

Knocking at the mayor's door

Participatory urban management in
seven cities

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Institute for Housing and Urban
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Knocking at the Mayor's Door

Participatory Urban Management in Seven Cities

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Foreword

For Cordaid the cooperation with IHS is very valuable. Originally Cordaid provided financial support to NGO's in the urban context, but over the years we started to acknowledge the role that local governments can or should play in urban development. With the process mappings and workshops IHS provides us with insights in networks of local stakeholders from local authorities, private sector to social movements active at city level. The process mappings show us the 'opportunities' we can grasp: Where are local governments, private sector, NGO's and communities working together or willing to work together at city level? This can be a sector, like basic services (water, housing), but it can also be designing the cities master plan for the coming years. That's the place to be for Cordaid! Concretely it means that we are supporting now more than before, development processes at city level and programmes of urban poverty reduction where several stakeholders work together, in a complementary way, rather than isolated projects of NGO's.

In some cities the process mappings were followed by a workshop in which the findings were discussed. These workshops triggered reactions in the cities and created new dynamics between stakeholders. For example in Recife: in the workshop that took place in June 2005 partners of Cordaid and other stakeholders from Recife, Lima and Fortaleza have drawn up an agenda for joint action for the future. The discussions proved to be effective for gearing policy towards each other and for mutual learning. The meeting resulted, among others, in a temporary network between the cities of Recife and Fortaleza, consisting of NGO's, Universities and the municipality of Fortaleza, which strives for formal recognition of the favela's in Fortalezas urban planning, in order to secure certain rights for the favela's residents. Another example: in the Philippines stemming from the process mapping a city-based NGO network called Hugpong Dabaw now tries to engage the government in a dialogue while defining a common agenda to establish a local Housing Development Board, as prescribed by national legislation and make participatory development councils operational.

This book depicts the variety of situations found in the 7 cities herein described. It shows that there are a number of local conditions and determinants whether or not participatory channels exist, and whether this provides the type of space for collaboration between different stakeholders and if this ultimately enables the formulation and implementation of pro-poor policies.

We are pleased to offer the general public the experience of our partners in the different cities and the comprehensive analysis and suggestions made by our IHS partners. We are convinced that this knowledge will cross-fertilise other experiences around the world.

Marloe Dresens, Policy Officer Urban Liveability, Cordaid, June 2006

Acknowledgements

Claudio Acioly, Reinhard Skinner and Sharon Welsh were in charge of the project of this book, while the respective studies and chapters herein presented were under the responsibility of the respective authors namely Jan Fransen (Awassa), Hans Teerlink (Nairobi) and Maria Zwanenburg (Tirana).

Claudio Acioly, Reinhard Skinner also authored the studies on Recife and Davao, and Lima and Younde respectively. The study of Davao was co-authored by Acioly and Junefe Gilig Payot and the Nairobi one by Teerlink and Eric Makokha. Except for Skinner, Payot and Makokha, all the authors are staff members of the Institute for Housing and Urban Development Studies (IHS). Details about their professional background are presented at the end of the book.

The authors are indebted with a significantly large number of people and organisations, whose list is almost endless. Without Cordaid and its country desk and project managers, and the framework of collaboration with IHS it would be impossible to undertake these city audits. Hilde Marbus, Margreet Houdijk, Remco van der Veen, Elly Rijnierse, Esther Kodhek, Wassie Azashe, Mariet Mulders and Aletta van der Woude provided valuable support and feedback to the studies. We would like to mention Marjolijn Wilminck and Marloe Dresens who have been in charge of the urban liveability programme of Cordaid and have been major players in the IHS-Cordaid collaboration. Without their support and belief in the value added of this institutional matching, much of the knowledge generated through the process mapping would remain untapped.

We should not forget the various partners of Cordaid and IHS alumni in the cities where the process mapping research took place. Getting inside views and accessing documentation, meetings and various events was only possible because of the interest, motivation and cooperation of the various individuals, NGO's, CBO's, local leaders, mayors, municipal authorities and technical cadre of local governments and various civil society organisations with whom the authors interacted. The discussions as well as their views and experiences made it possible for the studies to construct participants' observations that sustain a great deal of the analysis and conclusions formulated in each one of the city-based reports whose summaries are inserted in this book.

A final word of acknowledgement goes to those who are actually struggling to make participatory processes work at the grassroots. We should like to express our gratitude to the various residents, community groups and local leaders who openly welcomed the authors during their field visits and meetings and actively participated in the meetings. Without them it would be impossible to undertake such an in-depth analysis of local processes.

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Introduction

Reinhard Skinner and Claudio Acioly Jr.

1 Rationale for the book

The wealth of knowledge that was generated about participatory processes in seven different cities in the world through the city-auditing and process mapping research carried out by IHS was the main motivation write this book. The intention is to make the cases, experiences and knowledge available to a wider public. Preparing a publication containing the summary and main findings in the different cities was an idea that gained strength with the realisation of the Third Session of the World Urban Forum to be held in Vancouver from June 19th – 23rd 2006.

The book addresses the Forum's overall theme, **Our Future: Sustainable Cities – Turning Ideas into Action** and particularly sub-theme 3: Social Cohesion and Inclusion. It contributes to the discussion on public engagement and how it relates to the participation of all city dwellers, including the poor and marginal groups, in the formulation of urban policies and strategies.

The studies of which the publication is composed were not undertaken specifically for the Forum. All chapters in this volume are short versions of the full reports produced by the Institute for Housing and Urban Development Studies (IHS) for Cordaid. More detailed information can therefore be found in these reports that are available in the form of a CD. Thus, the chapters presented in this book provide only a summary of the situations pertaining in each city in the respective country. The summaries do not claim to be comprehensive but focus on a limited number of key issues in each city.

2 Background to the studies

In 2002 Cordaid, an international developmental Non Government Organisation (NGO) based in The Hague, The Netherlands, and the IHS, an international education institute based in Rotterdam, The Netherlands entered into an agreement to pursue close institutional and collaborative links that would strengthen the development mission of both organisations. One of the goals of the institutional alliance between the two organisations is to create a synergy between bottom-up participatory approaches and the traditionally top-down policy directions of local governments. Cordaid, through its funding of partner organisations in developing countries, mostly civil society organisations and NGO's, has traditionally worked and support grassroots processes and bottom up development while IHS, through its worldwide training and consultancy work, has substantial knowledge and experience of local governments. It is believed that joining these two areas of focus will help to improve the quality of the processes

and the effectiveness of policies and public investments that benefit the poor and disadvantaged groups of society, particularly in cities where Cordaid has on-going support. The alliance focuses on cities where CORDAID already provides support to NGO's and community-based processes that are depicted in this book.

