of Master Plans being drawn up by specialists —often consultancy firms with no connective dialogue with the city's inhabitants— permeates official planning practices to this day. At the same time no consensus or norm had been formulated to assess what could or not qualify as 'participatory'. The publication of Resolution 25 by the Cities Council[1] in March 2005 nevertheless did provide a better definition of the participatory process as well as guidance about how it could be effectively employed.

Numerous disputes on the issue of popular participation continued in the municipalities. However, by exerting pressure, publishing manifestoes and making their demands known to the Public Ministry and the Judiciary, the housing movements, in unison with other social sectors, began to demand participation not only in public consultative meetings but also in the whole process of urban design and planning from beginning to end. These battles often took months and a number of them succeeded in interrupting or altering the process and guaranteeing outcomes in society's favour. In some cities civil suits were submitted to the Public Ministry and Public Defenders and public demonstrations in the municipal legislative chambers and prefectures began to question the way in which Master Plans were drawn up, as well as efforts to review their content even after they had been approved.

This was the case of Salvador (Bahia) where the entire Master Plan process was obstructed and questioned during and after its approval. In the event, the Public Ministry suspended passage of the municipal plan, which was only revisited at a later date. Other large regional capital cities such as Fortaleza (Ceará), Rio de Janeiro, Curitiba (Paraná), and São Luis (Maranhão), had their plans questioned in the courts because of failure to comply with the rules on popular participation. This was also the case in São Paulo, where the Strategic Master Plan had to be revised: the Front for the Defence of the Strategic Master Plan tried every way to bar the initiative of Mayor Gilberto Kassab (DEM) and the Municipal Chamber from altering a plan originally designed to benefit the city's capitalist real estate sector.

Having gained a channel for participation, it was then the time to put forward proposals of interest to the popular movements. The struggle to occupy participatory space was frequently more difficult than the struggle to get concrete proposals approved.

A further problem in many municipalities concerned the language used in the discussions on the Master Plans. Any participatory process requires the use of understandable procedures and appropriate language. In this respect, while leaders of the groups made great efforts to translate the plans into more accessible language and to draw attention to the most important aspects of them, they were also required to absorb technical concepts without losing sight of the plans´ policy content.

1.Resolution 25 of 18 March 2005 provides guidance and recommendations to the municipal authorities regarding shared coordination with society, the holding of public consultations and the establishment of discussion schedules.

One of the themes which most interested the movements with regard to the elaboration of Master Plans was without doubt the subject of conceptualisation and demarcation of Special Social Interest Zones (ZEIS), where community efforts involved identifying and demarcating the definitive urban parameters for substandard settlements targeted by this zoning tool. In the case of the ZEIS already occupied by favelas and other types of precarious settlements, the main concern was "not to leave anyone out" since demarcation of an area as a ZEIS brought with it the notion of secure tenure, although not guaranteeing it explicitly. In the case of definition and demarcation of the ZEIS in vacant areas, with the purpose of earmarking those available for popular housing, greater difficulties arose. The first problem was how to define parameters according to which people in specific income brackets were eligible to be housed, the potential uses for the area, plot and individual dwelling sizes, etc. Other problems involved demarcation of the various plots on the actual plans. Cases often arose where Master Plans contained indications that the ZEIS instrument would be used but failed to identify areas appropriate for its installation, thereby undermining the spirit and letter of this device.

In other situations the public authorities underestimated the number of ZEIS that were needed and failed to demarcate areas where economic interests were at stake (and likely to cause conflict). A good example of a case to the contrary was in the municipality of Taboão da Serra in São Paulo state, where the number of square metres demarcated as ZEIS was exactly proportionate to the size of the total housing deficit in the city.

Overturning the idea of removing poorer people to the fringes of the cities, certain municipalities demarcated ZEIS in central city areas. This was the result of the efforts of housing movements in the city centres and a response to the large number of occupations of vacant downtown public and private buildings.

