QUICK GUIDES FOR POLICY MAKERS

housing the poor in Asian cities

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4

EVICTION: Alternatives to the whole-scale destruction of urban poor communites

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The original documents and other materials can be accessed at: www.housing-the-urban-poor.net.

The above contributions have all shaped the Quick Guide series, which we hope will contribute to the daily work of policy makers in Asia in their quest to improve housing for the urban poor.

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Forced evictions are putting in jeopardy the attainment of the Millennium Development Goals. At the current pace, at least 34 million people — and possibly 70 million — will be evicted between 2000 and 2020: quite a dramatic number when compared to the goal of improving the living conditions of 100 million slum dwellers by 2020.

AGFE, 2007

PHOTO: ACHR

Eviction: Alternatives to the whole-scale destruction of urban poor communites

QUICK GUIDE FOR POLICYMAKERS NUMBER 4

Despite decades of work by housing and human rights organizations, NGOs, multilateral institutions and community organizations, the eviction of poor households and poor communities is increasing in Asian cities, causing displacement, misery and impoverishment for millions of urban citizens. The causes of these evictions are varied, but the underlying theme which links them is the increasing role market forces are playing in determining how urban land is used.

A vast majority of these evictions are unnecessary. This guide looks at the various causes of evictions, and their effect on the lives, livelihoods and housing choices of the urban poor. The distinction between different types of evictions are discussed and the legal context of eviction is examined within the key international human and housing rights covenants.

The guide explores several practical, viable and replicable alternatives to eviction which are being tested, refined and scaled up by governments, community groups and support institutions in Asian countries. In almost all of these cases, poor communities are central, creative partners in the search for lasting solutions to their city's problems of affordable land and housing — solutions which do not require that the poor be pushed out. Finally, the guide presents guidelines to help governments and policy makers to develop better formal procedures to minimize eviction.

This guide is not aimed at specialists, but instead aims to help build the capacities of national and local government officials and policy makers who need to quickly enhance their understanding of low-income housing issues.

PHOTO: URC KARACHI

In the four years between 2003 and 2006, 2.14 million people were evicted from their homes, and another 5 million were under immediate threat of eviction in Asian cities.

Source: www.cohre.org

Eviction is on the increase in Asian cities

The combined forces of urbanization, globalization and commercialization of urban land are increasingly forcing the poor out of their houses and off their land. All cities go through periods of intense development, when things change rapidly and there is a lot of new building activity and large numbers of people tend to get displaced. Evictions always tend to increase during times of economic growth and to decrease during times of economic slow-down. There is no doubt that Asia is in the midst of an economic boom, and that evictions are increasing, causing displacement, suffering and impoverishment on a large scale.

There are cases where evictions cannot be avoided, but even when evictions are "justified" by being carried out in the public interest, to build roads, public facilities or other urban infrastructure projects, or to protect communities from perceived environmental hazards, they usually do not conform to the rules of international law. Even these evictions are often carried out without legal notice and without due process.

Defining 'evictions'

Definitions of evictions, especially 'forced evictions', have been an ongoing struggle. The term forced eviction looks only at legal concerns but the term "unfair eviction" is subjective, even if it may capture more of the reality. So what do the words mean in this guide?

Forced eviction: 'The permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection.' This prohibition on forced evictions does not, however, apply to evictions carried out by force in accordance with the law and in conformity with the provisions of the International Covenants on Human Rights.

Eviction and market-driven eviction: The negotiated removal of individual occupants but when the terms of negotiation are unfair for poor households due to their weak tenure status, or the fact that they may not be complying with planning and development laws or construction norms and standards.

Some evictions are not "forced" in the strictest legal sense, but most of them are disruptive and unnecessary, and are causing the same impoverishment and destruction of housing investments and social support systems as "forced" evictions cause.

5 reasons why evictions happen:

1 **INCREASING URBANIZATION:** As the pace of urbanization accelerates and more people and more investment are flowing into cities, informal settlements which used to be tolerated are no longer acceptable, as the formal city increasingly appropriates the space they occupy for development.

2 **LARGE INFRASTRUCTURE PROJECTS:** Most Asian cities are now in competition to host global capital investment. A lot of money is going into improving urban infrastructure to make cities more attractive to this investment, including expressways, bridges, sewers, water supply, electricity grids and mass transit systems. There is no question that cities need these improvements as they grow, but the way they are being planned, financed and carried out is displacing the poor on an increasing scale.

3 **MARKET FORCES:** Market forces are increasingly determining how space is used in cities. Governments are catching on to this and the public land they manage is increasingly being used for profitable rather than social purposes. So the poor, who can't afford housing at market rates, are being evicted from the private and public land they've occupied or rented for generations, to make way for higher-profit uses like shopping malls, superstores and condos. Evictions used to happen in a scattered fashion, but in recent years, globalization, speculation and the availability of international finance have raised the stakes and increased the scale and frequency of evictions.

4 **CITY "BEAUTIFICATION":** Many cities are trying to clean themselves up to attract investment and to market themselves as "world class cities." It's no surprise that unsightly slums and squatter settlements — and poor people in general — do not figure in this new vision of what many feel cities should look like. So city "beautification" drives have become another cause of evictions.

PHOTO: SINGAPORE TOURISM DEPT.

5 **INEFFECTIVE LAWS:** Laws and procedures to protect communities from eviction or to provide tenure security do not exist in most Asian countries. Even where some good laws do exist, they are freely broken, because of the unequal power relationship between poor communities and the governments and developers. Some of the institutions which finance projects which cause eviction maintain that they do not tolerate forced eviction and have admirable resettlement guidelines for project-affected households. But in practice, these guidelines are often ignored.

Source: Asian Coalition for Housing Rights, Newsletter 15, Special Issue on Evictions, October 2003

Some facts about poor people in cities

FACT: The poor migrate to cities for good reasons

For decades, the flow of population in most Asian countries has been out of rural areas and into cities. This huge tide of mostly-poor migrants is a demographic fact no government has been able to reverse, although many keep trying.

People are leaving their villages for good reasons. Changes in how land is farmed and owned and increasingly tied to global markets are leaving more rural people in crippling debt, without land, work, money or any hope of surviving. At the same time, increasing numbers of natural disasters are destroying rural livelihoods and impoverishing more and more households. With TV, cheap mobile phones and easy communications, people in the most remote villages now know what cities have to offer, and their choice to migrate is usually a well-informed one.

They are coming into cities for equally good reasons. In cities they find job opportunities as well as markets for their own informal businesses, making and selling cheap goods and services. And the money they can make in cities can usually be enough to support themselves and their households, as well as send money home to relatives still in the village. In cities they have better access to schools, health care, culture and opportunities for a future no village could ever offer.

FACT: Cities need the poor to prosper

The enormous capital investment that is flowing into Asian cities and financing their growth is also coming in for good reasons. Periods of industrialization which make countries richer have always relied on huge, low-paid work-forces, whether it be 19th century England or 21st century China. The large supply of cheap labour allows for the development of various city-based economic activities in many different sectors:

- **Industrial labour:** The poor provide the pool of skilled and unskilled labour that makes Asian countries attractive places to invest and set up factories and industries.
- **Construction labour:** The poor staff the crews that build the houses, apartment buildings, bridges, roads, expressways, hotels and shopping centres that a growing city needs.
- **Public sector labour:** It is the poor who sweep the streets, carry away its garbage, maintain its sewer systems and parks, prune its trees and keep the city looking tidy.
- **Service sector labour:** It is also the poor who are the nannies, house maids, waiters, clerks, cleaners, shoe-shiners, ticket-takers, dish-washers, taxi drivers and delivery boys who keep the city running.
- **Cheap goods and services:** And where would Asian cities be without the market and street vendors selling goods and services where and when you need them, at cheap prices. They sell everything from fruits, vegetables, nuts, savories, noodles, snacks, full meals, clothes, gifts, books, magazines, shoes, watches and handicrafts to medicines and ice-creams.