The role of IHS in this alliance has largely been one of preparing a situation audit, stakeholder and institutional analysis and process mapping in selected cities which help to identify networks of social actors, institutional frameworks, and bottlenecks and opportunities to participation by stakeholders, especially the poor, in urban management and development. IHS has also assessed the extent to which existing support to local partner organisations has enhanced these processes in selected cities such as those represented in this publication: Recife and Lima in South America, Awassa, Nairobi and Yaounde in Africa, Tirana (Europe) and Davao (Asia). The studies have helped reveal the successes and failures of particular policies and approaches.

Another important dimension of the IHS-Cordaid alliance is the raising of awareness on the part of policy makers and civil society organisations (as well as poor residents and their organisations) about positive experiences and results achieved by pro-poor policies and measures across the world. Thus the process mapping reports resulting from the work carried out in the different cities will, where possible, become publications in order to allow the lessons learned to be disseminated to a wider international professional public, Cordaid partners and IHS training programmes. The present Forum is one important example of the effort to reach an international public.

3 Content of the Studies

It was expected that the studies would deliver advice on a range of strategic questions, which would help Cordaid in defining its urban work and the added value it can give in urban centres in developing countries in the future¹.

The studies look at the potential of participatory processes in urban management in the different cities as well as factors that are hindering or facilitating them. Special attention is given to Cordaid's focus areas such as urban liveability, security of tenure, social cohesion, clean and healthy environment, income generation and the informal sector.

At the level of the city as a whole three main exercises were carried out:

1. Institutional and stakeholder analysis: Legislation, institutions, programmes and policies that affect participatory processes in urban management positively or negatively were identified and analysed. Similarly the role of the different urban stakeholders in these processes were examined.
2. Process mapping: Each of the authors of the studies carried out a process mapping exercise aimed at revealing historical relations

between actors, programmes and projects and identifying processes of decision-making and allocation of resources. How participants of these processes saw each other and how they assessed the reasons for pursuing participatory approaches were also an important part of the pro-policies

3. Cost-benefit analysis of participation: This was in fact the exercise that was probably least evenly successful across the range of studies though some (e.g. Recife) produced more results than others. The idea of carrying out cost-benefit analysis of participation was to consider not only the impacts of participation on the various actors, particularly the poor, but also the resources which actors have to invest in, in order to produce or reap benefits. While some of the studies do not present their findings in these terms they all present evidence of shortcomings in the participatory processes that they analysed, including negative impacts. This is of considerable significance to advocates of participation who must address questions such as potential 'burn-out' of participants and the real value of the processes.

4 Key Study Questions

The key questions, which guided the process mapping studies, were the following:

1. Municipal policy: What are the main programmes addressing poverty, local economic development and improved urban liveability for poor families?
2. Participation: What results have been produced by the legal and institutional frameworks and mechanisms which have been established to promote popular participation?
3. Stakeholder analysis: What relations exist between municipality and civil society and between civil society stakeholders themselves?
4. Partnerships and stakeholder agreements: What experiences exist of stakeholders working together, especially together with the private sector?
5. National and international links: What support do municipal governments receive from central government and international organisations?
What support do other stakeholders (such as NGO's, the private sector and the Church) receive from national and international organisations?

5 Meaning of the term “participation”

Countless interpretations exist for the term “participation” and these are reflected in numerous publications on the subject. Discussions of “ladders”, levels and spheres of participation bear witness to the controversy surrounding the word. For some, participation is deemed to exist if an actor takes part in an activity or process (be it as a principal protagonist, leader or as a mere provider of manual labour or financial contributions); for others the term only has meaning if it refers to a ‘participant’ exercising a degree of control over decisions which are made about the activity in which s/he takes part. Thus participation touches the issue of power. This means the power to decide on the allocation of resources and on the directions of policy just to mention a few. This dimension is actually revealed within the various channels of participation that exist in the city of Recife, particularly in the participatory budgeting and the participatory land management forum called PREZEIS.

The studies depicted herein this publication have generally accepted a definition used by Fransen, in the Awassa study, that defines participation as “the process whereby the community, directly or through civil society organisations, shares influence and control over decisions, actions and required resources to improve their living and working conditions”.

6 Study locations and timing

As mentioned before, the studies were carried out in the seven cities: Recife, Lima, Awassa, Nairobi, Yaounde, Tirana and Davao. They were selected because, apart from demonstrating high indices of urban poverty with large parts of the population living in informal settlements, they all have significant numbers of NGO’s working with the poor. Additionally Cordaid has been working in these cities through the institutional and financial support to NGO’s, grassroots organisations and civil society organisations and networks. They also support the collaboration between NGO's and local governments.

A final consideration was that the studies should offer a good regional spread of cases rather than only being geographically concentrated. Most of the studies were carried out between 2003 and 2004, apart from the Davao study that was carried out between 2005 and 2006. Given the time that has elapsed since the studies, some of the conclusions may have been overtaken by events. The workshop organised in Recife to discuss the findings and follow-up of the two process mappings (Recife and Lima) demonstrated that the research had already triggered some changes and responses of the local actors to the problems and bottlenecks identified by the process mapping researches.

7 Methodology

All the studies used the same methodology as far as possible. They employed a number of research techniques combining desk and archive research with field visits. Each of the studies explains how the methodology was applied to their case; some of the cases have adopted the methodology to take advantage of opportunities their city presented or to recognise limitations they imposed.

During the preparatory stage the IHS researchers (including a limited number of consultants) reviewed relevant documentation, carried out literature reviews on the subject areas and scanned policy documents and unpublished materials, mainly made available by Cordaid. City or country-based documentation was also assembled by the IHS library and information centre and made available for the researchers.

On-site field meetings were held with representatives of Cordaid's local partners in order to explain the purpose of the research and to establish a basis for cooperation. Often, these meetings were followed up by working meetings to obtain feedback on the provisional findings of the first field visits.

