

Consultation - security of tenure for urban poor

Quito-Ecuador, May 18th 2013

After a general discussion on the issue, participants were requested to fill out three cards with the critical issues preventing security of tenure, especially in the context of the urban poor. Cards were filled out and after several discussions, participants agreed upon clustering critical issues as follows:

TOPIC	CARDS
<p>1. Commodification of land and hegemony of the market:</p> <ul style="list-style-type: none"> - Social management of land - Land policies 	<ul style="list-style-type: none"> • Non-regulated markets • High prices of land in the central city • High prices for access to urbanized land • Concentration of land in groups of greater economic power • Conceive of the soil as a scarce commodity subject to the laws of the market • Decision on the location of housing transferred to real estate market (land: commodity) • Lack of control over land speculation • Expectation of profits due to the revalorization of land • Privatization of the surplus value of the land • Excess of speculative money that increases prices in the market and displaces the poor population • High prices for access to urbanized land • Inflated housing market by the new logic of global real estate markets • Businesses and services pressure and compete for location in the city and displace affordable housing options • Policy and management of land are subject to the market • Urban policies centered in the profitability of the market
<p>2. Ideological prominence of private property: ideological, political dimension</p>	<ul style="list-style-type: none"> • No recognition of diverse forms of tenure and rights • Emphasis on private certification/ownership • Lack of other conceptions of tenure • Patrimonial conception of property • Registry of property and economic access • Actual conception of property rights backed up by land owners • No recognition of the right to adequate housing • Lack of cohesion within constitutional and juridical systems regarding the right to adequate housing and the social function of property • Dominant ideology of private property of land

	<ul style="list-style-type: none"> • Emphasis on individual private property
<p>3. Emphasis on individual housing solutions (credit-subsidies) and divorce-themed from land</p>	<ul style="list-style-type: none"> • Credit is available only for “formal housing” • Abandonment of the land for housing • Lack of credits and subsidies targeted to vulnerable groups • Individualization of solutions that disrupts family solidarity and networks • The poor are not subject of credit • Emphasis on housing and not on land • Access to housing and access to the city are not related • Centralization in housing policy • Adequate housing is defined by banks and enterprises that do not have any interest on family issues
<p>4. The prevalence of correction policies (ex post)</p>	<ul style="list-style-type: none"> • Emphasis on prevention and not correction • Regularization and legalization restricted to the private/individual form of tenure • Lack of comprehensive preventive/ex post policies • Insufficient supply of alternatives • Redistributive investment policies in services • Client based policies that emphasize in titling and do not guarantee urbanization, equipment and access to work, promoting segregation • Dependency on public investment in the infrastructure of the settlements • Lack of budget for adequate resettlement according to UN human rights guidelines
<p>5. Other issues</p>	<ul style="list-style-type: none"> • Lack of inter-institutional coordination • Fragmentation of the institutional-political action at all levels • Lack of security of tenure for housing in the city • Insecurity • Lack of availability of well-located land for the poor • No land planning for social housing • Lack of local policies for land planning and management and on access to land and services by the poor • Lack of creative solutions to eradicate land trafficking • Lack of policies to enforce the municipal obligation to reserve land for social purposes • Property of land • Social production • Unequal treatment • Land market • Non inclusive urban housing policies • Lack of participatory planning • Lack of regulation of communal lands

	<ul style="list-style-type: none"> • Planning not adapted to accelerated population processes • Local government does not manage the land • State does not allocate priority to social housing • Political decisions • Misunderstanding of concepts among those who take decisions • There are legal frameworks but not enough political will and institutional capacity to manage the land • No availability of well-conditioned land accessible for the poor • Lack of regulation of real property • No definition of the use of land • Lack of clear understanding on the scope of security of tenure • No regulation of land • Ignorance of intervention instruments • Lack of information about informal settlements that allows targeted public policies • Lack of administrative provisions for inheritance • Lack of comprehensive policies on access to land and housing • Lack of capacities and knowledge of social organizations to deal with the issue • Lack of legal assistance and information for vulnerable groups <p>Cultural dimension</p> <ul style="list-style-type: none"> • Tyranny of the health, wealthy, young and white man • Vulnerability of groups and conflicts (ethnicity, gender, race, culture, etc) • Land registry entitled to men. Cultural and judicial problem <p>Economic dimension</p> <ul style="list-style-type: none"> • Social inequalities • Disparities in income • Inequality and poverty
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Other issues discussed in the opening session of the workshop