PHOTO: ACHR

Housing is a basic human need:

The impulse to survive is strong and when faced with absolutely no other choices about where to live, the poor will create slums and squatter settlements, or move into them.

FACT: The poor have no choice but to live in slums

With high capital investment and large numbers of people converging in cities at the same time, it is no surprise that land prices are skyrocketing and the poor are finding themselves increasingly priced out of any formal land or housing market. In most Asian cities, planners and governments, at all levels, have been unable to cope with this influx of poor workers (and with the natural growth of urban poor populations), to recognize or to plan for their need for affordable housing, land and basic services.

It is hard to find cases in Asia where governments have been able to intervene successfully in these markets with programmes to help meet the land and housing needs of their poor populations. When governments have developed programmes to provide subsidized social housing to the poor, these programmes have often failed to solve the problem for several reasons:

- The number of housing units produced by these government housing programmes could only meet a tiny fraction of actual needs.
- The housing units were often badly located, poorly-built and inappropriately designed.
- The allocation of these housing units was mismanaged, so that in the end, it was mainly better-off groups that actually moved in.
- The monthly payments for these units were often too high for the very poor, so they were forced to sell off their rights to better-off households.

Everybody needs a place to live – even the city's poor

As the formal markets and government programmes have been unable to help, the poor have helped themselves. With no other choices, the poor have been left to build their settlements as best they can, on bits of leftover or hazardous or peripheral land in cities, without the benefit of planning assistance, without basic services and without legal tenure security or official recognition.

PHOTO: ACHR

Calculated risks:

When poor people measure the risks and drawbacks of moving into a slum or squatter settlement, into a situation of insecurity and squalor, they are making a reasoned and thought out decision to place their household's economic advancement and survival above considerations of comfort, safety, hygiene or security.

FACT: Slums are a solution to housing problems

National policy makers, city managers, urban planners and a large part of civil society tend to see the growth of slums and squatter settlements in their cities as unsightly and lawless developments that should be cleared away or at least hidden in out-of-the-way corners of the city. Nobody would argue that a crowded, dirty, unplanned settlement is anybody's idea of an ideal living situation, with its poor quality housing, its bad infrastructure (or no infrastructure at all) and its insecure land tenure.

But if you go beneath their admittedly grimy outer layer and take a deeper look at what is really going on in slum communities, you will often find them to be places of support and hope and growth and not places of despair at all. In fact, these makeshift settlements evolve quickly into vital and complex life-support systems for the poor, which can help meet a variety of their needs and give them a base for lifting themselves out of poverty. What do slums offer the poor?

1. **Affordable housing** that is self-built, purchased or rented, where no other formal housing is accessible or affordable to the poor.

2. **Work space** for informal economic activities like home-based crafts and piece-work, small-scale manufacturing, tailoring, recycling, shops, food preparation and cart storage.

3. **Social support systems** of neighbours and friends who provide contacts, advice, guidance, credit and help where there is no public safety net or support available to the poor.

4. **Access to goods and services** from informal businesses which are suited to their needs and budgets, including household goods, informal credit, food in small quantities, barbers, hair-dressers, clinics and tuition classes.

Different needs, different priorities:

What do the poor look for when they search for housing?

The priorities a poor household considers when looking for shelter will be quite different from their better-off neighbours, who may think more about things like status, comfort, design, convenience or potential re-sale value. When governments and developers ignore these differences and make wrong assumptions about what poor people need in their housing, it leads to housing policies and projects which fail to reach the poor. What is important for poor people's housing?

1 **LOCATION:** Being close to jobs and earning opportunities is the top factor in where the poor chose to live. Being near markets, factories, business districts, transport hubs and construction sites means better incomes, more earning opportunities and lower transportation costs. Many housing programmes fail to attract or retain the poor because they're built too far from city centres, industrial areas, schools, clinics and social services. That's why inner-city slums, no matter how crowded or insecure, are preferable.

2 **SPACE FOR WORK:** For many poor people, housing provides more than space to live, but also space for income-generating activities. These home-based economic activities might include tailoring, crafts production, food preparation for market stalls or vending carts, repair shops, light manufacturing, household provisions stores, beauty salons, laundries, bakeries, restaurants, bars and rental rooms. Ground-floor housing always offers the most flexibility for this blending together of living and earning activities. This is why blocks of mid-rise flats often drastically diminish a household's capacity to earn, because they seldom include spaces for these activities to happen.

3 **COMMUNITY SUPPORT SYSTEMS:** Households in slums rely on networks of friends and neighbours for all kinds of mutual assistance and support — not only in times of emergency. What do these community-based support systems and complex networks of local relationships offer? Informal access to electricity, baby-sitting, help finding jobs, information, sources of credit in emergencies and help fixing whatever is broken. It is little wonder that when the poor are isolated in high-rise apartments in social housing projects out on the edge of the city, they can't survive and move back.

4 **COST:** Housing finance professionals usually assume that about 25 - 30% of a household's monthly income can reasonably be devoted to housing costs: rent or mortgage payments. This average might work for middle income households, but is very different for many poor households, who spend much larger portions of their income on essentials like food, medical care, transport and emergencies. Even low-end rental housing often requires sizeable deposits which the poor can't afford. The poorer a household is, the less they can afford to pay for their housing, as a percentage of their monthly income. That is why an incrementally-built shack in a slum may be the most suitable housing for a poor household — the housing which allows them to gradually build up their economic base.

How eviction affects the poor

Eviction creates poverty rather than alleviating it. It contributes to housing problems in our cities rather than solving them. In almost every way, eviction is the opposite of development

Poor communities are the greatest targets for eviction in Asian cities. They are also the group worst prepared to weather the effects of eviction and the group least able to find affordable land or housing alternatives in the formal sector.

When evictions forcibly remove people from their houses and communities, it leaves people who were already very poor even worse off. Besides losing their belongings and the investments they have put into their houses, the poor lose their community support systems in an eviction. Many also lose their jobs and means of earning. Evicted households are more likely to fall into debt in the process of setting up new dwellings.

Women and children

For the most vulnerable among the poor — like female-headed households, the elderly and the disabled — eviction may lead to homelessness and destitution. Poor women and children are often particularly targeted during evictions, and when women put up resistance, they are often treated with violence. Plus, after an eviction, it is often women who bear the greatest responsibility for rebuilding the home or finding alternative shelter.

For children, evictions can cause trauma, disrupting their home, neighbourhood and routines. In addition to having to drop out of school and losing friends, many end up having emotional problems including anxiety and aggression after an eviction.

Forced evictions may be a way of eliminating the slums nobody wants to see, but they do nothing to resolve the housing shortages which forced people to live there in the first place. In fact, by leaving people homeless, they make the problems worse. When households are forcibly evicted from their homes without being provided any viable alternative shelter, they are likely to create new squatter settlements on the periphery of the city or move into existing slums.

Governments and city authorities often justify the eviction of squatters from public and private land with claims that these communities block important infrastructure projects like new roads, drains, electricity and water supply grids — all badly needed to serve the needs of the city. But evictions in Asia are increasingly clearing both public and private land for commercial development like shopping malls, golf courses, cinemas and up-market housing estates that are neither essential nor in the larger public interest.

Community organizations, civil society groups and donors are increasingly questioning a practice which impoverishes so many and causes such suffering, in the name of civic order and national development. The laws may be on the side of the legal land owners, and they may place the rights to own property above the right to adequate housing for all, but eviction is the least constructive way of resolving the conflicting needs of a city to develop and the poor to find housing.