Visits were made to different NGO field offices as well as their projects, both those of the Cordaid partners and others. This was very important and helped to gain an understanding of the kind of work being undertaken, the results, bottlenecks, etc. Very often other participants and beneficiaries as well as their legitimate representative organisations (CBO's) were interviewed. This proved to be extremely relevant since it helped to obtain participants' perceptions of the participatory processes and their part in them.

Local government officials, key informants, representatives of national government, the private sector and representatives of international donors were also interviewed. In some cases, the IHS researcher took part in a particular event, a plenary session, a community assembly, a participatory budgeting session, etc.

All the reports were submitted to local partners and interviewees to check the veracity of the facts and to comment on the findings and recommendations. This was an important aspect to keep transparency and open dialogue. A debriefing, workshop or a regional meeting was an integral part of the process mapping research.

8 Concluding remarks

The conclusion of this study, which is also presented in the last chapter of the publication, attempts to highlight common as well as specific and particular issues that each city study discloses. The findings and conclusions drawn on each city audit are brought together.

It is hoped that the different case studies not only advance our understanding about the potentials but also point out the bottlenecks to be surpassed in order to develop participatory processes and civil society engagement in urban management that involves all stakeholders, and especially the poor. While the studies are single city focused, in many respects generalisations can be made to other urban centres in the same country and possibly beyond. Most important is to draw lessons learnt and assess to which extent some approaches can be translated and/or adapted to local conditions in a different country and society.

What seems to be a strong and common dimension amongst the cases of Recife, Nairobi, Tirana and Davao City is the question regarding land, the access to land and the mechanisms and regulatory frameworks that are enabling or hindering the access of low income families to the city. Nairobi and Recife, for example, have on-going initiatives geared to upgrading programmes that offer clear opportunities for NGO's, CBO's and civil society to participate and place the poor's needs and demands on the political agenda. This is not yet the case in Davao City and certainly not in Tirana. In Nairobi, the major obstacle to real participation is the absence of a two-way communication and mechanisms for a timely exchange of information. There is certainly a need to strengthen information sharing and communication amongst all stakeholders. Another aspect of Nairobi is that the private informal sector is quite disarticulated and there is a lack of any channel through which they can voice their interests in the urban arena.

In some cases, like Awassa and Younde, participatory processes and civil society engagement in city management as concepts and practice are just crawling but there are potentials and the support to on-going initiatives coupled with capacity building can surpass existing bottlenecks and result in a breakthrough in the collaboration between the public, community and private sectors. One can make generalisations from very particular phenomena in the cities illustrated herein this publication. In cities, where generalisation is impossible, the author will make this explicit, or the knowledgeable reader will be trusted to deduce this for him/herself.

9 Note

¹ While the work was carried out for Cordaid it is evident that the benefits which it draws from them can be equally applied to other donors working in the same context.

1: Davao City, The Philippines: Building channels of participation and the land question

Claudio Acioly Jr. and Junefe Gilig Payot

1 Introduction

This chapter is a summarised version of a process mapping report, which focuses on Davao City, The Philippines. The field survey and interviews with the different organisations and individuals took place in 2005 and 2006. Nearly 50 different organisations and more than 100 individuals and personalities from government, non-governmental, private and academic organisations were interviewed and/or participated in working meetings and/or wrap-up presentations carried out by the authors of the chapter.

The case of Davao City is particularly interesting because of the position of the Church and the extraordinary number of Non Governmental Organisations (NGO's) that are active in the city and the existence of a national programme that directly stimulated NGO's on the one hand to get engaged in negotiations around land purchase for low income families, and on the other hand, to encourage self-organisation and the establishment of legitimate community-based organisations to represent the interest of organised communities. Several of these organisations developed and consolidated institutionally thanks to the provisions of the Community Mortgage Programme (CMP). The CMP is described later in the chapter. It is worth noting that Cordaid provides financial and institutional support to many of these NGO's.

This chapter not only describes the city and the existing channels of participation but also the regulatory framework that sets the local-national relations and the roles of different organisations that directly affect local development. The chapter further analyses the difficulties and bottlenecks faced by NGO's to actually practice participatory urban management and brings light to the future of citizen participation in the city.

2 Brief Introduction to Davao City

Davao City is one of the most important cities in the Philippines and one of Asia's largest ones. It has undergone a rapid process of urbanisation with a population of about 1.3 million of which 71% is urban. The city is comprised of 176 barangays¹. The increase in population is substantial when compared to 1995 figures (849,947 inhabitants) but existing data suggests that annual growth rates have been declining since 1980, from nearly 6% per annum to little less than 3% per annum. According to data provided by the city government² there are 1,318 million inhabitants living in Davao City which is equivalent to one third of the region's XI's population³. Average household size is 5.05 people/household. The city is

situated in the province of Davao del Sur, in the southeastern part of Mindanao. It is the Philippine's third leading city and second in population size after Metro Manila and it is the most developed in Mindanao, the second largest island group in the Philippines.⁴

Davao City has an urban sprawl-type of growth based on low-rise development that has created a linear city covering large tracts of land with overall densities kept relatively low. Built-up areas used for residential, institutional, commercial, and industrial purposes represent about 10% of the total land area. Residents of Davao City claim that it is the largest city in the world in terms of total land area. Calilung confirms this in her article about socialised housing (Calilung, undated). According to her, Davao City is the largest city in the world in terms of land area (2,440 sq. km). It accounts for 62% of the total land area of the province (3,934 sq. km.). Approximately 41% of the City's land area is classified as alienable and disposable while nearly half is classified as forestlands with established timberland. Some of the resettlement areas visited by the authors during the process mapping research, for example, are located more than 20 km from their original inner city areas.

Davao City is regarded as a predominantly migrant city that boasts of one of Asia's highest literacy rates (95.17%) and a positive business environment. Its strategic location provides accessibility and linkage to the 20 million market of Mindanao and 51.4 million market of the East ASEAN growth area. Strategically the Davao City government has the ambition to have the city play an increasingly important role in the Brunei Darussalam Indonesia Malaysia Philippines – East Asean Growth Area (BIMP-EAGA) as the gateway in Mindanao. There is a booming agro-business sector and food processing businesses, which confirm the agricultural tradition of the city that is attracting firms and individuals to settle there. In fact, agricultural land comprises 43% of total land area reflecting the role played by agriculture as the city's largest economic sector with major crops comprised of coconuts, bananas, fruits, vegetables, coffee, grains, cacao, and pineapples.