A particular source of conflict occurred when major urban projects needed to be undertaken such as road widening, large scale public works, rehabilitation projects interfering with or near to popular settlements, etc. The perverse logic of exclusion in such cases was manifest, where the public authorities "permitted" the occupation (either by omission or commission) when a specific area was considered degraded or of little interest to the formal property market. Conversely, in cases where settlements had undergone 'improvements', the population was expelled either violently as a result of the enactment of repossession orders or tacitly as a result of higher rents and rising living costs. In a few noteworthy cases the population secured the right to continue living in such places. It was apparent in these circumstances that the mobilisation and organisation of the local community were essential factors to ensure that the correct legal instruments were applied effectively.

Popular movements have also lent support to issues that at first glance have little direct connection with the struggle for housing, but concern access to the city as a whole or to a specific part of it. This has been the case, for example, of the battles fought against the proliferation of high-rise buildings along the seafronts of coastal cities. These activities have become a source of conflict between large construction firms, property speculators and urban social movements. Similar problems have also often been encountered throughout the processes related to zoning definition, construction potential, building standards, etc., where popular movements have been engaged in endorsing the concept of democratisation of the city.

In these and other cases popular movements have often joined forces with professional bodies, urban-oriented NGOs, environmentalist interests, churches and middle class organisations in a bid to ensure proper discussion of Master Plans, formulating proposals and acting as valuable interlocutors with the municipal authorities during the entire process of preparation and approval of the plans.

The relationships between the pressure groups and the municipal legislatures have been even more controversial. Master Plans which have been discussed and agreed with the local authorities are often subject to amendments and legal constraints which, while they do not alter the basic concepts of the plans, nevertheless introduce piecemeal modifications that negatively affect their implementation and can generate considerable conflict at final approval stage.

It is worth drawing attention to the establishment in September 2004 by the Ministry of Cities and the National Cities Council, on the basis of Resolution No.15, of a "National Awareness and Mobilisation Campaign focused on the elaboration and implementation of participatory Master Plans with the aim of constructing inclusive, democratic and sustainable cities". This campaign underscored the following priorities:

Territorial inclusion: to ensure access to urbanised and well-located land for poorer people and to guarantee secure and unequivocal tenure of housing in the areas occupied by the low-income population;

Democratic management: to provide instruments to ensure effective participation of those who live and construct the city in the decisions and implementation of the Master Plan; and

Social justice: fairer distribution of the costs and benefits of urban development.

This campaign, launched in 2005, was coordinated by institutions comprising the Cities Council and appropriate state-based nuclei. The latter, which also included sectors belonging to the Cities Council, undertook the task of mobilisation, training, follow-up, multiplier training and dissemination. One of the major objectives of the campaign was to extend debate on the City Statute to the municipalities which still remained outside the traditional discussion circuits of the metropolitan regions.

The members of the housing movements participated vigorously in this campaign, in the National Coordination Unit and in the state nuclei, and took leading roles at all levels. The aim of the movements was to break down the approach to plans as something technical and remote from day-to-day life and to oblige municipal executive and legislative authorities to comply with their obligation to allow participation in the planning processes.

Implementation of the plans has been highly complex. Rather than Master Plans being accepted as devices for guiding the allocation and implementation of investments in the cities, many of them have been subsequently abandoned following approval. In many cases the plans call for the regulation, through specific laws, of instruments that have already been approved, thereby leading to new problems with the legislative authorities. In other cases, even when the instruments had been approved and were ready to be implemented, the municipal executive authorities often simply failed to employ them. Administrative staff turnover has also had a negative effect on their application as well as the preponderance of different interests and pressure for ad hoc changes to be made (such as extensions to urban zones), which often completely undermine the approved goals of such plans.

The difficulty of implementing the Master Plans often leads to frustration and disappointment among the leaders of the movements that have participated in the strenuous efforts to approve the proposals. Cases are recorded where no concrete results at all have been achieved, leading to serious questioning by the movements about the usefulness and effectiveness of the whole process.

The previous paragraphs show that it is important to devise participatory mechanisms that embrace mechanisms for monitoring the progress and execution of the plans. The housing movements have struggled to establish 'municipal city councils' but have often encountered much resistance to such initiatives and, crucially, fragmentation and an absence of specific legal frameworks governing their implementation. Some municipalities have created 'housing councils' in accordance with to Law 11.124 of 2005[2], urban policy councils, transport councils, environment councils, etc., but these have generally failed to liaise properly with one another, detracting from the need to take a more overarching and integrated view of the city as a whole. All in all, the fragmentary nature of the 'participatory' bodies reflects the piecemeal nature of the relevant policies as well as the conflict of the different interests involved in the construction of cities.