PHOTO: URC KARACHI

How eviction makes the poor get poorer

- Evictions are a major cause of poverty in Asian cities. They are moving the poor from the city centre and pushing them into the unserviced peri-urban areas, away from their places of work.
- They are putting additional burdens of time and transport expenses on the poor, making it difficult for parents (especially mothers) to work outside the home or settlement.
- They are distancing the poor from proper health care and educational institutions and increasing the rich-poor divide in cities.
- They are creating alienation and hence conflict, which when accompanied by poverty can increase crime and violence.
- They bring about the loss of enormous investments in housing, infrastructure and small businesses, and the destruction of personal and household goods.
- They interrupt children's schooling.
- They fracture or destroy the delicate social support systems in the old communities and neighbourhoods. After evictions, many friends and neighbours loose touch with each other.
- They create situations of violence and trauma for some of the city's most vulnerable groups. For children, evictions can be especially frightening as they threaten the stability and routines that are necessary for child development and can lead to serious emotional and developmental problems.
- And above all, they are producing new, unserviced or under-serviced settlements in the urban periphery that governments will have to upgrade in the future.

Source: Asian Coalition for Housing Rights, Newsletter No. 15, Special Issue on Evictions, October 2003.

Housing is a human right and forced eviction a violation of that right

Evictions are often presented as the process by which people who have illegally occupied a piece of land belonging to someone else are removed from that land, by due process of law. In this view, the squatters are the criminals and the property owners are their victims. This doesn't capture the human reality of an eviction, which is almost always painful, violent and impoverishing for the evictees. And it also doesn't capture the unjust systems of land use and property ownership in many countries which allow few to enjoy great property wealth and leave many with little or nothing at all.

In many countries, forced evictions are unlawful or unconstitutional under domestic law, unless strict laws, policies, procedures and guidelines are followed. But the legal and political systems in many countries — even when they are accessible to the poor — still continue to try to avoid these laws, and to continue to place the rights of property owners above the right to adequate housing in order to secure the speedy eviction of residents who, they argue, are obstructing development projects or for 'security concerns'.

Even though courts may go through more progressive periods, they generally do not support the evictees. Municipal, state and national governments around the world therefore regularly conduct evictions in violation of their own laws and constitutions.

Forced evictions are illegal

Since the United Nations was founded in 1945, one of it's tasks has been to address inequities through declarations, covenants and agendas which would guarantee certain basic human rights and address the economic and social disparities which exist within so many countries' systems of governance. Almost all Asian countries have signed these covenants and committed themselves to honoring their principles.

- **Article 25 of the Universal Declaration of Human Rights** states that "Everyone has the right to a standard of living adequate for the health and well-being, of himself and of his household, including food, clothing and housing."

- **The International Covenant on Economic, Social and Cultural Rights (CESCR)** is the key legal source of housing rights under international human rights law. Article 11(1) of the Covenant clearly recognizes the right to adequate housing. CESCR's General Comment No.7 on the Right to Adequate Housing states that 'the State itself must refrain from forced evictions and ensure that the law is enforced against its agents or third parties who carry out forced evictions'. It also states that 'Evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights'; and prescribes protective mechanisms for evictees in the highly exceptional circumstances where eviction is unavoidable.

- **The Habitat Agenda, adopted in Istanbul in 1996**, signed by 171 governments, reaffirmed the commitment "to the full and progressive realization of the right to adequate housing, as provided for in international instruments. In this context, we recognize an obligation by Governments to enable people to obtain shelter and to protect and improve dwellings and neighbourhoods."

Housing rights are not abstract

The right to housing, as defined within international law, concerns basic human needs which allow us all to survive. Good housing contributes to the well-being of households and to a country's broader economic and social development. What are the minimum requirements of decent housing?

- **Legal secure tenure:** In their housing, people must be protected from eviction, harassment and other threats. States must provide and enforce tenure security, in consultation with affected groups.
- **Availability of services and infrastructure:** Housing should include facilities essential for health, security, comfort, and nutrition: safe drinking water, energy for cooking, heating, lighting, sanitation facilities, refuse disposal, storage and emergency services.
- **Affordability:** The cost of adequate housing should not be so high that it compromises the ability of a household to satisfy 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 them.
- **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.

Source: UN Universal Declaration of Human Rights; General Comment 4, The Right to Adequate Housing, 1991.

How donors can help protect the poor's housing rights

In Manila, communities were being evicted to make way for several Japanese-funded infrastructure projects — a highway fly-over, an aqueduct, a railway extension and an airport expansion. An association of poor people's organizations, DAMPA, petitioned the Japanese government to investigate the serious housing rights violations of people being displaced by these projects. The Japanese sent a fact-finding team (including religious organizations, academics and NGOs), which discovered that people were being evicted without any consultation or advance notice and taken to distant relocation sites, where they were being left without water, electricity, toilets, schools or hospitals. People had lost jobs in the process, and promises of compensation and support services by the implementing agencies were not being honored. The mission's findings were published in local newspapers and the Japanese government subsequently cancelled funding for any projects involving involuntary resettlement and vowed to investigate complaints of rights violations in the projects.

Source: Williams and Barter, 2003

PHOTO: SPARC MUMBAI

The development plans which cause eviction are not engraved in stone. The process of urban planning is highly political, and should be considered as such. Every aspect of those plans is negotiable.

Source: ACHR

Alternatives to eviction

Almost all eviction is preventable

In many places and in many ways, the urban poor continue to be treated like blocks of colour on a development map, to be lifted up here and pasted down again there — not like human beings with real needs, real households and real aspirations, living in real communities. Very few urban decision-makers are interested in asking them what they'd like to do or making an investment in finding solutions to their housing needs that are "win-win", because that takes a long time to do.

Development plans which decide what's going to happen, where, in a city, are often billed as technical documents, which only technical people can understand and whose preparation is a purely technical exercise of arranging roads, zones, drainage and access with the greatest efficiency.

There are many intermediate options which offer alternatives to forced eviction — alternatives which work for both the city and the poor. These options are being explored, refined, added to and scaled up right now, in cities around the world. The solution for eviction lies in finding strategies which allow people to be part of the planning which affects their lives. This might involve legitimizing the rights of poor people to stay where they are now, or it might involve relocating them to land which allows them to continue developing their lives — or many other options in between. A few of these alternatives are described briefly in the following pages.

Almost all the eviction happening today is preventable. None of the misery eviction brings or the wrongful planning decisions, disregard for equity or misdirected development imperatives behind it are inevitable.

www.achr.net

EVICTION ALTERNATIVE 1:
Secure tenure and on-site upgrading

The best eviction alternative is one that preserves the community in the same place and gives people secure tenure rights to that land.

One of the best ways for cities to help their poor citizens access better housing and living conditions is by providing secure tenure in the informal settlements where they already live, and then working with them to upgrade their settlements together. While poor communities have known this for a long time, it has taken governments and urban decision-makers a long time to recognize the benefits of on-site upgrading. But as more and more cities around Asia are learning through experience, helping people to secure their land and improve their housing conditions, rather than evicting them, is in the best interests not just of the urban poor, but the whole urban economy.

When cities and poor communities work together to secure and upgrade existing poor settlements, it is a humane, economical and pragmatic way to protect and expand the city's largest stock of affordable housing for its workforce. It is a way of resolving housing shortages that are a problem not only for the poor, but for the city as a whole. The process of upgrading is also a powerful way of transforming mutually antagonistic relationships between city governments and poor communities into productive relationships of mutual trust and collaboration.

There are now many examples of large-scale slum upgrading programmes being implemented in Asian cities which are showing the enormous potential that secure tenure has for generating better quality housing and living environments for the urban poor. (*See Quick Guide 2 on Low-income Housing)*

No more than 20% of slums should have to be resettled

Housing professionals estimate that in most Asian cities, no more than 20% of the informal settlements are on land that is genuinely needed for other urgent public development purposes, such as new roads, drainage lines, flood control projects or government buildings.

Informal settlements provide a much-needed stock of affordable housing for the people whose hard work is fueling the city's economic growth. Enabling these communities to stay where they already are constitutes a reasonable use of publicly-owned land. When people are given secure tenure and a little support, they can transform their settlements into beautiful neighbourhoods and proud parts of the city.