- State must intervene in the management of land for housing and not let this issue to the market. State must have a primary role in the regulation of land

- Structural causes such as poverty and inequality must be taken into account when dealing with security of tenure
- Guidelines on security of tenure must present concrete and practical recommendations on how to strengthen security of tenure for the urban poor in cities
- From a conceptual point of view, it is crucial to clarify that land is not a commodity subjected to the market. It has a social value.
- The demographic dimension, new forms of expansion and new challenges of the cities should be addressed in this process taking into account urbanization rates that have been significantly decreased. There is no more migration from the field to the city.
- The hegemony of the market has produced what we have: houses and no cities/no urban planning

Group work

Participants were later requested to work in four groups. Each group had to analyze one cluster and further elaborate on proposals related to:

- i. legal framework
- ii. normativity
- iii. instruments
- iv. process
- v. knowledge and information

ANNEXES

FOUR CLUSTERS

ENFASIS EN CRÉDITO
TO PRIVADO Y
SUBSIDIOS

El crédito es
Solo vivienda
Formal

Centralización
Política Vivienda

MARCO
LEGAL

ABANDONO DEL
SUELO PARA VIVIENDA

"Vivienda adecuada"
es definida por bancos
y empresas que no
tienen interés en
las familias

INSTRUMENTOS

FALTA DE OPORTUNIDAD DE
CRÉDITO Y SUBSIDIOS
PARA GRUPOS VULNERA-
BLES.

