

MAKING CHANGE HAPPEN: REFORMING INNAPPROPRIATE AND RESTRICTIVE REGULATORY FRAMEWORKS

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Introduction

The Regulatory Guidelines for Urban Upgrading research project has a particular focus on guidelines which are inclusive, enabling, transparent and promote the sustainable development of livelihoods and communities. However, it is widely known that many regulatory frameworks in developing countries are not complementary to these aims. Despite increasingly wide recognition in countries such as Kenya, South Africa, India and Jamaica of the limitations and problems, and actions being taken to improve the situation, regulation of land tenure, settlement planning and housing construction in many developing countries is still based on European models, which were developed on the assumption of a market for land and housing in which the majority of the population can participate, housing and paid work largely undertaken in separately defined locations, blueprint planning covering an entire urban area with clearly defined zoning of land use, adequate service and infrastructure provision for the vast majority of the population, a relatively well-financed public sector and active private sector, and a tightly regulated construction sector in which if a failure of a building is attributed to poor construction or materials contractors or suppliers can face a large-scale legal liability as well as clients receiving substantial insurance pay outs.

European or North American based standards and regulations were introduced in many developing countries in colonial times, but since independence in only a relatively small number of countries have

there been significant reforms. Where there has been little change, only a small proportion - generally the more wealthy residents, have been able to live in settlements planned and developed according to official standards and regulations. The vast majority have set up home in, often large, informal settlements, largely not governed by official regulations, on the outskirts of cities or in inner city slum tenements which the owners have rebuilt or added to usually without official permission. Even in formally planned settlements some householders have added rooms for rent, family members have set up their own businesses or families have started to keep animals and grow and process food, all without official permission. In some cities as many as 80 to 90% of the population live in housing not conforming to official regulations, codes and standards in some way.

It is apparent, however, that informal settlements are not sinks of people in abject poverty and despair. They are often very dynamic places with many people setting up and developing businesses, trading, travelling about the city to find work and markets, developing their own social networks, developing and providing services for each other, saving money and increasing the sustainability of their incomes. There are very many opportunities which exist or can be developed for poor people in informal settlements. Nevertheless, the fact that informal settlements largely fall outside the official regulatory framework, can impose some severe restraints for residents of these settlements to develop these opportunities. These include that :-

- Most residents of informal settlements do not have an official land tenure agreement, so are at risk of being evicted or resettled, which is a disincentive to investing in assets which are difficult to move, especially housing and heavy furniture or equipment for a business.
- There is usually only a very basic provision of services and infrastructure, especially water and sanitation. Sometimes these were installed by residents themselves, or sometimes by the local authority to try to avert public health risks. In any case the provision is still completely inadequate and there is still a health risk, especially for children, and other people, especially women, are greatly inconvenienced having to go some distance and queue to fetch water or use latrines.
- Where regulation is strictly enforced and eviction or relocation a first course of action by the authorities rather than the last, the only places where people can start up settlements may be a long way from the city, making it difficult for them to travel there to take advantage of opportunities, or they could be in areas of natural hazard such as flood plains or where their health and safety is endangered, e.g. near main highways, railways or in areas with significant air or water pollution.
- Because of the insecure tenure position of many residents in informal settlements they are unable to obtain official loans for improving their homes, purchasers cannot acquire a mortgage to buy their house and they are unable to put up their home as security for obtaining a loan to be used for any other improvement purpose. Residents in this position are hardly able at all to realize their home as an asset.

It is also being increasingly recognised by governments and local authorities that because of the scale factor in many cities and due to their own limitations in terms of the revenues they are able to collect, and the capacities of their own staff, that they alone are unable to solve the problems associated with informal settlements, especially in relation to issues of poverty and restricted opportunity of many of the residents, and completely inadequate infrastructure and services provision. Land issues can also be a severe obstacle to sustainable development of settlements, especially if there appears to be multiple ownership of land or uncertainty over precisely who the owners are. There has been a growing imperative for local authorities and governments to work with civil society, especially with NGOs and community groups or associations, to mobilise the assets of civil society and make use of their skills and capacities.

In a relatively small number of cases the response of local authorities and governments to the growth of informal settlements has been to offer some form of relaxation of standards to allow at least a proportion of the settlements to achieve a level of official regulation. This has usually been in the form of offering some form of land entitlement - usually not fully a complete deed or title, or permit to build accompanied by a lower set of starter building standards and a schedule for incremental improvement of housing. Additionally, sometimes access to loans and mortgages has also been facilitated for

householders participating in these measures.

The assumption with the above measures is often that they are intended to assist householders in informal settlements to achieve the official standards, but that they might need several years to do this, though in the meantime it has to be accepted that building and services standards would be lower, as a way of bringing in particular informal settlements into the municipal aspect. Public and private sector building professionals have often resisted any more permanent lowering of standards, or even in making them more appropriate to the situations in particular countries in question. The latter has only been achieved comprehensively in relatively very few countries, for example in those mentioned above. In other countries any change in official regulations generally occurs in quite a piecemeal way and slowly. It ought to be noted that even where starter standards have been developed and incremental development allowed, the authorities can nevertheless still be quite draconian in the way they enforce standards. Households can still get evicted if, for example, they have not begun to build or have not reached a particular stage in building by a specified time once they have obtained some form of entitlement to settle and build. However, the authorities dealing with these measures tend to be overstretched and under-resourced, so even allowing for starter standards and incremental development, the regulations are frequently flouted. Most residents of informal settlements don't bother to apply for official permits, as they have to pay for these and they offer little advantage to them in the long term if they still demand excessively ambitious levels of standards to be achieved.

The above description can be considered to be a top-down response to the increase in informality and the associated problems of rapidly expanding urban settlements. An alternative, which is becoming increasingly widespread, is some form of self-regulation, initiated by community organisations and self-interest groups within informal settlements. Most local authorities are generally not in favour of this form of self-regulation but quite often accept that they have little alternative but to tolerate it as their own interventions have largely had little impact. Additionally, where local politicians are democratically elected, local political establishments recognise that large numbers of their potential voters are residents of informal settlements, and by lobbying their local politicians community leaders are quite often able to squeeze concessions out of local authorities.

Self-regulation can be considered as a bottom-up response for improvement in informal settlements and has generally been little written about in the literature. In some cases, for example in informal settlements in some cities in Mexico, self-regulation, has been widely established and local authorities are little involved in the running of informal settlements. Local authorities are probably not all that happy with this situation, but are generally tolerant as any alternative approach would need much more capacity and resources and risks provoking a confrontation with relatively powerful interests within communities who have gained considerable political influence.

Within settlements outside Mexico and a few other Latin American countries, self-regulation is far less developed and might consist of little more than new settlers being directed to particular plots by community leaders, and local control over who provides services such as transport and trading of goods at a recognised market place. Within sizeable settlements it is also usually the case that there isn't a central body that controls all allocations, but a diversity of groups controlling particular interests, so establishing working relationships with all such groups is not easy.

It is quite a leap to go from this somewhat confusing and complex pattern of the superficial regulation of the functioning of a settlement to the much more organised and deep-rooted self-regulation of a settlement such as in Mexico which leads to sustainable development and improvement of communities and settlements, and it would be important not to underestimate this task. The emergence of a viable community leadership offering a diversity of skills and capacities would be one essential factor and, in general the leadership would need to be offered a variety of training and support. Another influential factor would be specialist support on, for example, legal issues, technical matters, policy formulation, linking to organisations offering savings and loan facilities, advocacy and communication using a variety of media.

The author was particularly interested to identify instances of the meeting of the top-down process involving the relaxation of official standards and regulation by local authorities and the Government, with the strengthening of the bottom-up self-regulatory process. However, disappointingly, it was not possible to find such instances, except in a very few contrived examples, such as the Million Houses Programme in Sri Lanka from the mid 1980s to the early 1990s, which could not be considered great success stories. Generally, where the authorities had tried to be innovative, there had not been a noted commensurate expansion of self-regulation by communities, and the response of institutions to growing self-regulation within communities has usually not been to offer a more relaxed and appropriate regulatory framework. The critical issue would seem to be that much of the change initiated by authorities, except in a very few countries, seems to be rather piecemeal, generally in response to particular critical and immediate constraints, rather than a comprehensive and longer-term examination of the issues of settlement development - to lead to viable partnerships between the public sector and civil society for the sustainable development of settlements and livelihoods.

In this paper the author has attempted to consider, in particular, the process of how change in the regulatory framework of settlement development happens, both as a top-down and bottom-up approach. However, due to the limited amount of published material on the latter, the focus has tended to be on the former. Nevertheless although both the top-down and bottom-up processes are important, the author considers that as a priority for further research and application the knowledge deficit of the bottom-up process needs to be addressed. The lessons learnt from both processes are considered in the context of case studies identified from the literature.

The Need for Change of Regulatory Frameworks

A substantial proportion of the literature examined tended to focus on presenting the case for the need to change regulations and standards. In some cases the authors also made suggestions on what more inclusive and enabling standards and regulations would need to contain. However, more rarely did they consider in any detail the processes of how change could be accomplished, nor draw on concrete examples of changes which have actually taken place and what the consequences or impact of such changes have been.

In part the need for change has already been made in the introductory section, and in more detail in other documents, so it is not proposed to consider this question in further detail in this paper. However a few particularly significant points related to the need for change are expanded on briefly in this sections :-

- Obstacles to Change

1. The Institutional “Conspiracy”

The process by which various institutional actors, in largely seeking to fulfil their own self interests re-inforce, often unintentionally, the perpetuation of excessively high standards of building construction and services and infrastructure, making it extremely difficult to achieve any change in the form of relaxation of these standards, was first put forward by Gakenheimer and Brando (1987), and has been mentioned by several authors to explain why changing standards and regulations is so difficult. In outline the behaviour and attitudes of various institutions which contributes to this situation is considered to be :-

- Architects, engineers and planners, often trained in Western institutions according to Western methods perceive Western plans and designs to confer modernity and status. They are also very averse to taking any risks and perceive any lowering of standards as increasing risk of building, service or infrastructure failure.