PHOTO: TIBET INTERNATIONAL HERITAGE FUND

Source: ACHR

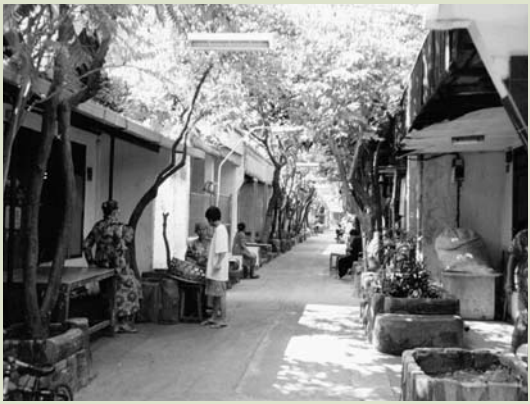

PHOTO: ACHR

Showing people can do it:

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.

Community upgrading in Surabaya, Indonesia

The Banyu Urip community is located in the centre of Surabaya, on what used to be a large Chinese cemetery. In the 1950s, when poor migrants and refugees began pouring into Surabaya, there was not enough housing available for them, so many had to improvise their own housing solutions by squatting on whatever vacant land they could find.

At Banyu Urip, there had been only a few houses for the graveyard's caretakers, but during this period a lot of these pioneering households (including many prostitutes) began using the vacant space between the grave-mounds to build houses. By the late 1960s, the graveyard had become a vast and crowded slum with more than 3,000 houses, in which over 40,000 people lived.

Despite pressures to evict the households, the Municipality of Surabaya made a bold decision to evict the dead and to support the efforts and investment this living community had already made to house themselves in a difficult and crowded city. In 1967 the Municipality officially closed the cemetery, asked the relatives to move the graves to a new area and gave the residents the green light to stay and develop proper housing and infrastructure through small-scale improvements.

In 1979, Banyu Urip was included in the Kampung Improvement Programme (KIP) and upgraded over the next few years with paved lanes, sewers, storm water drains, tree-planting and garbage disposal, making as few changes as possible to the settlement layout that was already in place. All the residents of Banyu Urip now have full tenure certificates and direct water and electricity connections.

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 a big increase in home-based industries as well as a thriving market of rental houses and rooms in the community.

Source: www.achr.net

Community upgrading in Sri Lanka

Sri Lanka's Million Houses Programme is another example of how, by simply providing secure tenure in existing slum settlements, a government can facilitate the upgrading of the enormous housing stock those slums provided, with relatively little budget or effort.

The Million Houses Programme's Urban Housing Sub-Programme was launched in 1985 in 51 Sri Lankan towns and cities, with technical support provided by the National Housing Development Authority (NHDA). Under the programme, each community would form a Community Development Council (CDC), which would survey and map the existing settlement and work with NHDA technical staff to draw up a new layout plan of house plots, lanes, open spaces and infrastructure networks.

Many of these settlements had existed for decades, and there were big differences in plot and house sizes. Usually the earlier settlers had larger plots and houses than late-comers. Negotiating adjustments to these layouts, to make way for new infrastructure and to ensure that everyone had at least the minimum-required plot, was a long and complex process, but an important step in developing community spirit and a common vision for the community's future development. In most cases, the incentive of receiving secure land title was enough to soften any resistance by residents who ended up losing a bit of their land in the redevelopment process.

Under the programme, communities could apply for small government grants to support the infrastructure projects they planned and built themselves in the newly-upgraded communities, and individual households could take small loans to begin building their new houses incrementally.

The programme was a success because the government withdrew from direct involvement in design and construction of housing and instead encouraged a process by which people built their own houses and upgraded their communities themselves, according to plans they developed themselves.

Source: Shelter in Sri Lanka, 1991.

PHOTO: ACHR

People do the work, government supports them with secure tenure, soft loans and infrastructure subsidies:

Between 1984 and 1989 more than 38,000 households in Colombo alone saw their housing, living environments and tenure security improve dramatically under the Million Houses Programme, which in turn brought about positive impacts on their health and economic well being.

Pro-poor policy at the top: Slum regularization in Karachi, Pakistan

Since 1975, the regularization and upgrading of *katchi abadis* (informal settlements) has been a national government policy in Pakistan. Each province has its own procedures for implementing this policy, but in the early stages, red tape and corruption slowed down the regularization process in many provinces in Pakistan.

Under Sindh Province's **Katchi Abadi Improvement and Regularization Programme**, which was one of the country's first, once an informal settlement has been officially recognized as such, it becomes eligible for regularization. The city of Karachi, which is ringed with large belts of public land, has some of Pakistan's largest informal settlements — some are like cities in themselves, with populations of as many as one million people.

Instead of enduring continued harassment and periodic threats of eviction, the regularization process allows residents in these vast settlements to get secure tenure, incorporates their communities into Karachi's development planning and entitles them to receive various kinds of infrastructure development support from the Karachi City District Government.

The security of tenure which these regularization programmes gave the city's poor people enabled community-based upgrading initiatives in housing and infrastructure to blossom on a large scale in many of Karachi's poor settlements. One of the largest-scale of these community upgrading programmes was developed in the sprawling Orangi settlement, by the Orangi Pilot Project *(see opposite page)*, which helped transform a squalid slum into what is today a thriving, prosperous and fully-serviced township.

PHOTO: URC KARACHI

This process of regularizing katchi abadis in Pakistan continues today. About 5.5 million people now live in Karachi's katchi abadis. By 2005, almost 85% of these settlements had been regularized and improved, providing clean, decent, affordable, secure housing to nearly half the city's population — and almost all its poor citizens.

Source: www.oppinstitutions.org.

Upgrading at the bottom: Community built sanitation in Karachi, Pakistan

Since 1980, the **Orangi Pilot Project** (OPP) has been studying the problems in Orangi, Karachi's largest *katchi abadi* (informal settlement) and exploring viable solutions to those problems which can be applied, with modifications, in other settlements and become part of state policies. OPP does not fund development, but by providing social and technical guidance to poor communities, encourages the mobilization of local resources and the practice of cooperative action. Based on these principles, OPP has evolved a number of programmes in sanitation, health, employment and education.

OPP's Low-cost Sanitation Programme has helped 100,244 households in Orangi — and another 57,616 households in other Karachi settlements and in other cities — to build toilets and lay underground sewers and water supply systems. People have so far invested over US$3.63 million of their own money to do this work.

By carrying out technical research, modifying engineering standards and making work procedures compatible with community-managed construction and finance, OPP has brought the cost of these services down to just US$16 per household. Based on this work, OPP has developed a sanitation model with a clear division of responsibilities:

- **EXTERNAL infrastructure** (trunk sewers, treatment plants, water sources) is done by the government.
- **INTERNAL infrastructure** (toilets, underground sewers and water supply in lanes, plus neighbourhood collector sewers) is built and paid for by the communities.

OPP's sanitation model is now being replicated in 50 other Karachi settlements, in 11 other cities in Pakistan and in rural areas. The OPP principles are also being applied in community upgrading projects in other countries around the world.

Source: www.oppinstitutions.org

PHOTOS: OPP-RTI

Before: *A sewage-flooded dirt lane in Karachi's Manzoor Colony slum, before the people upgraded their sanitation, with OPP support.*

After: *The same lane, after the underground sewers have been laid, the surface paved and toilets built in all the houses.*

EVICTION ALTERNATIVE 2: Land Sharing

Land sharing is a compromise strategy for resolving urban land conflicts between poor communities (who need the land they occupy for housing) and private or government land owners (who want the land back to develop).

After a period of negotiation and planning, an agreement is reached to "share" the land, where the settlement is divided into two portions. The community is given, sold or leased one portion (usually the less commercially attractive part of the site) for reconstructing their housing, and the rest of the land is returned to the landowner to develop. There's no rule about how the land is divided: the amount of land the people get and how much goes back to the owner is settled during the negotiations. And finally, everyone wins.