Local government officials interviewed by the process mapping researchers argue that, enabling strategies pursued by the local government has resulted in 'doing business' in the city that is easy and cheap. This may explain why the city was chosen as the most competitive metropolitan city of the country. From 2001 to 2004, exports averaged US\$ 840 million/annum with banana and pineapple industries among the leading export commodities. It has nearly tripled when compared to the average of US\$ 271 million registered during the period 1998-2000. The City is also boosting its promising and growing tourism industry. This is noticeable by looking at the flourishing hotel industry and the increase in the number of hotel rooms available: from less than 800 (1990) to almost 3,000 (2001).

2.1 Scanning the problems of Davao City

However, there seems to exist a mismatch between the economic progress of the city and the position of low-income families in the city when one looks at the existing framework to improve the living conditions of the poor and to allow their participation and have a say in the formulation and implementation of local government policies. Community-based organisations and federations of the poor People's Organisations (PO's)⁵, as well as NGO's keep on knocking on the mayor's door to establish a dialogue and set a basis for complementary actions and partnerships. Participatory urban management is still in very incipient forms in Davao City.

The same applies to the institutional framework enabling the housing sector to work in Davao City. The local Housing Board (LHB) has not been established as required by the Urban Development and Housing Act⁶ (UDHA Act) enacted in 1992, and the policy towards the large number of informal settlements continue to be eviction and resettlement. There are three large relocation areas in the city. On-site upgrading takes place within the framework of the Community Mortgage Programme (CMP) but it all depends on the ability of the NGO's to reach an agreement on the purchase of land (see box 1). This is becoming increasingly more difficult due to the exorbitant land prices set by land owners in centrally located lands. Some figures of the Shelter Framework Plan of Davao City suggest that there is a housing backlog of 40,000 units. Add to that the annual natural increase in housing need due to population growth and you have a huge housing need that needs to be addressed. In 1995, an amount of 80 million Pesos was allocated for housing and in 2006 this was increased to 100 million pesos to support land banking for socialized housing, thanks to a loan acquired by the local government.

2.2 The city the poor and the informal settlements

In Davao, nearly one third of the population is comprised of poor families. For Mindanao, 41% of families are considered poor against the national average of 28.4%⁷. This seems to be reflected in Davao City's barangays. Additionally, according to project data from Cordaid, Davao City population is comprised of a significant number of children, up to 40%, meaning that it is likely that a large number of children belong to the poorest in the city. In terms of poverty, the threshold for the region is P 7,500 monthly income per household (Calilung, mimeo undated).

Data provided by City Planning Office of Davao City reveals that there are more than 130 informal settler clusters in the city most of which are located within or near the city center or the Poblacion. The remaining are scattered just outside the city center on the banks of rivers or along the coast of the Gulf of Davao. The data suggests that there are 14,274 structures in those clusters, as of December 2005, but it does not show the total number of informal settler families.

Regarding land tenure, according to the City Planning Office only about half of the 209,187 single houses are built on land owned or currently being amortized by their respective occupants. About 20% or the equivalent of 42,520 units are built on land not belonging to the structure owners. These residents have the consent of the landowner and do not pay rent, "Rent-free with Consent of Owner". According to city officials these residents face a high risk of displacement because they are not legally protected like the ones who are paying rent. If one adds the number of duplex residential houses and multi-unit residential structures the number of families living under this condition could go up to 47,927.

The ones facing the highest risk of eviction are those living under the regime of "Rent-free without the Consent of the (land) Owner". There are 14,815 families under this condition. This figure can go up to 16,724 if the number of duplex residential houses and multi-unit residential structures are taken into account. These are the informal settlers according to city officials. The conclusion drawn from the data of the City Planning Office is that there are nearly 65,000 families or the equivalent of 340,000 people, which accounts for nearly one third of the population of Davao City.

According to SALIGAN, a public interest lawyers' group⁸, the rate of informal urbanisation and slum creation where the poor mostly live is double the urban growth rate in the Philippines. This means that low income settlement are growing faster than the overall urbanisation. This could be reflected in Davao City as well. The city has a significant population living under condition of insecurity of tenure due to the informal character of their land occupation. During the 1980's there were many outbreaks of fire in squatter colonies and the government temporarily fenced some areas. There were suspicions amongst activists of this period that the fires were intentionally started to evict illegal residents from land that were being claimed by their respective owners. While providing assistance to poor families in need, some NGO's faced problems because by helping people to build their houses on land that did not belong to them they actually placed themselves in the position of those who were encouraging squatting. These incidences triggered the shift in priorities in the NGO's agenda that is to say they started to prioritise access to land and security of tenure. This was matched by the policies embarked and endorsed by the Aquino government and particularly the national Community Mortgage Program-CMP.

3 National-Local Relations: the framework to address housing for the poor

The unitary system of government in the Philippines implies that there is an important national framework directing and organising how particular issues are addressed at the local level such as access to land and housing. The 1992 UDHA Act has established the framework and the relations that must exist between different actors in the Housing Sector when addressing the housing needs of the poor (GoP, 1992). A number of agencies and

programmes are involved and they have a direct impact at the local level, and particularly on the urban poor and their organisations.

Box 1: Getting hold of the land you occupy in Barangay Sasa: knocking on the landowners' door.

The history of Barangay Sasa orally described during the interviews carried out in 2005 depicts one of the typical situations that low-income families face in Davao City.

The process of occupation started in late 1940's when people started encroaching upon available land. It is said that the barangay chairman by then allowed and/or tolerated people to occupy a large tract of vacant land available until 1986 when all the barangay land was fully occupied.

However, a couple of years after, the individual owner, a lady, claimed the land tract where people had settled and demanded people to be evicted from it.

In 1988 there was an agreement to sell the land to the occupants but there were some questions raised about the veracity of her ownership over that land parcel.

From 1988 to 1998, a period of about 10 years, there were no concluding negotiations until a Supreme Court decision in 1998 ratified the title and declared her the legitimate owner.