- Politicians and civil servants consider their positions to be enhanced by being associated with prestigious projects built to the highest standards. They are also concerned about the possibility of increasing risk if standards are lowered.
- Politicians do not wish to get involved in changing standards as they consider these to be largely technical matters, best left to technical specialists.
- Professional engineers and planners consider that standards to be their domain and do not want any other stakeholders involved in considering how to change them.
- Building material producers and building contractors generally oppose lowering of standards as they are concerned about smaller and less technically orientated entrepreneurs undercutting them.
- Estate agents and mortgage companies are concerned about lower prices of land and housing.
- Donors often use Western contractors who generally would insist on using Western standards.

The involvement of politicians and government departments as well as engineering, planning and other technical professionals is critical for achieving significant change of standards and regulations, but it is usually these institutional actors who voice the greatest opposition to change. Pressure from civil society organisations can be insufficient to get the institutions to change their stance, and additional leverage might be required from donors, international agencies, media and the recognition by influential members of particular institutions to emphasise that existing standards and regulations are causing serious problems for the sustainable development of settlements.

2. Land and Tenure Issues and Policies

Lack of access to security of tenure is a critical issue for many residents of informal settlements in many cases significantly inhibiting the sustainable development of their own livelihoods and their homes, settlements and communities. However, in and around many cities in developing countries the formal market for land and housing largely excludes many of the lowest income residents. In addition, the processes for the provision of public-owned land for low-income settlement have generally been not developed far and in many developing countries, land allocated in this way, falls well short of the demand. Many poor people have little alternative to squatting or living in semi-legal informal settlements. Many countries have not yet established a comprehensive package of measures to facilitate access to land for the poorest sectors of the population and in some countries there seems to be little political or institutional will to do so. In many countries, especially in Africa, land policies, in the same way as planning and building regulations, were inherited from the former colonizers and have changed little in the meantime since independence. Although, by and large, traditional systems of land allocation survived through the colonial period, they were mainly applied in rural areas and are generally inadequate to deal with urbanising situations.

3. Institutional and Civil Society Capacities

Many government departments and local authorities are under-staffed and under-resourced. Additionally, there is in many cases a scarcity of professionally qualified staff in these organisations, especially in the smaller urban areas a long way from the capital city, so professional posts are quite likely to be filled by under-qualified staff. Research and academic institutions, who can be important partners in policy reform, are similarly often under-resourced. Staff from such institutions are quite likely to change the subject area of their research or study several times during their careers depending on the areas that are likely to receive funding, so they are unable to develop a high level of specialist knowledge in a particular field. There are also significant capacity constraints for many civil society organisations. Many of them operate on quite a small-scale, working on modest improvements with one or a small number of communities, so it could be difficult to find a civil society partner that would have an effective role in a policy reform capacity, which requires a wide range of skills and a high level of motivation and commitment.

Reform of standards and regulatory frameworks is a complex and lengthy process which requires the participation of competent and committed organisations. Unfortunately many organisations in the

South have limited capacity to be part of this type of process, even if the will among the partners were there. In cases where reform was successfully accomplished, for example in Kenya, one factor which contributed to the success was that the partners had made a long-term commitment for change of building standards. So although initially they probably did not have the collective capacities to bring about change, by maintaining commitment and continuing to meet and learn together the most significant organisations did develop these capacities in time.

- Failure of Conventional Regulatory Processes

In the 1960s and 1970s the extent of informal settlements was considerably less than it is today. The response of the state and public sector was generally that this was a problem which could be solved. Informal settlements would be cleared and the residents resettled, or in some cases permanent public housing would be built where the informal settlement stood. In reality residents preferred to live in informal settlements because the costs for them were quite low and they were close to opportunities for work and business. When informal settlement residents were resettled many were moved to apartment blocks a long way from their existing settlement, so they were a long way from work and social and business contacts, and also had to pay a significant proportion of their income as rent, whereas it cost them much less to squat.

Not surprisingly, residents of many informal settlements began to get organised and resist attempts to resettle them. Also, many developing countries experienced economic recession and public housing programmes dwindled to a trickle. At the same time opinion formers in the sector such as John Turner began to question conventional policies and called for a recognition of informal settlements as viable and sustainable entities which, given time and facilitative support from the public sector, would develop into established settlements and urban districts with ongoing improvement of housing, services and infrastructure, largely implemented by the residents themselves, and offering good prospects for contributing to municipal finances.

Despite influential organisations such as the World Bank and UNCHS (Habitat) largely adopting the facilitative approach, this has diffused very little to many local authorities and government departments. However, many such institutions have largely abandoned the interventionist stance, to one largely of inaction and tolerance of the growth of informal settlements. This, though, is hardly facilitating for the residents whose settlement then lies largely outside formal municipal processes. From time to time some municipalities might adopt informal settlements which have been established for a number of years. However, these same municipalities can at the same time be quite hostile to the establishment of new informal settlements, and evictions do still take place from time to time, though these are not as common as they were a few decades ago.

More broad-minded and better resourced authorities do become involved with in-situ upgrading of informal settlements, but in quite a number of cases have to deal with the conflicting requirements of residents who want to remain on their plots and maintain their size and shape, and those of engineers and planners who would like regular and equally shaped plots to facilitate installation of services and infrastructure. Few local authorities have developed any particular expertise on upgrading informal settlements, and many do not have the capacity to develop a programme that would have any significant impact within their boundaries.

- Optimising Resource Utilisation and Working in Partnership

The scale of inadequacy and problems related to poverty, vulnerability, social exclusion, health, security, lack of opportunity and disempowerment within informal settlements imply that this is too great for a particular sectoral approach or one type of stakeholder to address. The communities within these settlements would need to have the principal involvement in the improvement of their settlement, but for a number of reasons, their actions would be greatly facilitated by the involvement of

other types of stakeholders. These stakeholders would include donors, the private sector, public sector institutions, research organisations, legal service providers, financial loan organisations and non government organisations. Some of these organisations would be providing money and other resources towards the improvement, others particular expertise and advice, and some others both types of service. In any case, none of stakeholders by themselves have the resources and capacities to solve the problems of a particular area by themselves, but by working together and pooling their resources and skills, and creating new environments for learning, planning and taking action, the potential for creating sustainable improvement is not just added together, but multiplied.

Creating viable and active partnerships among a diversity of stakeholders, then identifying their roles and the contributions they can make, however, is not an easy process and has in practice rarely been undertaken effectively. The start of development of working partnerships can be thrown off course by many potential problems, including a key individual in the partnership leaving, change of political regime and personal disagreements between key individuals. The lack of synergies between the top down process of relaxation of standards and regulations, and the bottom up process of self-regulation has already been referred to. One contributory factor to this situation is likely to be the difficulty of establishing equitable and realisable partnerships between local authorities, planners, engineers and civil servants on the one hand and community representatives on the other.

- Addressing Poverty, Vulnerability and Exclusions

The population of many informal settlements, especially of the ones which are large and well-established, can be quite diverse where residents have quite a wide range of access to services, resources and social networks. Not all residents of informal settlements are poor. Some less poor people, such as rental landlords, might live in informal settlements, and prefer to stay there for reason of ease of access to business opportunities and social networks. Nevertheless many residents of many informal settlements are poor or extremely poor and likely to include a relatively high proportion of vulnerable groups such as female-headed households, renters, school dropouts and unskilled unemployed or underemployed workers. Addressing poverty and vulnerability is now the principal priority of donors, and a significant proportion of the world's poor now live in urban areas, especially in informal settlements. Urban poverty issues have, then, taken a priority in the development debate and, particularly, that there are some specific issues which apply to urban poverty, but less so to rural poverty or to poverty in general. Standards and regulations is one such issue and, in particular, that most regulatory frameworks, rather than facilitating a reduction of poverty and vulnerability are in fact contributing to it, principally by acting to exclude the majority of residents of informal settlements from urban processes and governance.

The development of the sustainable livelihoods framework has been instrumental in presenting a broad view of poverty, particularly by not concentrating only on money and income, but also including consideration of physical, social, natural and human capital. It also highlights the importance of policies, institutions and processes to facilitating or inhibiting the development of poor people's assets. Standards and regulations come principally within the policies, institutions and processes domain, and their influence in many cases on the assets of the poor has been negative.

A related issue is social exclusion, in particular in relation to the question of how could a regulatory framework be developed which is inclusive, especially of groups such as women, renters, youths, the elderly, recent settlers and the insecurely employed, who are particularly threatened by most current regulatory environments.

Top-Down Approaches to Changing Standards and Regulatory

Frameworks

As already noted, some governments, in collaboration with local authorities, the private sector and specialist researchers and consultants have attempted to reform standards and regulatory frameworks in response to increasing informality and illegality, and in particular to increase the opportunity for more residents of informal settlements to gain access to more formal municipal processes. Such attempts at reform have only been attempted in a relatively few countries, probably due to the complexity of the process and the need for long-term commitment from a number of stakeholders. One of the difficulties with the top-down approach is the question of dissemination, to ensure that most or all of the local authorities in a particular country are familiar with the revised regulations. It is, however, not unknown for some local authorities to be using a variety of standards, both the former standards and some of the new ones. New standards do not necessarily supersede the former standards which, quite often, still continue to be applied. Standards revised through a top-down process cannot generally be considered to be particularly inclusive, as it would generally only be the better-resourced residents of informal settlements who are able to utilise the standards. To be more inclusive of poorer residents, additional measures, such as preferential access to loans and credit, would be required.