Land sharing is usually a long and complicated process and doesn't work in all eviction and land-conflict situations. Behind a successful land sharing scheme, there must be a strong community organization, skilled intermediaries and good technical assistants to help draft out a variety of land sharing plans to bargain with. Land sharing is not a strict or abstract policy or set of guidelines, but a flexible strategy for resolving serious land conflicts. At the core of a land sharing process is the ability to translate needs and conflicting demands into a compromise which takes a concrete "win-win" form, and which is acceptable to all parties involved.

No losers in land sharing

Land sharing is also a way of dividing the cream of urban prosperity a little more fairly. The poor get minimum, decent housing with secure land tenure, and the private sector, which profits from development and from the poor's cheap labour, helps pay for it.

- **Land owners** can clear some land for immediate development, save time and costs of long-term eviction litigation.
- **Slum-dwellers** stay where they have been living and working, get much-needed secure land tenure and keep their communities intact.
- **Governments** get much-needed land and housing delivered to the city's poor communities, without having to pay for it.

PHOTO: ACHR

Land-sharing is a compromise:

Poor households will have less area and the landowner gets back less than all of his or her land. There is a trade-off: the poor will be the legal occupiers of their land and the landlord finally gets to develop the land as he or she wishes.

Adversaries become friends:

An extraordinary thing about the land-sharing process at Klong Lumnoon is that at the end of this long and bitter struggle to resolve the conflicting needs of community and landowner, these two adversaries ended up being friends. The landowner even agreed to provide materials to build a new concrete walkway into the settlement.

PHOTO: CODI

Land sharing in Bangkok, Thailand

The small, canal-side squatter community of Klong Lumnoon was far from everything when the people first moved there in 1984. But by 1997, the area was gentrifying and the landowner decided to evict them and develop the land commercially. Some residents accepted the cash the landlord offered and moved away. But 49 households who worked nearby and had nowhere else to live struggled to stay and entered into a long and bitter eviction struggle with the landowner.

Eventually, the residents linked with Bangkok's large network of canal-side communities, who showed them how to organize, how to deal with the district canal authorities and helped them to form a savings group. Some senior community leaders from the network helped to negotiate a compromise land-sharing solution, in which the landowner agreed to sell the people a small portion of the land for their housing, in exchange for their returning the rest.

With the District Office acting as mediator, the people even managed to haggle the landowner down to a below-market selling price of just $21 per square meter for their part of the site. After registering as a cooperative, the community took a loan from the Community Organizations Development Institute (CODI), an agency of the Thai government, to buy the land collectively.

The people at Klong Lumnoon then worked with young architects from CODI to design an efficient layout for the 49 houses and to develop four low-cost house models for the households who will have to rebuild. The first three models were designed with rooms which can be finished later, after the households have paid off their land and housing loans and have some cash or building materials to spare.

The people have also reserved four plots in the new layout for a community centre, which the people designed in close collaboration with the young architects. The community centre, which the people built themselves, also has a day-care centre. All the work of planning and building the infrastructure was done by the people themselves, with subsidy support from CODI's Baan Mankong Community Upgrading Programme.

Source: www.codi.or.th

PHOTO: ACHR

Resettlement isn't cheap:

When you add up all the costs of new land, new housing, new land development, new infrastructure and new social services required to make a good resettlement project, it often comes to a lot more than it costs to upgrade people's housing where they are now. Plus, there are the added costs of people's lost jobs, increased travel expenses and moving costs.

EVICTION ALTERNATIVE 3: Resettlement

Although on-site upgrading may be the best option for the poor, there will always be cases where staying in the same place is absolutely not possible. It could be that the location is too dangerous for upgrading (in river-beds, along roadways or railway tracks or on steeply-sloping land prone to landslides), or it comes in the way of a municipal infrastructure project which cannot be changed or moved.

In these cases, resettlement to other land may be the only option. But resettlement is never an easy transition for the poor, with all the upheavals, high costs and disruption of livelihood and support systems it entails.

Most Asian cities have a dark history of brutal relocation initiatives, in which the poor have been forced out of their settlements and dumped on undeveloped land on the outskirts of the city, with no assistance or compensation to help them rebuild their houses and lives. This kind of resettlement only deepens poverty and makes a city's housing problems much worse.

Is your city's resettlement policy a healthy one?

Here is a rule of thumb for testing whether a city's resettlement policy is healthy or not. If you don't count all the people being displaced by speculation, gentrification or commercialization of land, the only people who really do need to be relocated are those who are living on land in clearly dangerous locations, or those whose presence in a particular location is going to stop a large infrastructure project that is important for the whole city.

In even the most densely-populated cities with the largest populations of informal dwellers (like Mumbai or Manila, both with between 50% and 60% of their urban populations living in informal settlements) this will not constitute more than 10% or 20% of the urban population. You will know that a city's policy towards eviction and resettlement is a good one, and a healthy one — and is working — if those 10-20% are the only people being resettled.

Source: www.achr.net

When resettlement is not necessary

One of the most frequently cited reasons for evicting people from their informal settlements is to clear the land for construction of large-scale urban infrastructure projects. A lot of these projects are not part of the normal city planning process but are being designed, marketed and financed as stand-alone projects by international development loans or joint ventures between local investors and international finance companies. Frequently, these projects are rushed through the approval process without any civic scrutiny. And often they are not necessary, too expensive and skewed to benefit only the city's better off citizens. When poor communities are forced to relocate to make way for such projects, they have every right to object.

Unnecessary resettlement in Bangkok, Thailand

Ban Khrua is a 200 year-old community of 1,200 teakwood houses, built along one of Bangkok's last navigable canals, surrounded by sky-scrapers and roaring expressways. This Cham Muslim community's spiritual life is closely attached to this land, which was granted to their ancestors by the King of Thailand.

In 1987, the Expressway and Rapid Transit Authority (ETA) announced plans to construct an on-ramp through Ban Khrua to ease traffic congestion. Besides expropriating half of the settlement and bulldozing its mosque and cemetery, the ramp would cover what was left with ten lanes of noise and polluting traffic. When they learned of the plan, the people took to the streets in outraged but peaceful protest.

Over the next 14 years, Ban Khrua's fight to save their homes became one of the city's most celebrated struggles against unnecessary eviction. The people's highly-organized campaign against the expressway included meetings, protest marches, sit-ins, rallies, symposiums, exhibitions and behind-the-scenes detective work. From the beginning, community members attended all ETA meetings and equipped themselves with information. Two

PHOTO: ACHR

public hearings determined that the on-ramp was unnecessary and would not ease traffic congestion, but powerful retailers in the area kept pushing the project, to improve parking access to nearby shopping malls. Ban Khrua's sustained resistance touched a deep chord in Bangkok, a city increasingly aware of all it has sacrificed in the name of development. Academics, historians, journalists, neighbourhood groups, human rights activists and government housing officials all placed themselves strongly behind the community from the beginning. Finally, in May 2001, the ETA announced it was abandoning plans to build the project.

Source: www.achr.net

Participatory resettlement in Ahmedabad, India

The Sabarmati River in Ahmedabad floods every year, and every time the poor squatters living along its banks had resisted the city's efforts to relocate them. But when the 1973 floods killed many and destroyed the huts and cattle of 3,000 households, even those long-resisting squatters realized it was time to move.

With help from the NGO *Ahmedabad Study Action Group (ASAG)*, a resettlement process was organized in which the riverside communities were involved at each stage. At that time, nobody had heard of participatory planning, and so ASAG, the city and the people had to make up the rules as they went along.

The first step was to survey the affected settlements to better understand the people's social and economic patterns. The 3,000 households were divided into 20 clusters, some Muslim and some Hindu. Most of them were working as labourers or vendors.

ASAG's idea was to use the resettlement process as a springboard for a more comprehensive development process in the communities, which included improvements in housing, infrastructure and livelihood, with the communities involved in each step of the planning and implementation process.