On the agreement reached primarily during the negotiation phase between the inhabitants and the landowner, the land price was set a 30 Pesos/m² but after the decision of the court ratifying the legitimacy of her land ownership, the price went up to 350 Pesos/ m², nearly 12 times more expensive than the original deal.

This resulted into a great discouragement amongst the residents and resistance to sign the sale deal despite their level of organisation and community mobilisation. Residents were divided. There was no consensus about what to do. With the land title dated 1998, the owner sealed a land sale deal with a Chinese businessman. There was also a politician who appeared in the settlement and stated that the land should not be sold but given to all occupants.

In the meantime 35 families had already withdrawn from the collective deal and accepted to be evicted and relocated.

In 2005, for the purpose of signing a mortgage with the NHMFC, an on-site investigation and inspection took place. There were 755 families who were eligible for 810 plots. The community association approached the National Housing Agency (NHA) with a loan application of 45,000 Pesos per beneficiary.

Because the land price had gone up to 500/m² this loan was no longer sufficient to purchase the land. Consequently, 10,000 Pesos per beneficiary was needed as their own individual contribution.

The negotiation with the NHA resulted in the raising of the ceiling per family/beneficiary to 60,000 Pesos. In order to cope with this demand, residents subdivided their individual plots in order to pay for the equity. Instead of 90 m², plots became 45 m². This resulted in a densification process.

The land purchase and negotiation process was time-consuming and the landowner's agreement to sale expired in 2004. This has serious consequences as the negotiable price is 550 Pesos/m² while the market price is

actually 3000 Pesos/m².

At the moment the barangay is undergoing a development planning. There is a development permit application in order to meet the drainage system requirements, roads, electricity and water, which needs to be ratified and certified by the competent utility companies. The Department of Health is obstructing the approval because it demands contribution for a proper sewerage treatment system.

In addition, there is a need to adjust a plan of the canals/drainage that consequently implies that owners must give away part of their plots for the pathway of the canals and streets.

There is also a problem defining the boundary with the neighbouring barangay.

The process of regularisation becomes lengthy and complex due to the fact that every 3 years there is a change in government.

Once a new government takes over, a new Barangay takes over; who needs time to be acquainted with the situation. In this case, it has already taken 7 years to get an approval.

Source: interview with Barangay captain, process mapping research and fieldwork of the authors, 2005.

3.1 Civil society engagement and advocacy

It is worth noting that the UDHA Act was the result of advocacy involving the Catholic Church, social activists, NGO's engaged in social mobilisation against the waves of evictions and demolitions and a general lack of understanding amongst public and government sectors about slums and their formation. Basically the law helps in providing protection for informal settlements and setting procedures against evictions; it gives provisions for local governments to set aside land for low-income housing and for making an inventory of land resources for social housing.

The critical issue on the development agenda affecting the poor and many NGO's is directly related to the implementation of the law. This was already indicated in an assessment made by ICSI (Karaos, 1996; Yap, 2002; Vertido, 2006) in which the author stated that the majority of the Local Government Units (LGUs), had not safeguarded the land for socialized housing. In addition, the study revealed that the ratio of land price-to-income had been worsening due to increasing land prices. And this was and continues to be one of the deep-rooted causes of squatting and deteriorating housing conditions.

It is important to make a distinction between the National Shelter Program (NSP) and the Urban Development and Housing Program (UDHP) and also to highlight that the Local Government Units (LGUs) have an important role in housing delivery to the poor. The UDHP was established with the enactment of the Urban Development and Housing Act (1992). It is a multi-year program seeking to improve housing conditions of disadvantaged groups of society living in urban areas and also in resettlement areas by providing decent and affordable housing, basic services, and employment opportunities. There are a number of other supplementary programmes addressing high-rise housing, cooperative and

CMP funding in addition to other housing programmes managed by the National Housing Authority (NHA).

3.2 Key players in the Filipino Housing Sector

Most national organisations have a direct impact on developments at the local level. One of the key organisations is the Housing and Urban Development Coordinating Council (HUDCC) whose objective is to assist homeless, low and middle-income urban families in meeting their housing needs. HUDCC is the key coordinating agency of the National Shelter Plan (NSP). Five major government housing agencies are engaged in the NSP, namely:

- National Home Mortgage Finance Corporation (NHMFC) for housing finance
- National Housing Authority (NHA) for production
- Housing and Land Use Regulatory Board (HLURB) for regulation
- Home Insurance Guaranty Corporation (HIGC)
- Home Mutual Development Foundation (HDMF) for funding

The major NSP Programs include Mortgage Financing under the Unified Home Lending Program (UHLP), Housing for Low and Marginal Income Families, Development Finance, and the Community Mortgage Program (CMP). Despite of its limited capacity (around 20,000 loans/year), the CMP deserves a greater attention in this chapter due to:

- Its direct association with the NGO sector by providing originating fees (5%) to NGO initiating regularisation processes with organised poor communities
- Its impact on the access to land by the poor in the city

3.3 Housing Delivery at the Local Level

The local government units (LGUs) are responsible for the implementation of the Urban Development and Housing Program (UDHP). It supports the devolution of mass housing functions to the local government units as prescribed by the Local Government Code. This Code specifies that LGUs should protect the general welfare of the citizenry through the delivery of basic services and facilities. Shelter, being one of the basic needs, is mentioned in the Code:

“one of the major functions of LGUs—especially municipalities, cities, and provinces—is the “planning and implementation of the programs and projects for low-cost housing and other mass dwellings.”

Under the UDHP, among other things, LGUs have a crucial role to play in identifying, assembling and/or purchasing land for low-income housing and for resettlement of families living in disaster prone areas, as well as in basic infrastructure provision, and curtail illegal professional squatting. LGUs also have a role in supporting the initiation of Community Mortgage

Programme and to encourage the participation of the NGOs in the planning and implementation of socialized housing sites.