- **Starter Standards - Jamaica** (McCray-Goldsmith & Abraham 1996)

Starter standards in Jamaica were developed by the Association for Settlement and Commercial Enterprise for National Development (ASCEND), a group of organisations, largely NGOs, involved with low cost housing projects in Jamaica. The assumption behind the development of the standards is that people build their own house to the highest standard they can afford and even most informal developments are not inherently unsafe, unhealthy or environmentally damaging. If a standard is set which is achievable for householders they would be likely to try to achieve this standard. Standards were developed to cover land use and physical planning - including construction, infrastructure and subdivisions. They were developed from elements of existing standards which were considered not to be restrictive, experience from low cost developments in Jamaica, or based on international standards where there was no precedent in Jamaica. Some principles on which the development of starter standards was based included :-

- Make affordability a performance criteria for land development
- Social disruption and environmental damage need to be minimised
- The standards need to be adopted nationally or as a generally accepted development approach rather than for one-off or small pilot projects
- Development should aim to conserve natural resources
- Development should aim to utilise local resources and skills, especially those of the resident communities
- Development should not compromise health and safety of residents
- Enabling upgrading is important.

Although the promoters of the starter standards have largely been the members of ASCEND, who have used them in their own projects, they are also aware of the need to disseminate the standards more widely in Jamaica and have started to look at the institutional framework for the development and implementation of standards. However, no evidence was presented that other organisations have also begun to start using the starter standards.

- **Incremental Development - Hyderabad, Pakistan** (Siddiqui & Khan 1994)

This was introduced in the late 1980s by the Hyderabad Development Authority, as an alternatives to sites and services projects - for which the requirement for high standards, and because some squatters preferred to hold onto unbuilt plots they had been allocated as a form of security, as many plots had remained unbuilt or on which ploholders were only building very slowly. Many new residents to the city generally did not find housing through the sites and services projects, but through

informal processes, controlled by local leaders, through squatting and largely illegal land subdivisions.

Under the scheme new residents were allowed to settle on specific areas of land owned by the authority. If they still remained there after a period of time they were offered a form of security to remain in return for a modest rent, and basic services and infrastructure were provided. When residents had paid off all their instalments they would be allocated full entitlement to their plots. Householders were required to start construction almost immediately after the initial rental agreement had been signed. However, building could be undertaken incrementally, and requirements to conform to particular building standards were waived, though details of housing plans and designs were provided for guidance. Social workers were also employed by the authority to help develop communities of new residents.

Although more householders did build on their plots than for the previous sites and services scheme, its development was held up by ethnic conflicts in Hyderabad. Additionally, it proved impossible to root out corruption, and local leaders, whose role the scheme had challenged, greatly opposed it, even leading to staff of the authority being attacked. Particular difficulties were caused by absentee plotholders who had not done any building work. Attempts to evict them could be fiercely opposed by local residents, and there was resentment towards the new residents who had been allocated the plots of those evicted.

- **Law of Popular Participation, Bolivia** (Farfan - 2002)

This was a response from the Bolivian Government in the early 1990s to extensive rural to urban migrations and the problems municipalities were experiencing in coping with the resulting rapid urbanisation. Two pieces of legislation were particularly important in this regard - The Law of Popular Participation (1993) and the Law of Administrative Decentralisation (1995). These acts also contained provision of government funds for decentralisation and participative projects involving local communities introduced by NGOs and municipalities. Most of the projects undertaken under the auspices of the popular participation act related to urban services and infrastructure. It is also considered that the acts have helped to encourage the expansion of popular savings and loans processes, as well as facilitated the access to land for migrants through the *anticretico* process - a simplified informal form of agreement between the landowner and user or occupier of the land. However, it is conceded that the act has only had a limited impact - largely confined to the larger municipalities, and has done little to facilitate development in the smaller urban areas.

- **Budirio, Phases 2 & 3, Zimbabwe** (Musanda-Nyamayaro 1993)

Building specifications in Zimbabwe are relatively high and, in general, there seems to be little interest to relax these levels of standards. The above housing scheme, near Harare, however, was built using a set of four levels of experimental standards, set below the official standards. The above two phases of the project lasted from 1989 to 1991. Relaxation was in the form of :-

- The layout and specification of a one or two bedroom shell house, to be completed by the householders
- Reduced plot sizes
- A preference for semi-detached or block housing rather than detached
- Plots surveyed and laid out across a particular area of land for development, rather than plot by plot
- Allowing some types of materials, such as stabilized soil blocks, and lower cost components not included in the existing standards
- A preference for leasehold, rather than freehold, at least for a period of time
- Reduced width of roads and drainage and a preference for labour-intensive rather than mechanized road construction, and use of earth or gravel rather than asphalt for more lightly trafficked roads
- Giving lower priority to immediate electricity connection

- Strengthening municipal capacity for public works, rather than having to rely on expensive private contractors.

Cost reduction and increasing affordability was the primary aim for relaxation of the standards.

Two or three of the levels of the revised standards would still find acceptability for building society mortgages. However, this experimental project seems not to have been replicated elsewhere, nor led to a great policy change in favour of relaxed standards, though the example below gives a less wide-ranging example. The four levels of relaxed standards are, nevertheless, still quite high, and would still exclude the poorest households.

- **Statutory Instrument 216 - Land Use in Residential Areas, Zimbabwe** (Kamete - 1999)

In response to structural adjustments, the growing range of informal sector income-generating activities as well as the decline of the formal employment sector, the government in Zimbabwe introduced the 1994 legislation Statutory Instrument 216 - Regional Town and Country Planning (Use Groups) Regulations, enabling certain uses of residential property and surrounding land previously prohibited, such as carpentry, small-scale metalwork and handicrafts. However, it is acknowledged that this instrument has only resulted in limited impact on settlement development, as planners, architects and engineers have generally made little use of the provisions of this legislation.

The author also mentions another policy element - the revision of housing standards in 1993. This, among other changes, allowed for reduced plot sizes and greater clustering of housing, though by themselves these changes were hardly ground-breaking, as previously specified plot sizes were generally still quite large. These changes were brought about by the Ministry of Public Construction and National Housing. However, the changes in land use were introduced by the Ministry of Local Government, Rural and Urban Development. There was also an element of conflict between the two changes of policy - i.e. smaller plot sizes imply more physical restriction of the income generation activities which could be carried out on the plot, and greater co-ordination between the two ministries in the introduction of revised regulations would have helped to ensure both elements of the regulations were more relevant and better taken up by planners.

- **The Development Facilitation Act (1995), South Africa** (McCauslan - 2002)

This act was introduced post the apartheid regime to facilitate access to security of land tenure for poor people, such as many residents of townships, and enable them to develop and improve their housing and settlements. It was also intended to facilitate local authorities and residents to develop provision for services and infrastructure faster. The act required local authorities to set Land Development Objectives (LDOs) and incorporate participatory procedures. Other components of the act included :-

- Allowing housing and employment opportunities to be developed in close proximity and allowing diversity of uses on land plots
- Encouraging all sectors to contribute to and participate in land development
- Regulations to be made clear, understandable and available to all stakeholders
- Providing for a wide range of forms of security of tenure in settlement upgrading and development, to accommodate diverse conditions and interests of occupiers
- Aim for integration of low income communities into municipal processes
- Establish an entitlement for informal settlement residents to proper planning procedures and infrastructure
- Allowing for arrangements for residents without registered tenure agreements to convert to official conditions in a prescribed manner through upgrading processes.

In reality few local authorities made use of the provisions of the act, as there was no mandatory requirement for them to do so, the act aimed to cover a wide range of objectives which could have been better covered by several separate elements of legislation, and the act was quite often vague on

practical measures as these were intended to be developed locally between local authorities and civil society organisations. The act has by now been superseded by a range of other measures and legislation and its provisions are now largely redundant.

- **COFOPRI - Alternative Form of Land Registration in Peru** (Kagawa & Tukstra - 2002)

Although this could be included as a bottom-up process, because the alternative system was set up by a motivated individual - Hernando de Soto, initially independently of government systems, it is considered more top-down than bottom-up, as afterwards the government adopted elements of the system, and there was probably only quite limited consultation with the end users of the system. Previous to COFOPRI - the NGO set up by De Soto, beginning operation, land ownership and tenure registration was complex, fraught with bureaucratic difficulties and could take three to four years. Most claimants of plots could not wait that long to start building on them. Additionally, it was difficult for the coordination of services and infrastructure provision with land registration, and it was not possible for plot claimants to offer their plots as collateral in exchange for loans until they had been registered.

De Soto proposed a simpler and faster system. Of most interest with this system is not so much what it consisted of, but how it became widely applied and adopted by the Peruvian government in only a relatively short time. One critical factor was probably that support from the World Bank was secured to develop and implement the system, which in turn had a bearing on the Peruvian government, which in turn adopted it as a central component of its poverty reduction strategy. The Peruvian government was also concerned about land invasions and saw the COFOPRI registration process as one disincentive to land invasions, as it would have made it easier for plot seekers to obtain land through legitimate and legal means. In fact COFOPRI have managed quite successfully to match supply of land to demand, and so instances of land invasion have considerably reduced. However, De Soto's vision, that once poor plot holders had legitimate land tenure, they would be able to secure loans against their plots and this would act as inducement for poverty reduction, has largely not been realised, as banks and other lending institutions have generally shown little interest in offering loans to clients who are relatively poor.

The main lessons from the COFOPRI experience are that :-

- Political stability and patronage supports formalization processes
- Institutional stability and culture is an important factor in the success of the process
- Linking regularization to wider development issues, e.g. poverty reduction, can widen the scale and impact of the project
- Working effectively with a range of partners - local authorities, NGOs, community organisations and private infrastructure companies, is important, as is supporting their capacity building
- Ensure processes are, as far as possible, simple and transparent to avoid bribery, excessive cost and delay
- Having security of tenure does not automatically promote greater access to credit for residents and other promotional activities to link residents to credit services need to be undertaken.

- **PRO-FAVELA - The Regularization of Favelas in Brazil** (Fernandes 1995)

Although the legal instruments in Brazil were in place to address questions of legality of land occupation by favela households, it needed the creation and involvement of a dedicated organisation - PRO-FAVELA to ascertain these within the legal and municipal policy context in Belo Horizonte. The 1988 Federal Constitution in Brazil, for example, had authorised state and municipal management to promote housing construction, improve housing and sanitation conditions, promote social integration and address causes of poverty and marginalisation as well as recognising the right to usucapiao (legal occupation) for small plot holders of private land for more than five years. Meanwhile laws had been passed in 1983 and 1984 authorising the creation of PRO-FAVELA and a policy for Belo Horizonte City Council for urbanization and legal regularization of favela areas.