Several key organizations contributed:

- **The State of Gujarat**, as part of its flood rehabilitation policy, allocated a 43-acre site at Vasna, 7 kms from the city centre, and a subsidy of US$40 per household.
- **The Municipal Corporation** provided piped water, sewers, street lights, roads, schools and community centres, even though the site was outside its jurisdiction.
- **OXFAM** contributed a grant of US$ 20 per house and additional support for social organizing.
- **HUDCO** (The Housing and Urban Development Corporation) provided low-interest housing loans to households, repayable over a 20 year term.
- **ASAG** organized a participatory design process to develop the house types and settlement layout.

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 settlement layout and most importantly, the right to an economically viable and acceptable relocation site.

Source: ASAG Publication "Shelter and Settlements" 1998.

PHOTOS: ASAG

PHOTO: ACHR

A first for Phnom Penh:

The Akphivat Mean Cheay resettlement project was the city's first demonstration of how effective it can be when cities and the poor work together to find solutions to the conflicting needs of urban development and affordable housing. The project allowed the city to proceed with its drainage plans and at the same time it provided a secure, healthy and well-located community for people that the project had displaced.

Resettlement by people in Phnom Penh, Cambodia

In 1999, 129 households living in the roadside settlement at Toul Svay Prey found themselves threatened with eviction, to make way for a municipal drainage project. Through their community savings group, the people managed to use the crisis to organize themselves and negotiate their own planned, voluntary resettlement to new land at Akphivat Mean Cheay.

- **Community members** searched for alternative land and chose the final site from nine site options.
- **UN-HABITAT** provided infrastructure through "community contracts" in which community members (instead of contractors) were paid to construct roads, drains, pit latrines, water pumps and plant trees.
- **The Municipality** purchased the new land using funds from the drainage project budget and granted each household land title after they repaid their housing loans.
- **Young architects** with the Urban Resource Centre helped the people design the layout plan and houses.
- **The District Chief** helped to negotiate and push through the whole process.
- **UPDF** provided housing loans of US$ 400 to each of the 129 households.
- **Households** built their own houses, most according to the affordable "core house" model with internal lofts, which they had developed with the young architects.
- **The Community Savings Network** turned each step of the process into training and inspiration for communities around the city, through a constant stream of exchange visits.

The project was the city's first chance to see how effectively poor communities can plan and undertake a voluntary resettlement process in close collaboration with many stakeholders.

Source: Urban Poor Development Fund Newsletter, May 2003. Download from www.achr.net

PHOTO: ACHR

It should be people's choice:

Many argue that as the rich and the middle-classes have the right to buy and sell the land they have paid for, the poor should also be entitled to capitalize on their land assets. While there are clear advantages for the poor in collectively owning or managing their land, ultimately, the choice over how land is managed should belong to the poor themselves.

Tenure security can bring powerful market forces into a poor community

There are benefits and drawbacks that come with formalizing the land assets of the poor. Once they have legal rights to the land they occupy, people can use those rights to get access to public services, to get bank loans, to start small home-based businesses and to legitimize their status in the city.

But one of the paradoxes of social development and poverty alleviation programmes is that tenure insecurity can actually protect poor people from market forces. As soon as you make a slum more secure by regularizing it, formalizing user rights or giving land titles to its residents, those tiny plots which used to be insecure and unattractive, suddenly enter the urban land market and become marketable commodities. Richer people will be queuing up to offer large sums of money to buy the poor people out.

Of course many slum-dwellers will be tempted to trade in their shack for more cash than they could make in several years. It is in the nature of poverty that when crises happen (debts, medical emergencies and deaths in the household), and when crises come — as they always do — people often have no choice but to sell off whatever they have of value in order to survive, including their newly-secure land. The only option left for people in that position is to move back into another slum and start their lives all over again.

Not everyone sees this gentrification of poor neighbourhoods as a problem. A growing number of "poverty alleviation" programmes are being launched in which informal land assets already used by the poor are being formalized. Some of these programmes end up making the housing problems of the poor much worse, as market forces push vulnerable poor households out.

This is also a form of eviction — a much softer form, in which there is no single person or agency or villain to point the finger at, no messy demolitions and it happens gradually, one tiny parcel of land at a time, so hardly anybody notices until one day, all the poor people are gone.

Individual or collective tenure?

Individual land title is increasingly becoming the primary form of land ownership around the world — especially in cities, where market access to land is crucial for economic expansion. Land tenure systems such as customary rights, or collective ownership by cooperatives have proven to be obstacles to speculation and economic expansion. So these alternative tenure systems are being systematically thrown out around the world, along with the people whose shelter, livelihood and survival they protected. The way tenure is organized in poor settlements can be a crucial factor in whether those communities are able to resist these powerful economic forces and protect their poor residents. *(See Quick Guide 3 on Land).*

Collective secure tenure in Thailand

In a society which is becoming ever more individualized, poor people alone have little power. For the poor, the collectivity of the communities they live in is an important survival mechanism, which helps them meet needs and resolve problems they can't meet or resolve *individually*. To strengthen this "collective force" in poor communities, Thailand's national **Baan Mankong Community Upgrading Programme** is experimenting with finding ways to make every aspect of the community upgrading process collective, as much as possible.

As part of the programme, communities have to negotiate their own secure tenure — by buying or leasing the land they already occupy, or land they identify close by. In those projects with individual land tenure, there are many more problems than in projects where the land is rented or purchased collectively. In this way, the people's "collective force" is able to deal with whatever minor problems come up, as a matter of course. Collective land tenure can also safeguard against speculation and gentrification, which are always a danger when the tenure of inner-city settlements is secured.

But besides assuring that the people keep their community, there is an automatic and binding element in the cooperative management of land, which links people together. The monthly rituals of collecting the rents or land repayments, or the process of making decisions about land which is collectively owned are more ways of bringing people together.

This does not mean, however, that people cannot sell their housing and move out. It means that house owners can only sell their houses to people who are acceptable to the community cooperative. The community organization may also decide to charge a percentage of the house sale price as revenue for the whole community, to help fund various community activities or settlement improvements.

Collective land tenure in poor communities is now the norm rather than the exception in Thailand. Out of 575 community upgrading projects in 200 Thai cities so far (affecting 47,000 households), 470 projects are in communities with collective land tenure.

Source: CODI Update 4, June 2004. www.codi.or.th

7 ways to avoid eviction

Almost all eviction that is happening in Asian cities today is unnecessary and could be prevented. None of the misery and impoverishment that eviction brings, or the wrongful planning decisions, disregard for equity or misdirected development imperatives behind eviction are inevitable. There are actually many intermediate options which offer alternatives to forced eviction — alternatives which work well for the poor, and well for the cities they live in. And there are many things that governments, NGOs, support institutions and aid agencies can do to open space for these alternatives to be developed, refined and scaled up.

1. **Recognize that the poor are only trying to survive**, and that when they squat on land illegally, it is because they have no other options and that squatting is the only way they can survive. They know the risks and drawbacks that come with informal settlements, but they have many good reasons for staying there.

2. **Do not punish the urban poor by forcibly evicting them** from the places where they can provide their own shelter and livelihood, by mechanically enforcing laws. The better, fairer and longer-lasting solutions to structural problems of land and housing will come only when cities can work with the poor as key development partners.

3. **Learn to listen to the voices and ideas of communities** facing eviction before developing policies or plans which affect them. This listening and learning can also happen on a national or regional scale, by visiting and learning from some of the many eviction-alternatives and compromise solutions that have been tried and tested in other cities and other countries — solutions in which the poor have been key actors.

4. **Support the strengthening and expansion of community organizations**, networks and federations, in order to create a platform for the poor to share ideas and scale up solutions which have been successful in certain places. This is where the seeds of the most creative, pragmatic and sustainable solutions to eviction will be sown.

5. **Prepare urban development plans in collaboration** with poor communities, so that projects planned for the city can be designed to leave room for affordable land for housing, in locations that are close to employment opportunities.

6. **Introduce better land management and administration** to make it expensive to hold empty urban land speculatively, and make it profitable to use free land for affordable housing.

7. **Work with legal reform and legal aid organizations** to review and reform the eviction laws and procedures which already exist, so that they will take into better consideration the lack of land and housing options for the poor and better protect their rights and property in the event eviction does occur.