3.4 Access to Land by the poor: The NHMFC-Community Mortgage Program

The National Home Mortgage Finance Corporation's (NHMFC) Community Mortgage Program (CMP) could be described as the "favourite" program for informal settlers and from which many NGO's have managed to develop and strengthen their relationships with poor communities. As far as access to financing and land is concerned, many see the CMP as an opportunity for the underprivileged and urban poor sector as a whole. For the poor, this is the most accessible tool they can use to acquire security of tenure in cities (MLFI, 2002; MINCODE, 2005; Herrle, 1999)

The CMP is a mortgage-financing program that helps organized "marginalized communities" purchase and develop land under the concept of community ownership. Its funding has been institutionalised in the government system through the Comprehensive and Integrated Shelter and Finance Act (CISFA). It takes into account affordability and it is based on incremental approaches to site and housing development. Monthly mortgage payments are first treated as rentals under a regime of community property title until the beneficiaries have paid the full amount of the loan and individual titles are issued to them. Thus residents of depressed areas are given the opportunity to own the plot that they occupy, or legally own an area they choose to resettle in.

Their ability to pay dictates the pace of development. Land and housing development are gradually undertaken within a pre-defined set up established by the CMP programme. It starts with an organised group of squatters applying for assistance from the local government or a Non-Government Organization to acquire a piece of land, which could be the area they currently occupy or intend to occupy as a relocation site. Thus the existence of a "community organisation" that can legitimately speak on behalf of the residents and an "originator" is an important step and in fact a sine-qua-non condition for applying for funding from the CMP.

The "Originator" may either be a local government, LGU or an NGO. Their main role is to assist a legitimately recognised community association in setting up its organizational and management systems to implement the project as well as to provide technical assistance in the preparation and submission of required documents, during implementation and thereafter. If the LGU is the originator, the assigned office, either the Urban Poor Affairs Office or the City Housing Office, then conducts an initial assessment of the organizational capacity of the community association or it may conduct seminars on community development and organisation - organized among and with target beneficiaries. In case there is no such association, this will encourage self-organisation and the establishment of a "community housing association" (CHA), inform about

processes of acquiring land and owning their own houses. The CHA is a legally registered entity, with a board of directors, chairman and have a set of officers and committees such as grievance and adjudication, audit and inventory, development and services, membership and education, livelihood, maintenance, peace and order, social and cultural. NGO's play an important role in the liaison with different groups of low-income families and commonly play the role of community organisers and stimulators.

From the point of view of local governance, and according to the views expressed by many local government officials interviewed by the authors, the CMP and the quest of vacant land materialises central government interference in local affairs. The CMP involves many actors and frequently creates duplication and undesirable land conversions and transactions that often take place at the sideline of the local government plans and strategies. The local government has set a process of procurement of vacant land and provision of financial assistance to different community associations in order to realise a resettlement programme of slums/squatters subject to court orders to be evicted or because they are situated in dangerous areas. This is part of the Davao Integrated Development Programme (DIDP), which is the city government's strategic investment plan⁹.

Nevertheless, the CMP provides clear opportunities for NGO-organised communities collaboration and the development of a participatory culture. However it does not have impacts on the channels of participation in the city. First because it is a national programme with its proper channels and mechanisms, and second because the land purchase process may take place at the margin of local governments.

4 Channels of Civil Society Participation in Davao City and the NGO's

The Local Government Code give provisions for people's organisations, PO's, CA's and NGO's to be part of different levels of governance and decision making in the city. The most important ones are the City Development Council and the Barangay Development Council (see Box 2). The composition of these councils must consist of 25% of NGO's and PO's. These must be accredited and registered in the local government registry in order to be able to participate.

NGO practitioners voiced their opinion about the enabling environment for citizen participation in Davao City that basically reveals the existence of many councils, committees and networks where this participation can potentially be accomplished. However, experience shows that there are many bottlenecks hindering the engagement of NGO's and PO's in decision-making processes in the city.

Some have argued that the previous municipal administration and councillors were more NGO-friendly, resulting in NGO's and PO's having

a seat in local bodies and had a continuous dialogue with the city government. It seems that under Mayor Duterte there is a gap in both the dialogue and interaction between the local government and NGO's, despite the fact of having many officials who understand and support the works and involvement of NGO's in public affairs.

This is not the case with the current city administration despite the fact of having many officials who understand and support the works and involvement of NGO's in public affairs. The current mayor ¹⁰ is known for his strong leadership and his unorthodox way of governance. He is known to delegate and does work in cooperation with some NGO's like Gawad Kalinga and IDIS in the provision of housing and in environment-related legislation and law enforcement. Some argue that the mayor looks at NGO's according to "political colour" and does not work with those who articulate critical opinion about the government. In the words of one NGO practitioner

".....there is a sanitary cordon surrounding the mayor preventing anyone to reach him or come close to a level of communication resulting in him becoming inaccessible"

Box 2:Barangay: opportunities for fostering citizen participation at the lowest level of urban management

An elected Barangay capitan chairs the PUNONG Barangay for a period of 3 years. The Barangay is comprised of 67 boroughs (purok). This basic territorial unit covers 20 to 50 families. Each borough has a leader whose role is to identify needs and articulate them to the Barangay capitan during the preparation of the Barangay budget.

The Barangay Development Council-BDC and the Barangay capitan finalise the budget and define the needs and resources to be allocated to each borough. The 67 boroughs meet once a month with the Barangay capitan and for this purpose their respective leaders receive a minor allowance for participation.

The BDC is comprised of 20 members appointed by the capitan and these are usually professionals, well known individuals in the community and holding particular competence. These members earn a "symbolic honorarium" since their engagement has a voluntary character.

The BDC is entrusted to help the captain in planning for the future, according to the needs and demand of the people and taking into account the scarcity of resources and the particular situation of those mostly excluded from services and decent livelihood.

The needs and demands are usually in the areas of infrastructure and shelter.

Surveys and data collection are carried out at the Barangay level and involved people and staff associated to it but with services and support provided by the local government's competent department. The surveyors undergo training and capacity building.

The Research & Statistics Division of City Government makes use of PRA-Participatory Rapid Appraisal techniques to train and work with the captain, agencies, borough leaders, women, health workers, NGO's, etc. The situation analysis and city profile are launched on the basis of census data. The report is prepared and presented for validation to different working groups at the local

level of the barangay.
 Priority setting at the barangay and municipal levels are based on the actual needs assessment made at this very local level.
 The resulted budget commonly contains provisions for salary, administration, infrastructure programmes, social and gender development, peace and order, health, etc.
 The budget reflects resource provisions of the IRA-Internal Revenue Allotment originated from revenues and taxes paid by people and firms. The final allotment is very much determined by the number of people living in the area. In 2004, this barangay had a budget of Pesos 10 million.