PRO-FAVELA had originated from the PRODECOM programme, started in 1979, which had largely replaced a policy of evictions and clearance from favela areas. PRODECOM has principally focused on initiating services and infrastructure programmes in favela areas, without largely addressing the fundamental issue of land rights.

PRO-FAVELA can be considered both a legal process, as a package of laws and municipal decrees establishing a degree of land rights and regularisation process, and a system of organisation to put in place improvements in the favela areas. Some issues PRO-FAVELA has had to deal with have included relocation of households from steep and dangerous ground, conferring of property rights, measures to discourage land speculation, provision of infrastructure and services, and introduction of municipal charging mechanisms.

PRO-FAVELA has, however, had only a limited impact in addressing land issues in the favelas. It has largely only been active in old well-established favelas which would in any case be difficult to remove, has been attacked by diverse private and public sector interests, and has been claimed to be more placatory than supportive of popular movements within the favelas. Some leaders of these movements have become closely linked themselves with PRO-FAVELA, rather than pursuing a separate radical agenda, and politicians have cited PRO-FAVELA to gain votes. The approach would not seem to be a suitable model to confer widespread land ownership titles to a large number of favela dwellers, as it has benefited only relatively limited numbers, and a more radical approach is needed.

- **Special Interest Zones, Brazil** (Mertins et. al. 1998 & Maia 1995)

The principle of occupation over ownership is included in the Brazilian constitution in relation to special interest zones. One consequence of this objective is that favelas are located on official city maps and effectively incorporated into city boundaries. Special Interest Zones cover land that is illegally occupied or land designated for social housing programmes. The first requirement is the drawing up of a development plan of the area covering aspects such as specification of maximum and minimum plot sizes, building densities, heights, etc. Following the establishment of the plan evictions are stopped and a process begins to transfer plot ownership to residents based on long lease repayments. Other principles on which special interest zones are based include minimisation of relocation, allowing existing structures and buildings to remain as far as possible, and nationally set standards, or standards set by a particular municipality, for example on road widths and plot sizes, to be over-ruled if a valid reason exists to do so. A committee including representatives from the local authority, local communities and NGOs decides on development needs and priorities. Special Interest Zones are given a number of designations. In the city of Recife they are called *Zonas / Areas Especiais de Interesse Social (ZEIS / AEIS)*

- **Prayog Vihar Experimental Slum Upgrading Project, New Delhi, India** (Joglekar 1996)

In India, even in rapidly expanding cities such as New Delhi there are numerous examples of sites and services projects which remain unsold and undeveloped as unrealistically high construction standards and specifications are demanded, and plottolders are given very little flexibility to build their own housing using designs, layouts and materials of their own choosing. The Prayog Vihar scheme was an experimental project by the Slum Wing of the Delhi Development Authority. Initially the authority had wanted to resettle residents from an area zoned for educational use. The residents organisation was against being moved, but agreed to resettle on a smaller area of land on the same site, in return for provision of services and infrastructure.

Once the plot layouts had been determined the local Building Centre assisted residents with developing designs and layouts for their housing. Residents could choose from a wide range of options, and this also included unconventional options such as round pole timber construction and use of thatch for roofing. Housing finance was also facilitated through the project.

The key factors of the community which enabled them to participate successfully in the project were

considered to be :-

- Community strength and solidarity developed through facing eviction threats and lengthy negotiation with the local authority
- Religious harmony
- Trust developed in other members of the community and a sense of security and belonging in the community
- People had established workplaces and businesses or nearby places of employment
- Recognised and competent community leadership
- House building was undertaken incrementally as people's resources allowed, though it was acknowledged that some residents did not prioritise well, e.g. beginning installation of internal fittings before a permanent roof was up, and if people needed building contractors it was difficult to hire them for relatively small-scale building work as that was all people could afford at the time and contractors preferred to do a substantial piece of work in one go rather than small bits and pieces from time to time.
- Reducing height of living space from conventional standard specifications was considered to save costs significantly, though most residents were aware that a height of 2.75 metres was acceptable, whereas 2.2 or 2.4 metres was not.

The Building Centre generally tried to incorporate residents wishes in the designs they produced, as well as allowing for incremental development. However, the consultation was still relatively limited so the level of participation was limited. Some residents were also not all that happy that building contractors were used for most of the construction work and would have preferred to have undertaken much of this themselves. Another factor was that the centre architects tried to produce an aesthetically pleasing and attractive design for the settlement, given the small size of the plots and the relatively high density. However, it is not clear how this would have fitted in with the practicalities of the residents, for example to run a business from home. It was acknowledged that the project did little for community development, but principally assisted NGOs to work more closely with the municipality.

- **Kenya Standards Revision - Code 95** (Yahya et. al., 1999)

This is an account of the lengthy and complex process of the revision of building standards in Kenya, starting with the initial expression of interest of institutions in the early 1980s to the eventual production of the Code 95 guidelines produced and endorsed in the early 1990s. In the late 1970s Kenyan Building Codes and Standards still largely dated from the British colonial period. The restrictive nature of much of these standards had become a barrier to low cost housing schemes, and there was a largely donor led demand for relaxation of the standards. This led to an expert group consultation on the revision of standards, but the proposed changes were never endorsed by the Kenyan government, more because they had assumed a low priority rather than because of any outright opposition to them. A proposal to re-introduce revised standards in the mid 1980s also failed.

Meanwhile the initiative had been taken up by several municipalities, including Nairobi City Council, and the Housing and Research Development Unit - a research organisation within Nairobi University. Finally a national level meeting was organised in 1990 bringing together all interested parties for the reform of housing and building standards. This established the setting up of a task force under the Ministry of Lands and Housing to look at what the constraints were to the development of more appropriate standards and how these constraints could be overcome. Additionally members of the task force undertook surveys of designs, layouts and materials of construction in Kenya and developed a set of standards based on these, maintaining observance of some basic requirements such as health and safety. This led to the development of a draft set of codes and standards - Code 92. These were formally gazetted by the Ministry of Lands and Housing in 1995 and formally re-issued as Code 95.

A study in 1999 found that many local authorities had already adopted Code 95, based on an extensive dissemination campaign and the use of the code by donors and NGOs in housing and

building projects. Some local authorities, however, still had not had the opportunity to implement the revised code, although in general the code was generally well known about.

The main lessons from the review process for achieving change and commitment included :-

- The change process needs to be backed by research findings and ongoing research
- Review is an ongoing process, or at least a long process lasting many years with several stages of review and dissemination
- Review has to be a collaborative process involving several steering and working groups, consultations and dissemination workshops involving a range of different stakeholders
- A core group of committed and knowledgeable enthusiasts are needed to overcome obstacles in the reform process
- Donors need to commit more than just money. To support the process fully they need to work with a reform-based agenda and provide particular inputs to the process.
- NGOs have a significant role, e.g. advocacy, dissemination and demonstration
- The first practical steps towards reform can be the most difficult. Afterwards the process can develop its own momentum
- Politicians who advocate improving living conditions and poverty reduction can become powerful allies for the reform process on housing standards
- It is important to actively involve planning and building professionals and public officials in the reform process to avoid them considering that their standing is being challenged or that they are being sidelined.

- **Urban Development and Housing Act (UDHA), 1992, Bangladesh** (Porio 2000)

The UDHA was introduced to enable the provision of land for social housing for the urban underprivileged and homeless. Lobbying from civic society had a significant influence on the provisions of the act. However, as local authorities were not widely consulted about the act most refused to accept or adopt it. Partly local authorities were opposed to the act because they considered it a threat to the status of senior officials of the authorities, but also had more legitimate concerns related to the need for increased spending, and the need for resources to take on additional responsibilities, as some of the functions of the National Housing Authority were being decentralised to local authorities. A problem with the act was that it was largely not enforced. The act required local authorities to set aside enough land for housing the urban poor, but only a proportion of local authorities had agreed to enable this, and there was little compulsion on the rest to do this. The act also specified that private developers were to set aside 20% of land they were developing for housing for the urban poor, which was to be regulated by local authorities, but as many local authorities were against the act, few were undertaking this. Additionally the act had set a moratorium on evictions, but judges still granted permissions for evictions by making reference to earlier legislation. The act has done little to facilitate access to land and housing for the urban poor, and could even have acted as a barrier in some cases by creating additional bureaucracy and complexity.

- **Construction without Official Standards - Tenth of Ramadan City, Egypt** (Kardash, 1999)

This was an experiment by the authorities to allow low cost housing in the new city of Tenth of Ramadan, near Cairo, with virtually no official standards or enforcement. Core housing was provided for residents according to standard designs, but then residents were free to add virtually any extensions they wished to their core house.

Egyptian commentators considered the experiment to be largely a failure, as it had led to a proliferation of low standard housing. It had been found that many residents had rejected plans and designs which had been produced for guidance in favour of building extensions they themselves had devised. However, this was not the complete story, as security of tenure was a significant factor and householders with greatest security of tenure were more likely to invest most heavily in building extensions with some level of quality. Moreover, householders had adapted their core housing to their

own needs, for example in building sheds for keeping chickens and pigeons on their plots or on roofs. Some residents had built shops and rooms or separate houses for rent. Some of these were of reasonable standard, but others were not. In a few cases the authorities were forced to intervene to demolish structures which were likely to be unsafe or which had resulted in excessive densification. It was also apparent, however, that the local authority had not spent a lot of time consulting with residents, nor knew much about how residents went about building extensions.