Tenure regularisation

Any picture of an unnamed slum on the fringes of one of our large cities calls to mind similar places all over Brazil. The bitter manifestation of segregation on the periphery of the metropolitan areas and cities is a common sight: unfinished brick or wooden houses exhibiting a brownish-coloured mosaic of houses and shacks jumbled together on the banks of rivers, clinging to steep hillsides or sprawling endlessly over vast tracts of land.

These are the 'left-overs' from the city proper: pieces of land abandoned by the authorities, with their inhabitants trying to survive, victims of powerful clientilist forces that deliver services only after substantial social pressure. Schools, crèches, good quality transport, sporting and leisure areas are generally non-existent. Agepê, a popular singer in Brazil, described the harsh reality of such places in his music: "I live where nobody lives, where nobody goes by, where nobody truly has a life …".

With its tenure regularisation instruments, the City Statute and Provisional Measure 2220/2001 are landmarks in the struggle against this reality. The instruments by themselves are unlikely to induce any paradigmatic change but they nevertheless open up the previously non-existent possibility of guaranteed security of tenure.

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2. Law 11.124/05, which established the National System for Social Interest Housing, stipulates the formation of a Municipal Housing Council or similar prior to a municipal authority being eligible to receive resources from the National Social Interest Housing Fund. Implementation of this system is still underway.

Article 9 of the City Statute sets forth that: "an individual possessing an area or urban construction measuring up to 250 square metres for a period of five years, uninterruptedly and unopposed, using it as a place for him and his family to live, acquires dominion of such a place providing the individual does not own another urban or rural property". Provisional Measure 2220/01 sets forth in its first article: "An individual who prior to 30 June 2001 was in uninterrupted and unopposed possession for a period of five years of an area measuring 250 square metres of public property located in an urban area, and uses it to house himself and his family, is entitled to a real right of use concession for housing purposes restricted to possession of the property, providing the individual is not the owner with a verifiable title deed or the holder of a concessionary benefit or of another urban or rural property".

These legal instruments, *usucapiao* (collective adverse possession) and the Special Right Concession for Housing Purposes, refer to citizens' rights that can be applied collectively or individually and are awarded following a submission by the occupants themselves, by a residents association or by the appropriate public authority. All this requires organisation, pressure, social, technical and legal support and, frequently, an input of financial resources. Despite the success of a number of such initiatives, efforts made to access housing and security of tenure through the official land and property tenure regularisation instruments are still relatively inconsequential, particularly when account is taken of the millions of people still living in favelas and informal settlements scattered throughout the country.

Depressing as the situation may appear, the fact is that progress has undeniably been made and the relevant regulatory frameworks are gradually being put in place despite the many difficulties. It is also clear that since regulation of the City Statute the top-down requirement to overcome this huge challenge is increasingly part of every urban agenda.

The 4th National Cities Conference refers to this in its major Theme Number 2 entitled "The application of the City Statute and Master Plans and of the social function of urban property" (from the baseline text of the 4th NCC).

The National Cities Council, by approving the abovementioned theme, proposes to instigate a broad national debate about the efficacy of the instruments, to discuss the way forward for the current regulatory framework and its capacity (or not) to guarantee the social function of property, and to genuinely improve the life of poor people living in cities.

From this perspective it is not simply a question of guaranteeing property title or possession but effectively of transforming the precarious living conditions experienced by people condemned to live in such areas. An official "document" issued to people who are afraid of being evicted from their homes at any moment is important, but the City Statute in Article 39 goes further than this, stipulating that: "Urban property fulfils its social function when it meets the fundamental requirements of organising urban city growth (ordenamento) which are set forth in the Master Plan, ensuring that the needs of citizens are met with regard to quality of life, social justice and the development of economic activities, under the aegis of the guidelines foreshadowed in Article 2 of this law".
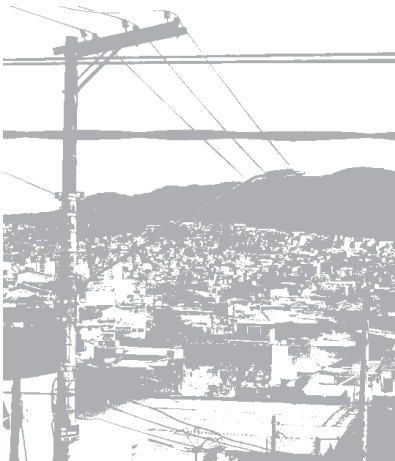
The struggle against eviction