Source: Fieldwork by authors. Interview with Barangay Capitan. Interview with Research & Statistics Division-RSA of Davao City Government, 2005.

The figure of the mayor raised controversies amongst all of those who were interviewed by the authors revealing a mix of criticism and recognition of success. His “peace and order” agenda gave him national and international notoriety, particularly after he unveiled the controversial list of 500 people who were suspected to be involved in drug use and trade activities; and his warnings during his weekly TV show and the killing and summary exterminations by anti-drug vigilantes that followed the publication of the list in 2001. There is also a mix of feelings amongst those interviewed by authors. One that acknowledges the feeling of safety and security that citizens have in the city and the feeling of “silent” indignation for hard and relative top-down policy that leaves little room for citizen participation despite the existence of legally mandated mechanisms through which civil society can interact with the government.

The following are the potential channels of participation where civil society organisations and NGO’s may establish an interface with the city government and engage in policy dialogue:

- City Development Council-CDC
- City Development Council Committees (committees on economic, infrastructure and social development, security).
- Barangay Development Council-BDC
- Committee hearings conducted by the City Council
- CSSD-City Social Service Development Office (where children’s issues are discussed)
- City Cooperative Council (cooperatives are screened by the Council)

Provisions of the UHDA Act:

- Committee Anti-Squatting
- Task Force Relocation
- Committee Housing and Urban Development
- Local Housing Board¹¹
- Some NGO’s are involved in BDC
- City Housing and & Land Use Regulatory Unit (enrolling City Planning, City Zoning and City Engineer)

The CDC and BDC do not meet regularly. Because this body only meets twice per year it becomes more difficult for civil society organisations and NGO's to engage into a continuous dialogue with the government. In fact there is no practice of continuous consultation and dialogue between government and NGO's.

This explains why some NGO's have opted to pursue lobbying within and towards city council members and council committees that deal with specific issues e.g. land subdivision schemes, development permits, children's and youth legislation in order to accomplish improvements in the legislative and regulatory frameworks. Some have good relation and keep a positive issue-based interaction. Gender-based NGO's and women's groups have managed to engage the government and accomplished the endorsement of the gender code by the government. While others voiced their displeasure with the frequent red tape and lengthy and costly procedures and what is named "palakasan system" which means in practice that you have to work on establishing good political connections, give gifts, and make those in charge happy. Amongst government officials there is a notion that NGO's still do not have a complete idea and knowledge about the functioning of government and the specific timing and routes that some decisions need to make.

The weak collaboration between NGO's and the Davao City government is rather bewildering given the fact that the city boasts of having one of the highest NGO populations in the country. There are 133 officially accredited organisations in Davao City. Some argue that the number of NGO's is much higher than the official registry. In addition to that, there are a number of networks active in the city that potentially increases lobby capacity, elaboration of joint agenda, complementary actions and articulated and collaborative work geared towards participatory urban management (see Box 3).

Box 3: Existing Networks of Organisations that are active in Davao City

Networks of Civil Society Organisations and NGO's:

- ASDA-Association of Social Development Associations
- MINCODE-Mindanao Coalition of Development (365 NGO's, 12 Networks)
- PHILSSA- Partnership of Philippine Support Service Agencies, Inc. (>50 NGO's)
- KABIBA – protection of children
- MIMIFA-Mindanao Micro-financing Association
- AAAM-Alliance Against Aids Mindanao
- HD-Hugpong Dabaw
- Social Action Network (Catholic Church)

The Catholic Church is an important player in the city and like Recife, Brazil, its Basic Ecclesiastic Communities CEBs or GKK¹³ plays an important organisational and community mobilisation role. There are many faith-based NGO's, which originated from the engagement of the church

with the problems of the landless, evictions and poor housing and living conditions in the city. Most of them have also emerged as CMP originators and have managed to build a significant portfolio of CMP take out. They function on an area-based approach according to the boundaries of the Barangays and territory of influence of the parish to which they are associated, like for example the SALORSED-San Lorenzo Ruiz Socio-Economic Development Foundation, Inc. and the APSED-Assumption Parish of Davao Social Economic Development Foundation, Inc.

These organisations support the parish programme but also undertake their own development programmes and livelihood projects and support to CMP in establishing, strengthening and assisting community associations to get access to land and security of tenure. Another aspect of their work is the realisation of the social mapping, a participatory exercise involving BECs, Barangays, community associations and group of residents of pre-selected areas. The social mapping helps organised community groups and community leaders to develop visual representations of the poverty situation in their place of residence (barangay, CEBs) at the same time that it provides opportunities for training and capacity building. This helps in problem identification, priority setting and action planning. Not mentioning the development of the profile of the neighbourhood and the incidence of problems like service provision, poverty, employment, quality of housing, etc.

Within the BEC's and to a certain degree at the level of the Barangay, one can identify mechanisms of participation being forged. Nevertheless, the Catholic Church in Davao City remains largely untapped as a potential ally in pushing for more inclusive and progressive development efforts in the city and open avenues of participation. Especially when one considers the fact that the Archbishop of Davao was president until January of 2006 of the very powerful Catholic Bishops' Conference of the Philippines-CBCP, and also considering that the Cathedral is right across the Davao City Hall. The Catholic Church has enormous influence and moral persuasion in the national and local levels. In other cities in the Philippines, the bishops use their moral and political influence to push for more pro-poor programs.

5 Access to land in Davao City and the role of NGO's: potentials and limitations

It is noticeable that the red tape of local government coupled with the lengthy, time consuming and costly procedures of CMP have lead NGO's to engage into direct purchase of land.

This also applies to the faith-based organisations. NGO's are anticipating and approaching landowners with an entrepreneurial attitude and have become social developers who keep a margin of land rent when buying un-serviced land and sell it to final beneficiaries as future serviced land when the loan agreement is reached. This difference is actually a

“profit” used to pay for its services and operational costs. However, in the absence of appropriate land market surveys and indicators, and inadequate knowledge about the rationale of land markets amongst NGO’s, this practice is creating a vicious cycle of land transactions that are pushing land prices to higher ceilings and moving the poor farther and farther from the city core. Differences between purchase and re-sale prices can reach fivefold.