- **The Community Mortgage Programme, The Philippines** (Berner 2000)

While evictions of squatters in The Philippines were common, and continued even after the overthrow of the Marcos regime in the mid 1980s, the country has also been at the forefront of enabling pro-poor housing policies. This included a pilot squatter upgrading programme funded by the World Bank in the late 1970s. Another innovation was the Community Mortgage Programme (CMP), started in 1989. The CMP was set up to allow squatters to obtain loans and buy land, then build housing incrementally. Relaxation of building standards was also one of the accompanying measures. Land was transferred to squatter associations rather than individuals or families. The association agrees a price with the landowner, which is paid by the National Home Mortgage Finance Corporation, and the association repays the Corporation with a long-term loan. NGOs have a role in assisting negotiations and providing legal and technical assistance.

Nevertheless there were some quite significant problems with the CMP including that some squatter associations did not represent all the residents of an informal settlement, the market price for land was high so the NHMFC was making higher payments than it was expecting, loan repayments from residents were about 77% and could have been higher, and the poorest residents were unhappy with making loan repayments as previously they had squatted for free. Lee (1995), found that the CMP worked better in some settlements than in others. In some cases loan repayments could be close to 100%.

Successful implementation of the CMP can be put down to :-

- A community association inclusive of all residents and operating effectively
- An experienced, competent and committed NGO as originator and providing ongoing support to the association
- Competent maintenance of records, e.g. of repayments made
- A willingness of the association to develop actions to improve the settlement
- The association being able to cover for the small number of members who were no longer able to make repayments

The second point is probably the most significant as it was found that it was more often the case that NGOs as originators of projects coming under the CMP lacked the capacity and resources to provide a substantial supportive role to squatter associations.

- **Slum Upgrading - Swaziland** (Banes 2000)

In the early 1990s the Government of Swaziland made slum upgrading a policy priority and established a Ministry of Housing and Urban Development. The policy priorities of this ministry related to land allocation, community liaison, services and infrastructure, and cost recovery from residents. Land allocation in Swaziland is simpler in Swaziland than in most other countries as all land in that country is held in trust by the king.

The author describes a pilot upgrading project. The most important elements of the project were considered to be :-

- Maintaining a continual two-way communication with communities, including setting up a network of outreach facilitators
- Engaging residents in active discussion of needs and priorities
- Adjusting standards towards enabling affordability

- Providing appropriate institutional support, e.g. expanding the office of the Surveyor General Office to cope with the anticipated additional demand for leasehold titles
 - Organising appropriate loan and mortgage arrangements and procedures for loan approvals
 - Institutional arrangements to enable women as well as men to become leaseholders
 - Plots are formally sold to existing occupiers once services and infrastructure have been upgraded
 - Differential plot pricing to reflect the level of service provided
 - Bringing in specialists, e.g. civil engineering contractors, when required, as the project is large in scale and the costs can be shared among many plot holders.
- **Squatter Upgrading, Tunisia** (Kessides 1997)

In a World Bank funded project for upgrading approximately 220,000 squatter and low-income dwellings in Tunisia, the main reasons why the project was considered successful and that it reached the number of residents it did were due to an appropriate settlement design, relaxation of standards, and because of devaluation of the Tunisian currency. The project also resulted in the formation of a dedicated agency for urban upgrading and renewal - AARU, which has continued to operate and develop its capacity after the World Bank project had finished. This agency has also co-ordinated upgrading projects with municipalities. Urban upgrading has also received financial support from the central government, and there has also been private sector involvement., but cost recovery has been a somewhat difficult area and residents have been reluctant to pay for what they perceive to be a public funded programme. Payment of tax revenues to municipalities by residents of the previously informal settlements has been more of a success, though.

Bottom-up Community-led Processes of Regulation of Informal Settlements

Although some of the above examples of top-down processes also included a significant element of community participation, they were generally considered as top-down because the originators of change of policy frameworks were generally local or national government, or sometimes donors or NGOs undertaking housing development or upgrading projects. These organisations in some cases had also consulted extensively with other stakeholders, including community groups, on policy and guidelines formulation, but nevertheless these were still top-down processes as it was an official institution which generally had taken the responsibility for policy change.

The bottom-up process in this context is regarded differently. This is where settlement development is largely managed by the communities living there themselves. They largely determine land subdivisions, layout of roads and pavements, installation of other services and infrastructure - sometimes by lobbying local authorities and NGOs or even donors directly for their provision, and can in some cases provide guidance to householders undertaking house construction. Community groups can also be involved with organisation of self-help savings schemes such as merry go rounds (all members of a group contribute savings for a period of time, then one member gains the whole sum as a loan; next time another member gets the whole amount).

Such self-regulation generally occurs in informal settlements in which often many residents do not have a legally recognised entitlement to the land they are occupying, and where community organisations are strong and important. The attitude from local authorities to this form of self-regulation can range from being mildly supportive, through largely showing no or very little interest to opposition and threats of evictions. Self-supportive communities can develop in situations of conflict or confrontation with authority, as threats such as eviction can draw people in settlements closer together. Additionally, well-organised community groups are better placed to find friends and supporters of their cause in influential positions, be they lawyers, NGOs, politicians or even international donors. However, well-organised communities can also emerge in situations where there is more consensus with the authorities, and NGOs can have a significant role in the strengthening of

community organisations. The situation of consensus is probably more sustainable than one of conflict as it offers more possibility of building longer-term relationships and partnerships with institutions. In a conflict situation it can happen that once concessions have been gained from the local authority or a private land owner, the community needs to develop an alternative strategy which is based less on conflict, and this can take time. In other cases local authorities and political have tried to weaken the cohesion of community groups in conflict situations by offering well-paid positions in the authority or political parties to community leaders while at the same time trying to placate them.

To an outsider it can be quite difficult to get a grasp of what is being regulated by community groups in a particular informal settlement and how this is being done, and this is probably why these processes have been little written about and, when they have, the detail has largely been superficial. It has also not been possible generally to assess whether self-regulation has been adequate and whether issues such as health and safety, through the building of additional storeys and extensions, has been compromised.

- **Sou Sou Land Development, Trinidad** (Matthews et. al. 1993, Matthews et. al. 1996, Mohammed, 1997)

In this interesting example it was a semi-commercial organisation, the Sou Sou Land Company Limited, which acted as a facilitator of the development of informal settlements in rural areas in Trinidad. The situation, however, was somewhat unique compared with many other developing countries in that many former sugar producing estates had fallen into disuse due to a collapse of the export market for sugar, so the market value of the land of these estates was virtually nil, and also that the settlements were rural-based, so plots were usually very large and sanitation not a high priority issue. Some of the estates were settled by the members of the Sou Sou company, with very little opposition from the former estate owners. Gradually friends and relatives found out about the development and began to move to the settlements also. In this way a movement started.

The Sou Sou movement gained momentum and in 1986 had an influence on the government formulating the Regularisation of Tenure (State Lands) Act, which allowed for limited land rights and security of tenure for some of the former squatters. The Sou Sou movement was also very active politically, in particular supporting the opposition NAR party, which gained power in 1987, partly as a result of support from the movement. The party introduced sweeping reforms on land tenure and provision of services and infrastructure in squatter settlements through a Squatter Regularisation Programme which was introduced for the purpose.

NAR were defeated in 1991 and the new PNM government abandoned the Squatter Regularisation Programme, but nevertheless still accepted some of its principles. A new policy of land regulation and squatter upgrading was formulated. It is significant that although the PNM party was in opposition to NAR it did accept the need for squatter upgrading in principle. However, not all government agencies were supportive of this need and there was opposition on some aspects, e.g. the need to relax standards on services and infrastructure provision. Some agencies were more concerned with stopping the development of further squatter settlements than the upgrading of existing ones.

Although in the late 1980s the Sou Sou programme was held up as an example of good practice in community-based housing and settlement development by poor people, this did not reflect the somewhat unique political, geographical and economic situation of Trinidad, which made such a programme easier to implement. In the longer-term the programme was largely seen as a failure as although it gained considerable influence in the country the scale of settlement development was generally small and the attempt by NAR to extend the programme nationally did not succeed. The movement also tried to be self-sufficient and ultimately ran out of money and development stopped, while at the same time the market for land in Trinidad also picked up, making further access to land by poor people more difficult. The relaxed construction and infrastructure standards advocated by the programme have largely not been implemented.

- **Brasilia Teimosa (Stubborn Brasilia), Brazil** (Hardoy & Satterthwaite 1989)

A brief case study of *Brasilia Teimosa (Stubborn Brasilia)*, a squatter settlement near Recife in Brazil, is presented on pp. 32 - 34. This settlement was characterised by clandestine building of houses, periodic evictions and demolitions for about 30 years before residents obtained limited legal rights for the settlement in the early 1980s. A strong community organisation developed, mostly to resist eviction and demolition and campaign for recognition of rights of tenure, but also the community created 'their own laws and urban plans'.

- **Villa El Salvador, Peru** (Hardoy & Satterthwaite 1989)

This case study, on pp. 83 - 85, describes how, in 1971 about 100 families squatting near Lima who had been promised security of tenure of land by the government, but who had not received it organised a land invasion, led by Mr. Perez a local man of indigenous origin who was self-taught in law. This co-incided with a meeting of the Inter-American Bank. Troops were called to evict the squatters and one of the squatters was killed and an archbishop and priests who had supported the invasions were arrested. However, the delegates from the Inter-American Bank heard about the invasion and put pressure on the Peruvian government to change their policy. A new site with limited legal title was offered, eventually settled by about 170,000 people. The site developed into a thriving self-governing community (Villa El Salvador) and by 1984 half of the 31,000 plots had been built on with permanent brick and concrete housing. Most had electricity and over half had domestic water and sewerage. Despite being originally a desert site the area now had trees and gardens as well as paved roads and a bus link to central Lima 20 kms away. Most of these improvements were made by the residents and their organisations, not by government.

- **Barrio Argentino Cooperative, Buenos Aires, Argentina** (Silva & Schuurman, 1989)

In 1986 a land invasion was organised by families on land owned by the municipality. Led by a female ex-schoolteacher it was decided to form a cooperative. With the technical assistance of an NGO, the layout of the settlement was carefully planned, blueprints of simple brick houses and toilets made from oil drums were explained to the people, and the operation of a bakery was organised by the cooperative. There were strict rules for joining the cooperative. Applicants were screened and have to start house construction within 72 hours of joining. Lotteries are held to finance the activities of the cooperative, there is a song for the cooperative and the cooperative was negotiating with political leaders for the legal right to the land they occupied. The settlement is called Barrio Argentino and was relatively small - initially with only 120 families.