Trends to make good use of …

- **DECENTRALIZATION:** In many Asian countries, some aspects of decision-making power and budgets are being decentralized to local government agencies. The days when urban development plans are drawn up in far-away capitals are not over yet, but local authorities are having more freedom and more responsibilities when it comes to planning how land is used and how development happens in their areas. At the same time, local governments are increasingly responsible for social issues like housing and poverty-alleviation. Not all local governments are prepared for these new responsibilities. But because they are locally elected and much closer to the lives and realities of their constituents (especially the poor), they can often be more responsive and more accountable. In these ways, decentralization has made more room for constructive dialogue between communities and local governments about development decisions which directly affect people's lives.

- **COMMUNITY ORGANIZATIONS:** In the last 25 years, organizations of poor communities have grown, expanded and matured in many Asian countries. These national community networks and federations have become more organized, better informed and better linked. Through their community-driven initiatives, thousands of urban poor households are getting better houses, land security, living conditions, jobs, access to credit and welfare opportunities. These community movements, which were mostly born out of eviction resistance, have become more pro-active and more solution-oriented in their approach to finding long-term solutions to poverty, land security and housing in Asian cities.

- **PARTNERSHIPS:** Their large scale and innovations in housing, land, savings, and livelihood have made community movements attractive development partners. Many have negotiated strong working relationships with their local, provincial and national governments — and with other urban stakeholders. Governments are increasingly realizing the great potential in working with these community movements — instead of against them — to jointly develop solutions to the problems cities are facing. Constructive partnerships between local governments and organized communities are now responsible for some of Asia's most innovative and effective land and housing delivery programmes.

PHOTO: HOMELESS INTERNATIONAL

Asian cities continue to confront huge challenges in providing land and services to meet the needs of their growing populations. A lot of mistakes have been made through policies and practices that were adopted without consulting the citizens they affect — particularly the poor. But decentralization and better organized and informed communities are creating more space for governments to engage with the poor to find mutually beneficial solutions to these problems.

PHOTO: URC KARACHI

Building rather than breaking:

When a resettlement process is organized in ways that ensure the affected people will be involved and will be able to continue to develop their lives at the new site, then resettlement can be a community-building rather than a community breaking process.

Resettlement guidelines

It is important for local authorities and housing agencies to remember that resettlement is always an extremely stressful process which creates enormous disruption in the already-precarious lives of poor people. But these stresses can be minimized when efforts are made to assist people and ensure all stages of the process are planned in such a way as to meet their needs. To protect the poorest and most vulnerable groups within a community that is to be resettled, it is important that the authorities involved work together with the communities to jointly develop a set of guidelines which set down clearly the terms and conditions for the selection, pre-moving, moving and post-moving preparations. A few aspects of the resettlement process that these guidelines might cover are:

1 **Involving the affected people:** Affected people are usually more willing to relocate if they are not treated like passive beneficiaries but included in all aspects of the resettlement planning, so they can see they will have a better, more secure future in the new place. If communities can be involved in every stage of resettlement process, so that it will meet their needs, resettlement can be an opportunity to increase people's economic position and build their collective capacities to develop themselves.

2 **Communities have to be organized:** Communities need to be well-organized and well-prepared in order to negotiate a good resettlement package and collectively build their new settlement so that relocation meets the needs of all community members, as much as possible. Community savings is a powerful tool for building this kind of organization. Another tool is community exchange, which enables poor people to learn from each other's experiences and visit other relocation projects to see what does and does not work. *(See Quick Guide 6 on Community-based Organizations)*

3 **Information about the resettlement:** Public meetings should be organized long before the resettlement to explain the process, make clear what the tenure terms at the new land will be and explain whatever payments people will be expected to make for land and basic services. It is important to specify clearly the timeframe and procedures for the provision of land titles or lease agreements to the community cooperative or to individual households.

4 **Surveying the communities:** A community should conduct a full survey of its residents to help the community and the authorities make decisions about who will be entitled to plots in the resettlement site. In some cases, communities might decide that only structure owners or house renters who had stayed in the community for a certain time will be included in the resettlement project, while other communities might decide to include everyone. Either way, mutually-verified survey data will help ensure a fair and transparent plot allocation process.

5 **Preparing the new plan:** The community also needs time and assistance to organize itself for the move, to explore house-type and layout options to determine what kind of plots they need, what kind of houses they can afford, and what kind of community spaces and facilities they want to incorporate in their new settlement. With some sensitive technical assistance, the communities themselves can develop very practical and realistic settlement layouts and housing plans for the new site, even within extremely tight budgets and land constraints.

6 **Selecting the new site:** Resettlement sites must have access to vital services like water supply, electricity and drainage, as well as amenities like schools, clinics, places of worship and public transportation. For communities, proximity to sources of employment is almost always a top priority in the new site. For all these reasons, it is important that the choice of new sites be made with the affected people and the final choice be agreeable to them.

7 **Preparing the new site and moving:** Nobody should be moved to the new site until it is fully prepared with basic services, temporary housing and support systems in place.

8 **Organizing the move:** The move should never happen during rains, and transport should be provided to enable people to carry their belongings and building materials to the new land. Additional support should be organized to help elderly, disabled or woman-headed households to dismantle their houses and rebuild them on the new site, and food supplies should be provided, until people can put up some basic shelter.

Cities already have their own housing experts

Instead of hiring expensive consultants to tell them how to solve their housing problems, many urban decision-makers are looking for assistance to the groups which are already providing most of the affordable housing in their cities — the poor themselves. It is no surprise that some of the best and most practical ideas for how to make housing programmes work (like resettlement schemes) are originating from poor communities and their larger networks and federations.

PHOTO: CODI

9 tools communities use to negotiate alternatives to eviction

There has been a big evolution in how community organizations and their supporters around Asia handle evictions. Twenty years ago, their main tools were organizing to resist specific evictions or filing court cases to stop demolitions. But during the violence, fear and dislocation of an eviction it is hard to think clearly and negotiate alternatives. Once a crisis erupts, the tools available to communities reduce sharply. So the question for Asia's poor communities was how to create a more pro-active, longer-term process to resolve these eviction conflicts. Instead of passively waiting for the eviction squads to come and then trying to stop them, what if communities could find space to focus on the longer-term goal of secure housing — long before eviction happened? Asia's community organizations have invented, refined and scaled up a number of long-term strategies to stop evictions and change their relationships with their city governments, and these strategies are now bearing fruit. *(More on these community tools in Quick Guide 6 on Community-based Organizations)*

1 **Community savings:** Collective saving binds people together, teaches them to manage their collective assets and helps them take control of their own development. Savings make room for poor people to develop their strengths gradually and to make decisions together through a collective mechanism. When small savings groups link into larger networks, these networks give community members access to greater financial resources and enhanced clout when negotiating for their basic needs, and enables the poor to deal with the larger, structural issues related to their problems — especially eviction and access to urban land.

2 **Community enumeration:** When cities do the counting, poor people are almost always under-counted. But when poor people do the counting, it can be a great community mobilizer. When communities and their networks survey all the poor and informal settlements in a city, they are often gathering data that has never been gathered before on numbers, livelihoods, problems and living conditions of large segments of the urban population. Enumeration helps poor communities realize they are not alone, that the housing problems they face are linked to much larger structural issues of how cities are planned and urban land is used.

3 **Settlement mapping:** For poor community networks, an important part of the data-gathering process is making detailed settlement maps. Mapping is a vital skill-builder when it comes time to plan settlement improvements. The first-hand information which community maps provide make them powerful planning and mobilizing tools, and also effective bargaining chips in negotiations for secure tenure, access to basic services and housing entitlements.

4 **House model exhibitions:** When communities build full-scale models of their house designs and invite government and the public to see what they've been planning, a lot of things happen. House model exhibitions "democratize " possibilities, they train people in construction, they stir up excitement, they build confidence within communities, they help people visualize affordable house designs and they show the government and the civil society what the poor can do.