Regardless of the progress made in the area of regulatory frameworks, the question remains as to whether the extent and power of private property interests are impregnable.

While the judicial authorities make laudable efforts to guarantee and police property rights, it is clear from the large number of urban disputes over land and property throughout Brazil that property speculators, concerned only with their own financial interests, continue to act in a predatory and arrogant manner. It would appear that the constraints on the right to property have proved to be insufficient to halt the onward march of property-related capital.

Who the re-emergence in Brazil of the cycle of public investments in cities, we are now witnessing the overvaluation of urban land which is bound to cause increased controversy. Some of these often-questionable investments are received with open arms by real estate operators which seek directly or indirectly to benefit from the rising values of urban land.

The City Statute establishes a set of assurances with the aim of protecting or preventing speculative capital from negatively affecting the poorer communities under threat. However in such a conflictive situation it has been difficult for the forces of law and order to support excluded and weaker groups living in precarious areas, and some public authorities and capitalist practitioners have even gone so far as to seek to criminalise such communities. By the time disputes become public the occupants have often already lost their homes or have been violently evicted with the connivance, agreement or even participation of the public authorities.

Brazil, in addition to the guarantees and guidelines set forth in the City Statute (Article 2), is signatory to a number of international treaties concerning right to housing:

- The Universal Declaration of Human Rights establishing that every individual has a right to an adequate living standard that ensures well-being and health, especially with regard to housing.

- International Agreement on Economic, Social and Cultural Rights which recognises the fundamental rights of everyone to live in adequate housing and to be protected against forced eviction;

- International Convention on the Elimination of All Forms of Racial Discrimination (1965);

- International Convention on the Elimination of All Forms of Discrimination against Women (1979);

- International Convention on Children's Rights (1989).

As a signatory state to all these international legal instruments Brazil has incorporated them into its national normative framework.

The National Urban Reform Forum, in its Declaration at the conclusion of the Meeting on the Prevention of Eviction held in Recife, states that eviction is a practice representing "a growing problem which unleashes a series of violations which undermine dignity and human rights. These violations can be traced to the neoliberal model of economic development which produces a high concentration of land and income benefiting property owners both in the city and the countryside while excluding access by poorer people. Instead of fulfilling its social function, land is subservient to market forces and a prime target for speculation, as well as a means of perpetuating the power of large landowners in their estates and in the execution of major developments" (FNRU Recife Manifesto of 14/06/2006).

Similarly, the National Cities Council accepted the results of the 3rd National Cities Conference and approved the creation of a Dispute Working Group with the aim of preparing a national policy to deal with land disputes which, together with the instruments already established under the City Statute, would serve to reinforce the safeguards for threatened communities.

The impact of the City Statute on popular movements is evident in urban property disputes. In situations where areas occupied by low income families are threatened with repossession, the effect of the City Statute has helped strengthen the case against eviction by influencing legal petitions, manifestoes, issuing letters and the statements by community leaders[3].

National Cities Council and Conference - spaces for collective construction

In 2009 the concept of democratic management, involving the creation of permanent institutionalised spaces for participation and social control, became one of the main items on the agenda of popular movements at the three levels of government. As foreshadowed by Provisional Measure 2220/01 (which was not implemented until 2003), the National Urban Policy Council, later called the National Cities Council, is now the most important social control and participation instrument resulting from the struggle to introduce democratic management during the run-up to the enactment of the City Statute.

The popular movements lobbied strongly for the formation of the Council and the National Cities Conferences [4] as institutional spaces for debate and now play a leading role in the Council, where they have been able to substantially influence proposals as a result of positive liaison with other civil society sectors. However direct negotiation with governmental authorities, bringing pressure to bear on them to respond to demands and use the available instruments, still plays an important role.