- **Continuous Improvement in an Informal Settlement, Santa María, Buenos Aires, Argentina** (Herzer et. al., 2000)

A case study is presented of the development of the settlement of Santa María in Buenos Aires. This was established originally by land invasion and now has a population of over 20,000. There has been continuous improvement in the settlement, mostly initiated by the residents themselves. The conditions which facilitated this level of improvement are considered to be :-

- A diversity of active community-based organisations
- Active improvement committees on areas such as housing and women's livelihoods
- Community organisations have legally recognised status
- Many residents have trust in community leaders to act in their best interests
- Community leaders and committees have good access to policy makers
- Reaching agreements between community leaders and the municipality, e.g. on the provision of services, is by negotiation, not confrontation
- Municipality has delegated many local level decisions to community leaders and committees, e.g. on setting out of plots and services, while at the same time giving limited recognition to the legality

of plots if they have been established by communities

- Since Argentina has gone back to a civilian government, the government has generally been supportive of community-based development
- Social networks and reciprocity are well-established in the settlement and these processes underpin the functioning of community organisations and committees.

The case of Santa María is contrasted with that of squatters who have occupied existing buildings, often disused, who are often less well-organised and whose situation is less secure.

- **Ongoing Improvement of a Squatter Settlement, Chulsae, Seoul, South Korea**
(Soo-Yeung et. al. 1986)

Under the heading - *A Case Study of Chulsae Community (Itaewon)*, pp. 51 - 57, a description is given of the improvement and development of this settlement, largely by the process of self-help by the residents. The squatter area was established by residents in the 1960s. The problems of the area were compounded as it was largely on steeply sloping ground. Initially the settlement consisted of little more than shacks made of straw sacks, tents, cardboard boxes and iron, linked by a narrow lane to the suburban area of Seoul. There was no electricity, water supply, drainage or waste collection available. Most of the families in the neighbourhood had very low incomes and insecure livelihoods, many were recent migrants and there was little sense of a community. Finally the Seoul municipality decided to act and evict the settlers. Eviction was the most common response of the authority to growing squatter settlements in the late 1960s. However, by this time the residents had set up a community-based savings fund. A local leader, Mr. Yoon, had also emerged and a number of small settlement improvement projects had been initiated. Through the strengthened community organisation the residents petitioned the local authority against demolition and eviction. After lengthy discussions and repeated meetings with the local authority, at which community representatives asked for a legal right to land and permission to make housing improvements the authority finally relented. After this residents gradually began to improve their homes, e.g. replacing temporary walls with permanent concrete block walls and building tiled roofs. Infrastructure improvements, e.g. installation of piped sewerage was also undertaken, planned and implemented largely by the residents themselves. In the late 1960s the policy of wholesale clearance of squatter areas by the municipality changed towards one of upgrading and improvement. A set of minimum standards was devised to be achieved in settlements after upgrading or improvement. However over most of the settlement of Chulsae these standards had not been attained in previous improvements. However, the residents negotiated entitlement to the land from the Ministry of National Defence - the previous owners, and obtained permission for an improvement project. This included the establishing and setting out of plots, cooperation on purchase of building materials and employment of skilled building artisans. This entailed many of the residents having to carry debts for some times, but these debts were cleared, largely from rental income as rooms were added to individual homes. By the early 1970s most of the homes were substantially complete and were of good quality. A market for the houses had developed and the value of the homes was growing. Other improvements have included the construction of paved roads, children's play areas, planting of flowers, trees and shrubs, setting up of bulletin boards to inform residents and a large waste container, where residents put their rubbish which is periodically cleaned out by the municipality.

- **User Modification in Public Housing Estates, Nigeria** (Arimah 1999)

Discussion is presented of transformations of a middle class housing estate in Satellite Town near Lagos which was created as an area for new development, with housing mostly for higher income groups in a planned settlement built to official building and planning standards. Within a decade many of the householders had made significant modifications to their houses and of the households surveyed only 36% of these had been officially approved. The remainder could be termed illegal. The modifications were in the form fencing for security and privacy, opening of shops and other home-based enterprises, attached or detached additional rooms for growing families or for rental income or in wealthier households for servants, carports, additional toilets - as the original housing was built to

minimal sanitation standards, and extensions to kitchens. The authorities generally turn a blind eye to most extensions without approval as their resources are far too limited to take action over every extension. This results in much housing in Nigeria being developed outside the formal planning and approval system even if it was originally built to conform to official standards. It also illustrates that the official standards in Nigeria are not appropriate to the needs of most residents, even in middle class areas. Two types of modification, in particular, are important to consider in more facilitating regulation systems. Firstly there is the question of home-based enterprises. It is not only the urban poor who participate in these type of enterprise. They form a useful source of second income for many people and also a fallback option as structural adjustment and retrenchment has increased insecurity in many previously secure employment areas such as the civil service. Then there is the possibility for adding extra rooms, which are important not only as a possible source of rent but also to accommodate relatives from extended families of rural origins and guests.

The author considers that it is important to consider traditional housing forms in Nigeria, to understand the culture and traditions of how people use their homes to guide the reformulation of standards. The situation in Nigeria is repeated in many other developing countries where much of the housing falls outside official standards, even if it was originally built based on them, and people extend their property much as they like, probably copying the construction from nearby houses rather than being guided by any particular standard. This can, however, cause problems, e.g. pollution from certain types of enterprise, so some level of regulation would be an improvement, but to be usable this needs to be based on residents preferences and how they use their housing. Zoning in land use planning, however, can present a particular obstacle to adopting home based enterprises within planning and building regulations.

- **How Slum Dwellers Prioritise Their Needs, Nigeria** (Nwangwu 1998)

This paper is of interest because it provides some brief details of the basis how informal settlement dwellers decide how to develop their settlements and homes. Mostly this is on the basis of high priority needs, e.g. in one settlement residents decided to build a bridge over some water as this was necessary to get access to the settlement and no external agency would do this for them. However there can also be other reasons, e.g. houses are clustered close together for kinship. Residents had installed roads, built schools, obtained electricity, water supplies and installed latrines, also working out a set of rules of how these were to be used and maintained, without external intervention. In settlements in which agencies had provided facilities such as water points, these were sometimes disused or vandalised. The agencies had evidently not attempted to assess needs and priorities with communities, nor understood the dynamics of the interactions of different actors within communities. Water sellers, for example, had vandalised the water taps as these were a threat to their livelihoods, but no community-based management organisation was in place to protect the water resources. It was also apparent that communities can only go up to a certain point in providing services and facilities for themselves. Many were aware of priorities to comprehensively improve their settlements, but were not able to take action on these for themselves. Roads, for example, had been set out and built up by residents themselves, but most would not be able to take vehicular traffic, which many residents would have regarded as a priority.

- **Continuing Relevance of Traditional Land Rights, Port Moresby, Papua New Guinea, Ghana and Botswana** (Farvacque & McAuslan 1992)

Page 28 - Traditional authorities involved with land management still operate, and with statutory authority from the government in some countries. They mostly operate to allocate land to people with of common ancestry, but some, for example in Ghana and Port Moresby in Papua New Guinea have also developed an elaborate system of rules to allocate land to strangers. Many of the rules are related to how strangers and hosts can co-exist. In some cases, to obtain land an applicant has to go through an official agency as well as the traditional process, and this can make land allocation complex, costly and time-consuming. The response by policy makers to this situation has in some cases been to try to end traditional land subdivision practices to simplify approval systems, for

example through land nationalisation. In a small number of cases, for example in Botswana, traditional authorities have been able to adapt and become more market-orientated, so that official and traditional systems can be merged, with elements of the traditional system retained.

- **Community Managed Informal Settlement Development, in Collaboration with and NGO, Mexico City** (Romero et. al. 1994)

The Popular Housing movement is important for poor people to access housing in Mexico. Many of the groups have become skilled at shelter aspects such as acquiring and establishing an entitlement to land, contracting builders, collective housing finance and savings, and more recently improving the environment in settlements. Many of the groups are assisted by professionals such as legal experts, university researchers and NGOs. The Popular Housing movement largely originated from land invasion and settlement and their capacities were also strengthened in the aftermath of the 1985 earthquake.

In many popular settlements planning has been undertaken largely without the involvement of local authorities, which sometimes favour land allocation in return for particular political affiliations, with local organisations taking the lead and involving professionals when needed, so it can be considered to be approaching true participation. The settlements have often been planned in practical and workable ways. In particular space is often reserved for green areas and other environmental improvements. FOSovi is an organisation which supports popular participative planning and has developed resource materials to assist the processes.

- **The Land Mafia, Johannesburg, South Africa** (Mertens et. al. 1998)

This example is included to illustrate that informal settlements can sometimes be regulated by groups associated with criminality, who in some cases might intimidate residents and with whom it would be very difficult to work in an effective development partnership. This short case study is shown as Example Six on pages 24 & 25 of the above publication. In informal settlements in Gauteng Province comprising Johannesburg and Pretoria experiencing rapid inward migration groups of newcomers are recruited by Land Mafiosi and put on a waiting list in exchange for payment. When they have enough signatures, usually about 2000, they begin to look for a suitable area of land. They do this very thoroughly and examine official documents such as cadastres, transfer documents and title deeds, and work with professional planners to structure a settlement on the area of land they identify. They generally choose government land as they consider the government to be more lenient towards land occupation than private owners. The occupation generally begins on a Sunday morning. The Land Mafia mark out the settlement on the ground with chalk and encourage prospective residents to move onto the plots. The preference is for women and children to occupy their plots first as the Land Mafia consider that the police would not treat them as harshly as men. Residents then pay rent, protection and legal fees to the Land Mafia. The legal fees are used to pay for an attorney to strengthen any claim to the land. It is thought that the Land Mafia have established good links to official bodies in South Africa.