5 **Negotiating with alternative plans:** If communities can prepare themselves and develop their own solutions long before eviction ever happens, they will have more choices and more control. When poor communities come to the negotiating table with their own comprehensive and realistic housing solutions, which address issues of people's basic survival and urban development, it's hard for governments not to listen.

6 **Land searching:** It is often claimed that there is no land left for the poor's housing, but when poor people get to know their cities better, find where vacant land is and educate themselves about development plans, they can challenge this and negotiate better resettlement deals.

7 **Shelter planning:** It is hard to fight for decent, secure housing if you don't have any idea what that house or that community might look like. The poor are already builders of their own housing and efficient planners of their own spaces. When those skills can be brought out and refined and directed into a real housing planning process, it can unleash all kinds of creativity.

8 **Exchange learning:** Community-to-community exchange, in which the poor visit each other in other places and learn from each other, is a development tool which helps poor people build capacities to deal with the root issues of poverty and eviction. People-to-people learning through exchange has proven to be a many-sided development tool. As a way to break isolation, boost confidence, expand options and build networks, exchange is one of the most powerful antidotes to hopelessness.

9 **Network building:** No household or community alone can negotiate with the city for resources. Only when they negotiate together, in organizations which have the collective force of big numbers does it work. To make change, there needs to be a "critical mass" of people demanding change, and that critical mass creates solutions, breaks down resistance to change, and dissolves the barriers between poor people and resources. Community networks also create platforms for horizontal learning, mutual support and sharing of ideas between poor communities in different parts of the city or different parts of the country. *Source: ACHR*

Slum-dwellers International (SDI)

For the last ten years, SDI has worked to build a strong constituency of people's organizations at the global level to develop and articulate their own proactive strategies for dealing with eviction, and to create opportunities for these groups to share their knowledge and experiences together. The network offers a growing set of living examples, in different cities and in different parts of the world, where communities have negotiated successfully for secure land and then built housing and infrastructure. One of the biggest advantages of such large networks of grassroots groups like SDI is that they allow communities facing eviction to know that:

- They are not alone, that others are facing similar crises and finding solutions for resolving them which lead to secure land and housing.
- Most governments can be negotiated with, if you are prepared.
- Solutions are possible and that eviction-causing projects can be altered so fewer people get displaced or reasonable resettlement packages can be negotiated for and attained.
- They can pick from a range of solutions or strategies to help do this which may not be available in their immediate environment but have been created and tested elsewhere.

Source: www.sdinet.org

The Advisory Group on Forced Evictions (AGFE)

AGFE was launched by UN-HABITAT in 2004 based on an idea born by a number of representatives from international organizations, NGOs, governments, and slum-dwellers organizations who knew from experience that communities, cities and professionals can work together to create alternatives to forced eviction. The idea was to set up an independent, international, multi-stakeholder group of individuals that would be able to intervene in situations of on-going or imminent forced evictions. AGFE's primary objective is to prevent forced evictions through promotion of alternative solutions such as on-site upgrading and negotiated resettlement. With emphasis on development of proactive, long-term, process-oriented alternatives which can transform eviction crises into opportunities to build (or re-build) the people-driven housing process, the Group's approach goes beyond simple crisis intervention.

AGFE members, who are from civil society, local authorities, central government, academic institutions and professional organizations, are appointed for two years by UN-HABITAT, based on regional, institutional and gender balance. Since AGFE cannot attend to all eviction cases in the world, organizations that are linked to AGFE through their involvement in the struggle against forced eviction form its global support network. Where AGFE cannot go, individuals and organizations from this network contribute to the search for alternatives.

Since its launch, AGFE has identified, monitored and documented more than 30 cases of forced eviction and played a mediating and conciliatory role in missions to cities where evictions where being carried out or where there was an imminent eviction threat. In its first two reports (available at www.un-habitat.org), AGFE has disseminated successful experiences and strategies to promote "win-win" options that preserve people's shelter rights while supporting essential urban development.

Source: www.un-habitat.org

A box full of tools

"I think the Advisory Group is like a box full of tools. Inside that box we put all the different tools all of us have developed in our different countries and our different sectors to fight eviction. Then we close that tool box and carry it together to repair the damage. And I am one of the tools to be put in that box! So when the government comes to us and says, 'OK, you say you have ideas about how we should not evict these people — what are your alternatives?' Out comes this big tool box."

Rose Molokoane, South African Homeless People's Federation, member organization of the wider AGFE network)

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WEBSITES

Asian Coalition for Housing Rights (ACHR) **www.achr.net**

Centre on Housing Rights and Evictions (COHRE) **www.cohre.org**

Community Organizations Development Institute (CODI), Thailand. **www.codi.or.th**

Environment and Urbanization, the journal of the International Institute for Environment and Development (IIED), London, U.K. All issues of this journal can be downloaded from the Sage Publications website. **http://sagepub.com**

Habitat International Coalition (HIC) is an iinternational, non-profit movement of organizations and individuals working in the area of human settlements, habitat conditions and housing rights. **www.hic-net.org**

Orangi Pilot Project, Karachi, Pakistan. **www.oppinstitutions.org**

Sevanatha NGO, Colombo, Sri Lanka. **www.sevanatha.org**

Society for the Promotion of Area Resource Centres (SPARC) is an Indian NGO working on housing and infrastructure issues for the urban poor, and works in partnership with the National Slum-dwellers Federation (NSDF) and Mahila Milan. **www.sparc-india.org**

Slum-dwellers International (SDI). **www.sdinet.org**

Toolkit Citizen Participation is a group of civil society (NGO) and local government organizations from all over the world, working together to promote participatory governance in local government.

www.toolkitparticipation.nl

Urban Resource Centre (URC), Karachi, Pakistan. **www.urckarachi.org**

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Housing the Urban Poor: A project of the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP). **www.housing-the-urban-poor.net**

United Nations Human Settlements Programme. **www.un-habitat.org**

An annotated list of websites: *For an annotated list of websites which offer more information about the key issues discussed in this Quick Guide series, please visit the Housing the Urban Poor website, and follow the links to "Organizations database".*

www.housing-the-urban-poor.net

LEGAL RESOURCES ON EVICTION

Another good source of information about international law, covenants and declarations regarding human rights, housing rights and eviction is the COHRE publication *Legal Recources for Housing Rights: International and National Standards — COHRE Resources 4*, which can be downloaded as a PDF document from their website. **www.cohre.org**

PHOTO: URC KARACHI

The pressures of rapid urbanization and economic growth in Asia and the Pacific have resulted in growing numbers of evictions of urban poor from their neighborhoods. In most cases they are relocated to peripheral areas far from centres of employment and economic opportunities. At the same time over 500 million people now live in slums and squatter settlements in Asia and the Pacific region and this figure is rising.

Local governments need policy instruments to protect the housing rights of the urban poor as a critical first step towards attaining the Millennium Development Goal on significant improvement in the lives of slum-dwellers by 2020. The objective of these Quick Guides is to improve the understanding by policy makers at national and local levels on pro-poor housing and urban development within the framework of urban poverty reduction.

The Quick Guides are presented in an easy-to-read format structured to include an overview of trends and conditions, concepts, policies, tools and recommendations in dealing with the following housing-related issues:

(1) Urbanization: The role the poor play in urban development (2) Low-income housing: Approaches to help the urban poor find adequate accommodation (3) Land: A crucial element in housing the urban poor (4) Eviction: Alternatives to the whole-scale destruction of urban poor communities (5) Housing finance: Ways to help the poor pay for housing (6) Community-based organizations: The poor as agents of development (7) Rental housing: A much neglected housing option for the poor.

This Quick Guide 4 explores several practical, viable and replicable alternatives to evictions which are being tested, refined and scaled up by governments, community groups and support institutions in Asia. In almost all the cases, poor communities are central, creative partners in these processes. The guide presents guidelines to help policy makers to build better formal procedures to minimize forced eviction.

More information can be found on the website www.housing-the-urban-poor.net

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