NORMATIVIDAD

Individualización de las
coleciones:
- rompa redes familiares
y solidarias

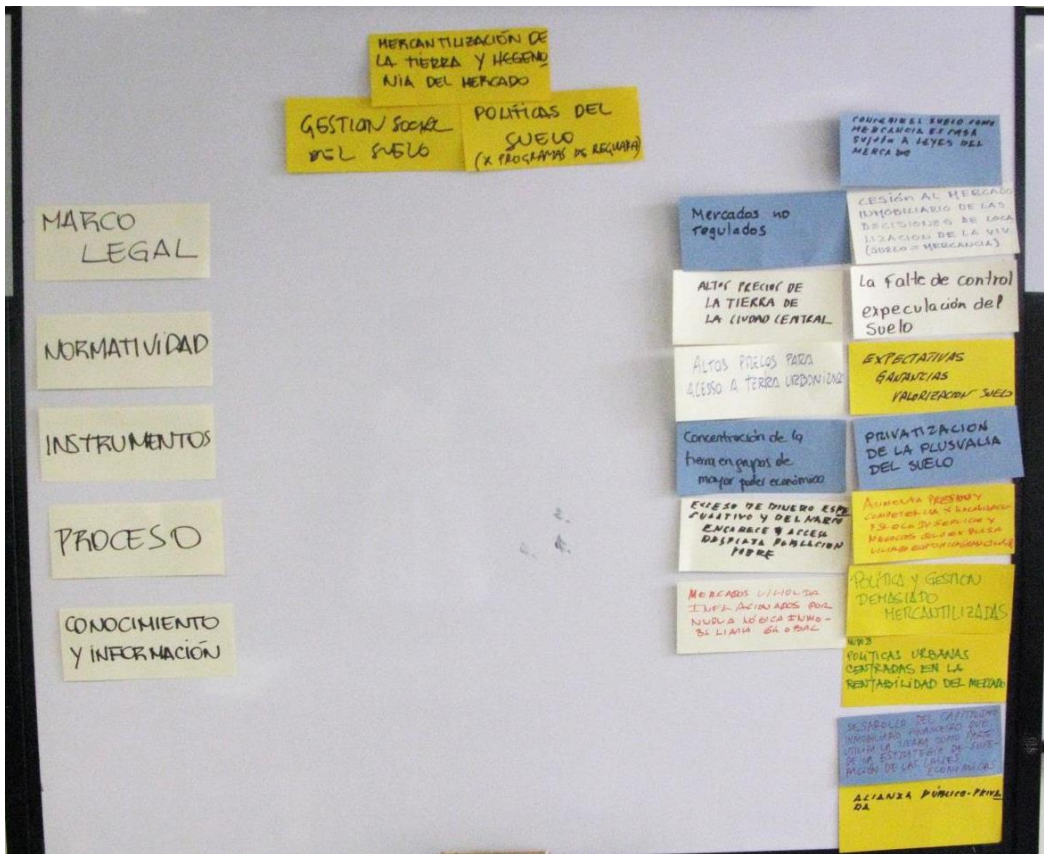
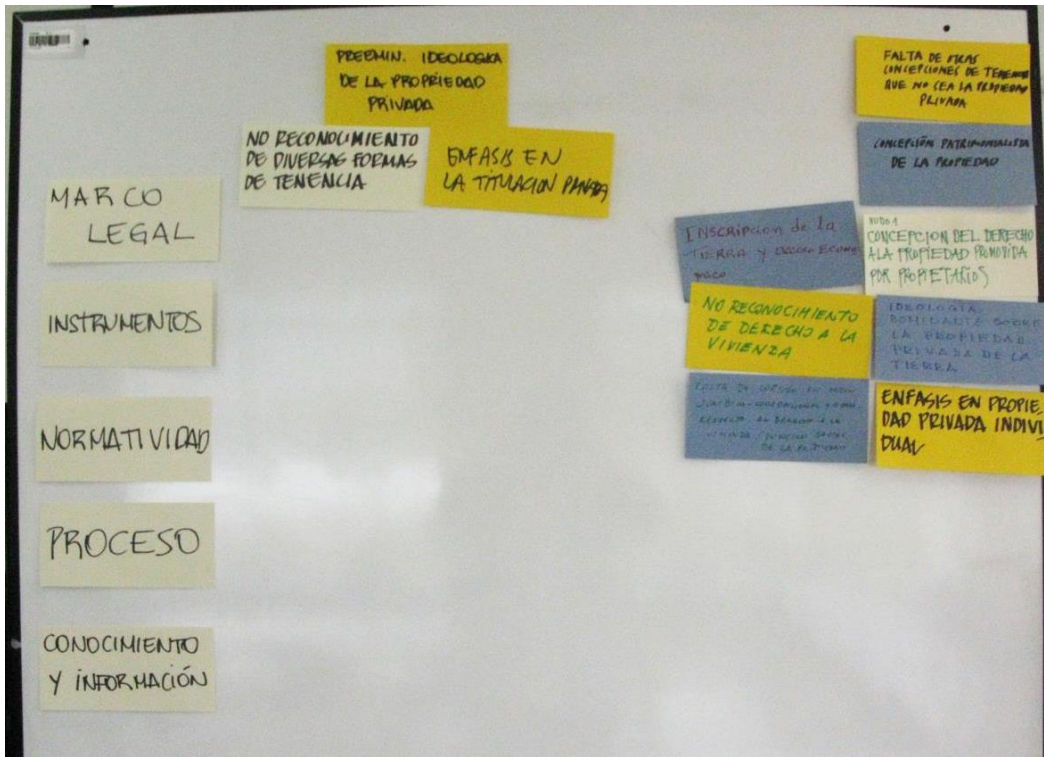
PROCESO

LOS POBRES NO
SON SUJETOS DE
CRÉDITO

CONOCIMIENTO
Y INFORMACIÓN

ENFASIS EN VIVIENDA
Y NO EN SUELO

El acceso a la
vivienda y el acceso
a la ciudad no son
relacionados





OTHER ISSUES