Dealing with Arising Urban Development Issues through Negotiation or Compromise

Although the principle of community participation is becoming increasingly accepted through processes such as community-based contracting, participatory budgeting and micro planning or Planning for Real, participatory projects involving local authorities and government departments have generally been set at quite a low intensity of participation, generally focusing on consultation, although sometimes also involving communities identifying their own priorities for development. It would generally only be at the higher intensities of participation, involving delegated control over many

aspects of settlement development or even outright community management of the development, drawing in specialists from the local authority and other institutions as the need arises, that the question of partnerships between institutions and communities to draw up a regulatory framework and standards becomes important. In reality such high levels of community participation are very rare and there is very little reference to any such examples in the literature.

The two types of process already referred to - of institutions such as local authorities or ministries drawing up a change in standards and then attempting to introduce these, sometimes participatively, with self-help builders or professional planners, contractors and architects, as well as some form of regulatory processes largely organised by communities in informal settlements themselves, cover many cases of regulation in informal settlements. There is also another type of process which can be distinguished. This is that where some form of ongoing negotiation is maintained between community organisations, sometimes together with NGOs, with usually the local authority, or where some form of compromise situation exists. In the latter case the local authority and probably the communities themselves are not entirely happy with the situation but have to accept it as there is not really any realistic alternative - the example from Turkey presented below is probably the clearest case of this. In either case no firmly established regulatory framework exists or is being developed in partnership, but local authorities, communities, NGOs and sometimes utility service providers deal with problems and situations as they arise on a priority basis.

- **Community Development, Gilarmi, Quezon City, The Philippines** (Bagasao 1999)

In Gilarmi in Quezon City in the Philippines a community movement had developed to oppose forced evictions and demolitions during the time of the authoritarian Marcos government. Many of the leaders of this movement were women and there were also at times violent clashes with the authorities. Displaced families set up an association called Sama-Sama to negotiate a lease for land, with the possibility of eventual ownership with the change of government. The agreement allowed households to subdivide and upgrade the plots themselves. Drainage, walkways, electricity, roads and water services were installed using funds raised by the residents themselves and the association cooperated with the local authority to install other facilities. Other services established by Sama-Sama included a credit cooperative, day care centres, and assistance to householders building or improving their homes. Members of the organisation have also been active to set up an anti-eviction movement throughout Metro Manila.

Women members of the association have developed skills as researchers, negotiators and organizers. They have helped to mediate in disputes between neighbours, conducted surveys and mapping and worked with architects and engineers on settlement and housing plans and designs. The association has set up a project called People's Housing Alternative for Social Empowerment (PHASE) taking the lead on planning and resettlement in the district and working with neighbourhood organisations on upgrading their housing, which has also included enterprise development. This has benefited more than 2000 households and plans are being developed to work with 7,000 more.

- **An Uneasy Relationship between Communities and Institutions, São Pedro, Brazil** (Banck & Doimo 1989)

In the case of São Pedro, a small settlement originally formed by land invasion near the area of Vitória, in the state of Espírito Santo, north of Rio de Janeiro in Brazil, committees were formed to campaign against the threat of eviction and for the installation of public facilities from the municipal, state and federal authorities. An active movement developed within the community which also had significant involvement in municipal politics. In 1980 the National Housing Bank set up a slum upgrading project - PROMORAR. The managers of the programme did not support the participation of residents in planning and management initially, but the committees in the settlement were making strong representations for it. A workshop was set up to consider the project involving representatives of the community, federal, state and municipal agencies and construction firms. The residents were able to produce an agreement to keep changes to existing plots to a minimum and to get agreements

for the installation of services and facilities, though not at the time full legal recognition of a title to the land. Cynics, however, could argue that the reason that the residents in São Pedro were able to get significant concessions from the municipality was that their organisation was a leading source of activism within the city. By placating them the intention would be to reduce their activism and divide the movement so that less active groups in other settlements would be less united.

- **Continuity and Change, Manila, The Philippines** (Van Naerssen 1989)

Squatter movements developed in Manila and elsewhere in the Philippines in response to a forceful policy, practiced mainly during the Marcos era, of eradication of slums. In the Tondo foreshore, the largest slum in Manila, a movement called ZOTO developed. Although the movement had some assistance from research students, social workers and priests, largely through its own efforts it developed and managed services and facilities such as a central market, a nursery, two primary schools, three health centres, public water taps and paved footpaths. It was also able to exert considerable political pressure. ZOTO opened up negotiations with the World Bank and eventually the Philippines government on a set of demands for security of tenure, maximum retention of existing plots and structures or, exceptionally, resettlement nearby, provision of utilities and services, no resettlement in multi-story tenements, affordable payments and participatory planning. The World Bank accepted some of these demands in a large housing and upgrading project, though the Bank was aiming for cost recovery so would not compromise on reducing payments, excluding the poorest families from the project. Dialogue with the government and the World Bank was maintained, but evictions and demolitions continued in some settlements, even after Marcos. This prompted a congress of organisations of the urban poor in the Philippines in 1986 and the issuing of a People's Proposal calling for an end to demolitions, high repayment costs and resettlement, less dependence on the World Bank and the International Monetary Fund and economic development in poor communities. Land would be managed by communities as cooperatives to deter land speculators. The government again made some concessions, but these were well short of what the communities were asking for and some evictions were still continuing.

- **Community Advocacy, Mahila Milan, National Slum Dwellers Foundation & SPARC, Maharashtra State, India** (McLeod 1996)

Some examples are presented on how official policy was changed towards being more pro-poor in India through the advocacy, community development and housing demonstration projects. These included :-

- the State Government issuing temporary and permanent ration cards to pavement dwellers, single women and street children as a result of Mahila Milan, a women's federation, creating addresses for cluster groups of street dwellers and submitting this to the authorities
- The local authority and State and National Governments agreeing to include pavement dwellers in the national census as a result of surveys and enumerations carried out largely by the dwellers themselves
- Acceptance of community-developed housing plans by the local authority and State and National Governments as a result of participative planning workshops using visual models with pavement dwellers, also attended by officials
- Some limited relaxation of building standards by the local authority and State Government, to reduce construction costs, as a result of lobbying by pro-poor groups
- Granting of security of tenure to hutment dwellers in Bombay and preparation of a programme of rehabilitation by the local authority and State Government as a result of pro-poor groups (Mahila Milan, National Slum Dwellers Foundation and SPARC) identifying vacant land in the city and their participation in the Maharashtra Slum and Hutment Dweller Reconstruction Group, support to the formation and development of squatter groups and lobbying
- The issuing of credit directly to community savings and loan groups by international donors and state banks due to creation of community savings and loans schemes, demonstrating their effectiveness and viability and linking these to officially recognised processes

- Public and private sector financing organisations recognizing the validity of providing housing mortgages for the urban poor through developing housing savings systems within federations of the urban poor
 - Support from local authorities and bi-lateral and multilateral donors for community-based installation of infrastructure and services in informal settlements after successful demonstration projects and their promotion.
- **Informal Settlement Development, Poor People's Coping Strategies and Institutional Responses in the Absence of Formal Regulation, Gecekondu in Turkey** (Baharoglu & Leitman, 1998)

The activities of speculators are an important factor behind the development of gecekondu or informal settlements in Turkey. In older gecekondu densification, largely the building of apartment blocks, has been a feature, which has led to increasing demands being put on services and infrastructure.

There are several types of gecekondu, each having different degrees of security of tenure and levels of difficulty to get access to infrastructure and services. Gecekondu established before 1984, the year of the last Redevelopment Law, are the so-called amnestied gecekondu and offer the greatest level of security and are favoured for access to services and infrastructure. There are also more recent gecekondu built on public land - where residents have to negotiate with the local authority for services, built on private land where the landowner or the government becomes the main party with which to negotiate, or the settlement might be developed by a builder but without an official permit.

There are a number of laws in Turkey concerning gecekondu dealing with matters such as improvement, redevelopment or affording a degree of security of tenure, but these have largely failed to deal with the backlog for service and infrastructure provision and have largely been by-passed by more informal rules and procedures developed ad-hoc by the stakeholders involved to address needs, demands and the capacities of organisations to meet these.

In many cases residents have organised illegal connections to electricity and water supplies rather than wait a long time and have to pay a high cost for connection by a private company or public utility. Networks of part-time government representatives (muhtars) and district mayors have a mediatory role between the service providers and residents. Although the municipalities do not provide services, residents groups and their representatives do make demands for action from them, which means that they are also drawn in to a mediatory role. Local authorities do also assist residents to install infrastructure provided that the residents buy the materials and labour. However, engineers have been concerned about the poor quality of some of this work.

In the larger cities Infrastructure Coordination Committees have been set up by law to coordinate infrastructure works, but they have proved to be ineffective and have been little involved in gecekondu, where informal processes have been by far the most important. Relationships to install services and infrastructure have been developed from personal contacts and informal social networks.

Although dealing with service and infrastructure provision in gecekondu takes up a lot of time and resources of municipalities with little increase in financial income there are two other significant incentives which maintain the involvement of local authorities. The first is that as in some cities more than 50% of residents live in gecekondu, they are an important source of votes for local politicians, and providing something as visible and tangible as infrastructure is bound to attract votes. The other is that in many municipalities in Turkey there is a commitment to serve all the residents in a town or city, not just the better off elements, and there is also concern about public health issues if services such as sanitation are not provided.

Service providers also have incentives to install services in gecekondus. Firstly, they are concerned about illegal connections and loss of revenue and would rather that more residents paid for these services. There is also concern about the levels of demand placed on the services by illegal connections which results in stoppages for all consumers - those who pay and those who don't, as well as the physical dangers of illegal electricity connections.

As a result both the municipalities and service providers have developed a series of informal rules for dealing with representatives of gecekondus to facilitate the process of infrastructure and service provision. As official regulations are largely irrelevant to these processes there is a need to reform these to reflect more what is taking place in reality.