3. Examples: (i) "The City Statute, Law 10.257/01, provided the institutional means for the public authorities to become involved in conflictive areas and to foster land regularisation efficiently and to resolve old problems such as the lack of money for expropriation or the regularisation of consolidated settlements" (Manifesto for Curitiba and Paraná to be free from forced eviction, dated 13/11/2005, signed by 30 popular movements and NGOs); (ii) "The State is responsible for protecting the right to housing and guaranteeing that evictions do not take place. Furthermore, that the social function of property should be assured". (Letter referring to the violation of the right to housing of 400 Families in the Favela do Sapo, São Paulo, submitted by COHRE to the Mayor of the City of São Paulo, July 2009).

4. The National Cities Conferences were set up by Presidential Decree in 2003. The national conference is preceded by conferences at state and municipal levels and is responsible for the election of the members of the National Cities Council. The 4th National Cities Conference will take place in May 2010.

Over 4,000 representatives of municipalities from all the states of the Federation and the Federal District participated in the 1st National Cities Conference, after which pressure has increased on state and municipal authorities to permit greater participation by interested groups.

The National Cities Conferences have proved useful in constructing and reaffirming the urban reform agenda. A problem remains however in that no institutional mechanism yet exists to ensure that the decisions taken by these conferences or the Council will be accepted by the Federal Government when policies are being elaborated at the top level.

Furthermore, the dilemma between creating local sectorial councils (housing, sanitation, transport, urban policy) or Cities Councils to address this set of issues has still to be resolved. Regardless of the fact that the National Cities Conferences that have been held to date have reaffirmed the need to establish Cities Councils at all three levels of government, very few of the federative entities have proceeded to establish councils with a remit to embrace sectorial policies. This situation was rendered even more contentious when Law 11.124/2007 establishing the National System for Social Interest Housing ordered that in order to belong to the system states and municipalities were responsible for firstly creating Housing Councils as a precondition of membership.

This problem is exacerbated by the fact that the Council and Conference instruments do not yet possess the legal framework proposed by the National Urban Reform Forum: essentially involving the establishment of a National System for Cities responsible for defining organs and competences at the three levels of government with a view to endowing the housing councils with decision-making attributes, as well as defining the role to be played by the Conferences in the definition of urban housing policy.

An ongoing agenda

The influence of the efforts to implement the City Statute and in the construction and broadening of the struggle for the rights of the city, both at national and international level, is undeniable. The dissemination of the City Statute serves to focus discussion. For example, parts of the content of the Statute have already been included in or have inspired national legislation in a number of countries, especially in Latin America, following its presentation to governments and key social organisations such as the Habitat International Coalition (HIC), the Latin American Secretariat for Popular Housing (SELVIP), the Inhabitants´ International Alliance (IAI) etc.

The 1st World Social Forum saw the beginning of the formulation of a World Charter for the Right to the City, which resulted from an initiative by the National Urban Reform Forum and the efforts of many international networks.

More recently UN-Habitat, in partnership with the Ministry of Cities and ConCidades, adopted the slogan "Right to the City: uniting divided urban areas" to be used at the next World Urban Forum, the world's premier conference on cities, in March 2010 in Rio de Janeiro. Although this concept is still in dispute, the principles that guide the struggle can nevertheless be observed in discussions which have taken place in broader circles.

A great deal remains to be done to implement the City Statute in our cities. The Statute needs to be absorbed and utilised by a greater number of organisations. It is vital to call on the provisions of this law in order to ensure what has been achieved to date with regard to elaboration of Master Plans, vigilance over occupied areas and facing up to the powerful speculative interests of large corporations, are not undermined.

It is vital to remain aware of the fact that the City Statute is not an instrument that will work autonomously. It is one more key institutional tool in the hands of organised society that we can deploy to exert effective political pressure and mobilise more popular support for achieving the necessary changes. Structural changes in our cities cannot be seen as separate from the changes in the basic model of the society in which we live. Our goal is to construct cities on the basis of fairness and increased popular solidarity, and the City Statute forms part of this overarching process of transformation. The popular movements will continue day after day to struggle to form this new society and bring hope to its members.

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