- **Approaching True Partnerships, Facilitation and Advocacy by NGOs and Community-Based Coalitions in Partnership with Local Authorities and Political Parties for Policy Formulation, Cebu City, The Philippines** (Etemadi 2000)

A range of partnerships have been developed between government-based and non government organisations which work with low income groups. A coalition (The Urban Poor People's Council) has also been developed between NGOs and poor people's organisations which seeks to ensure that mayors supportive of pro-poor policies are elected and then that these policies are implemented. This strategy has resulted in significant improvement in provision of services in the city, but there are still limitations with regard to difficulties many residents of informal settlements experience getting some form of security of tenure as well as benefiting from the economic growth of the city, which generally goes to benefit the better-off residents.

Discussion and Conclusions

The above categorisation of regulatory processes and how they are changed or developed into institution-led, community-managed or obtained through negotiation or compromise is somewhat arbitrary as many of the cases which have been put into a particular category also includes elements of another. In fact the most useful or successful cases of the implementation of a regulatory framework would include aspects from all three types of process. A regulatory framework introduced by a local authority, government department or public or private utility cannot be considered to be pro-poor or facilitating if community groups have had no involvement in any discussions or negotiations over its development, or that if it does not result in some changes in the ways community groups manage their own matters. Similarly the formulation of official policy of regulation needs to take note of processes of more informal and community-based management.

Full-scale regulatory reform is a very long and complex processes, and most of the above case studies are really only snapshots of a relatively small part of what could be a much bigger process if the reforms were to have a significant impact on poverty reduction and informal settlement improvement. By themselves they in general would have had only limited impact, but as part of a wider process of change, the impact of the whole process, both on promoting sustainable livelihoods and improvements in settlements, as well as enabling more efficient procedures to be implemented by institutions and agencies, can be quite considerable. However, no case studies were identified which involved such a wider process of change and improvement. These processes do go on, for example a number of case studies have been included from South Africa, Peru, Brazil, India and The Philippines. In these countries the general situation of the urban poor can be said to be improving. These have been occurring through changes in a range of regulatory aspects, together with social and economic development. However, to get a grasp of these it would be necessary to undertake a detailed study of a particular area or country through an analysis of all the regulatory and political changes that have taken place in that country or area in the recent past and, if necessary also making reference to earlier or historic regulations and legislation.

With regard to the actors involved in the change process the focus in the case studies looked at has tended to be on the interaction between communities and local authorities, sometimes also involving NGOs as intermediaries, and sometimes also involving state or national level actors if it was relevant to consider regulation or legislation implemented at the state or national level. However, when consideration is given not just to get the need for policy change accepted and legislation passed to effect the change, but also to get the policy change implemented on a significantly scale than many other actors would be involved. An additional factor is that policy and regulatory change is an ongoing process, and there usually is not an end point. Legislation which is drafted needs to be tested, problems and omissions identified, then the legislation altered further before being applied again. The main actors who could be involved in a comprehensive change process include :-

- United Nations and other international agencies, providing guidance on policy on global development issues, e.g. on environmental sustainability, urban development, education, health, labour and employment, food and farming, etc.
- National politicians - responsible for putting legislation on the statute books and consulting their constituents on the need for change
- Researchers, who can have a variety of roles including identifying needs and problems, setting up and monitoring testing procedures, dissemination, co-ordination of other stakeholders, identifying precedents from elsewhere, analysis and assessment, and advising policy makers.
- The legal profession, responsible for finding loopholes and deficiencies in legislation and setting precedents for dealing with particular issues on which legislation is vague or deficient. Legal professionals can be powerful allies in support of civil society seeking change, but are more likely to be supporting vested and powerful official interests.
- Administrators, who are responsible for the minutiae of the operation of legislation and regulations.
- Local authorities, with responsibility for setting local policy and regulation, collecting revenues and providing services and implementing national policy at local level.
- Planning and development professionals and technical specialists, who advise local and national policy makers on technical and planning matters, prepare area plans, manage development projects, design service and infrastructure projects and might even become involved in determining policy in areas covered by their own professional expertise.
- Private sector, who provide services for profit and if working in the formal sector are obliged to follow relevant policy and legislation. Informal sector enterprises frequently flout the official rules, but would also be likely to have developed more informal rules and ways of working.
- Intermediary organisations such as NGOs, that facilitate community development and can also be involved in advocacy and lobbying for policy change. In democratic societies with decentralised government they might be requested to advise on policy development or change.
- Community groups and organisations, who are usually the recipients of the effects of policy and regulatory implementation, whether these are beneficial or detrimental for them, although quite often communities and households have found ways of circumventing official regulation, or developing new systems of regulation more appropriate to their needs.

With so many different types of stakeholder in the broad range of a change process it is probably not all that meaningful to consider partnership in its accepted sense as a meaningful concept to develop for effecting change. It could be more useful first to identify who are the stakeholders that would be involved in or affected by any proposed change, then to look at how they interact already, how they could interact better, how and with what stakeholders would capacity building be most useful, and what commonalities exist or could be developed between particular stakeholders in terms of their objectives or aspirations regarding the proposed change. Identifying roles and responsibilities, and ensuring that these are complementary would also be an important issue.

Good facilitation of the process would be essential for its success. The stakeholders involved in the process need to be encouraged, but not manipulated or ignored. If a particular problem arises the issues this problem raises have to be addressed, not ignored. Ideally the facilitator would not be expected to gain significantly from the outcome of the process, except perhaps in having their reputation enhanced, otherwise the risk is that they could be seeking to manipulate the outcome of the

change process in a direction that most favours them. However, this does not imply that facilitators always have to have a neutral view of the process nor not be already involved as an activist. In some of the case studies presented very active people and organisations have managed to achieve change. These have included Hernando de Soto and COFOPRI in Peru, poor people's coalitions in the Philippines and the Sou Sou land movement in Trinidad. An NGO, academic or research organisation, committed politician or political party, local authority or government department could all act as facilitators in a change process.

A particularly significant barrier to achieving change can be that each of the above stakeholders can derail or stall change and during the change process there would be occasions when they would want to do so. With regard to each of these types of stakeholder this could happen due to :-

- United Nations and other international agencies - unlikely, but sometimes staff change, internal policies change, and funding is withdrawn or unable to be raised for programmes they are supporting
- National politicians - likely to block any changes that would seem to threaten their position, power or incomes, unless there are good reasons for them not to do so, e.g. that change would increase their popularity and votes
- Researchers, can be under independent pressures and deadlines, so would not like to encounter delays when difficult issues arise or changes in the research plan, framework or budget. Also, if unfamiliar with action research, could find situations such as conflict difficult to deal with.
- The legal profession, can be more supportive of rich and powerful vested interests, who pay them better, than taking up the case of poor people's rights and social equity.
- Administrators - bureaucracies and hierarchies are a great obstacle to reform and difficult to change. Changing the structures of administrative organisations or procedures can be a very lengthy and difficult process.
- Local authorities, capacity is often an issue, as is raising adequate revenue to provide reasonable levels of service, even in the higher income areas. However, local authorities can be keen to consider proposals which can help to incorporate more of the informal settlements into the municipal arena and raise additional revenues. Corruption can be significant problem in some municipalities.
- Planning and development professionals and technical specialists, can oppose changes which devolve more decision making to civil society as they can see this as a threat to the status and positions. Also some can be reluctant to leave their offices to meet communities in their settlements. Some still have aspirations that western-based standards can be achieved in cities in developing countries.
- Private sector, which could prefer to work only or largely with higher income clients as they perceive risks to be less and profits to be greater.
- Intermediary organisations such as NGOs, capacity is probably the most significant issues, as many NGOs are limited by the locations they work in, the sectors they work in, usually focused on one or a few sectors e.g. employment, sanitation, health, etc., or that they are little more than charitable or social welfare organisations offering some form of assistance to the very poorest. Taking on a wide range of roles and responsibilities for many of these organisations would be difficult.
- Community groups and organisations, which can be divided, unrepresentative of the areas they work in, unwilling to take on additional roles and responsibilities and with leaders pursuing their own agendas, e.g. gaining political power, rather than community development goals.

Additional issues to note is that in a municipality there could be competition for resources among groups and organisations seeking change, so the negotiation for change would need to be done in an environment of competition rather than co-operation. Also, in a particular area there would be likely to be many organisations, each with their own constituency, so co-ordination would be a difficult process. Peri-urban areas would have particular issues and problems, sometimes not easily linked to resolving how to achieve change within the more concentrated urban area to which they are linked. Nevertheless, even with these and the above issues to resolve, the importance of a committed and

dynamic individual to achieve change and the ongoing building up of dialogue between stakeholders change can be possible.

One fundamental principle to accept with regard to poor people's livelihoods and settlement improvement is that no single group or organisation can, by itself achieve significant change. Community groups, for example, can go a long way in improving their settlement and making the most of opportunities they have available, but these achievements can be greatly enhanced by supporting legislation and policies from national government and local authorities, and support and facilitation offered by NGOs and other stakeholders. It is also important that the process of change is monitored, the lessons learnt and disseminated, then applied to achieve further improvement in the same area or elsewhere. Some of the instruments to achieve change have included :-

- Public consultation on policy change, ensuring in particular that end users are not left out.
- Drafting and piloting of revised legislation, regulations or guidelines.
- Demonstration projects making use of revised regulations
- Dialogue and discussions with interested stakeholders
- Extensive dissemination campaigns, using the media and popular communication
- Using participatory based techniques to obtain views and feedback from community-based stakeholders
- Getting advice and assistance from experts
- Action research
- Incremental change - making small changes, then monitoring results and learning lessons and using these to guide further change
- Anticipatory change - using research skills to identify where change would be likely to be needed in the future
- Setting up steering groups or committees, also including end user participation
- Monitoring surveys to assess need or the levels of change already taking place
- Stakeholder capacity building through learning by doing and training elements
- Civil Service reform, to make the civil service more proactive and responsive to the needs of the poor
- Anti-corruption measures
- Extension and outreach services
- Decentralisation, including of some local management functions to community control

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