The PO’s and CA’s seem to be well organised amongst the demand of low-income families to acquire security of tenure and prevent undesirable eviction and/or relocation. It looks like that these community-based organisations know what they want to do and are capable of articulating the needs and demands of their constituents. The remaining question is how to achieve these goals. NGO’s are unlikely to be able to show other options¹³ against the undisputable land property rights and the control of the land stock by a small number of landowners that altogether are pushing the poor away from the city.

5.1 Land markets expelling the poor

NGO’s are in fact falling into the trap created by the logic of the market by promoting land conversions¹⁴ and increases in land value that are captured by and benefiting only those who already possess large tracts of land: landowners. NGO’s are victims of their own limitations as originators of CMP: “NGO’s have started and consolidated itself as community organisers and then have become CMP originators. Red tape caused NGO’s to engage in direct negotiations and land purchase which is faster and generates better fees than CMP, calculated on the difference between the price paid to landowners and the price charged on residents/beneficiaries. Consequently their ability to continue offering development assistance to the poor is significantly enlarged”. But the market and the vicious circle remain unaltered and land prices continue to be at very speculative levels.

Various observers and practitioners point out that the informal land market in the Philippines has its own set of protection mechanisms that is entangled into the legal and institutional systems with its own judges, politicians, its own legalisation processes, developers and lawyers, and its own army and protection. This is likely to help explain the rationale of land supply for the poor in the Philippines that persistently leads the poor to either organise, mobilise resources to directly purchase land or be subjected to evictions and/or resettlement to land usually located in peripheral zones and badly serviced. In both options it is the landowners who are capturing the rent. One can understand the unalterable and unchallengeable status that the informal land market and its actors and mechanisms have in the Philippines’ major cities. In addition to that, there are practices of informal land lease, fees for protection against eviction and fees for service provision that are often higher than public provision. Paradoxically it is an important pillar in the resistance against urban land

reforms and the badly needed institutional reforms. According to one of the interviewees:

“.....formalisation means an attack on the land mafia’s business, and therefore community leaders are threatened with murder if persisting on promoting and demanding for these reforms”.

It is worth mentioning that the local government does not exert its primary mandate for the public good by lacking land use planning and land management instruments to capture land value and devolve this "plus valia" back to the community in the form of infrastructure investment. This would certainly benefit the poor. It seems though that both the formalisation and the deployment of fiscal instruments are likely to go against strong vested interests.

5.2 Self-organisation as response against the adverse impacts from land markets

The establishment of federations of the poor that develops and gain strength from gathering community savings group, often to purchase land, can be regarded as a very interesting and potentially innovative development in social mobilisation and community-based organisation in the Philippines, though it does not challenge the regime of land ownership and control of the land stock. In fact, the major threat against its members is the eviction and demolition of their houses. Half of their members currently occupy land that does not belong to them.

The Homeless People’s Federation of the Philippines-HPFP (Davao Chapter) has received significant institutional and technical support from NGO’s. It connects more than 70,000 people nationwide and articulates linking and learning with other similar groups in India, South Africa and Namibia. In Davao City, there are 48 community associations and 5,000 individual members associated to the HPFP. The Federation has a line of communication with the Davao City government, particularly with the Urban Land Reform Programme, where there is fund, though limited, available for land acquisition.

The approach used by HPFP is to establish savings groups to purchase land. The bottleneck is basic service and infrastructure provision under the responsibility of the local government. Once land is purchased, the federation approaches the government and says:

“...now it is your turn to do your part”

Another positive development is the establishment of NGO Networks. NGO’s working in the urban and housing sectors in Davao City are gathering around a network entitled “Hugpong Dabaw” which is helping them to re-assess their role and mission in the city vis-à-vis the urban poor, the city government and the development of the city as a whole. The group is presently grappling with questions like whether or not to continue with awareness building amongst communities and discuss their role as “enablers” or “providers”; whether or not to continue their traditional sector-based and area-based approach or broaden their scope to citywide

issues and the position of the poor within the public policy and government sphere of intervention?

The NGO's have realized that the paramount of challenges in the political, institutional and regulatory frameworks in addition to the local livelihood and economic issues directly affecting the poor require a sustained collective effort. The establishment of NGO networks in the Philippines is extremely important for the government-civil society dialogue on urban policy issues. For example, the Partnership of Philippine Support Service Agencies, Inc. PHILSSA is another evidence that NGO's are searching a collective interest. Established in 1988 and formally registered in 1990, it gathers 49 urban-based NGO's, and has a mission to provide capacity building, promote linking and learning that may lead to innovation and creative ways to solve problems and boost multi-stakeholders participation in local governance issues, and do advocacy works. It provides support not only to its members but also to other networks.

The engagement PHILSSA and Hugpong Dabaw in Davao City launched a dialogue to strengthen individual/own expertise of NGO's and support long-term processes while avoiding overlapping. Two focus areas and complementary dimensions seemed to gain relevance: Citizen participation and the safeguarding of the implementation of the regulatory framework wherein this participation is guaranteed. Citizen participation in all levels of decision making focuses on establishing or reassuring channels of participation and dialogue that can actually affect positively the livelihood of the poor positively.

For example the city development councils and the formulation of the annual investment plan and the various local government commissions where NGO's are to be represented. According to the UDH act, the Local Housing Board (HUDHA) is to be established by LGUs but this has not taken place in Davao City yet. On the one hand, this situation basically places the NGO's in the advocacy seat demanding the implementation of the UDHA law and on the other hand is forces a continuous dialogue to be kept open.

5.3 Obstacles and Bottlenecks Hindering Government-NGO collaboration

The current difficulties in local government-NGO collaboration may be explained by the strong polarisation that existed during the first decade of democratisation and by strong advocacy works undertaken by NGO's, civil society organisations and the Church during the transition to a democratic state. This often placed government and NGO's in opposing camps, resulting in mistrust from both sides, difficulties in seeing each other as partners instead of adversaries, and a persistent bias from both sides against government-NGO collaboration. NGO's were the main motors of social mobilisation and engaged in consciousness building and awareness for action that placed them in a highly politicised terrain and viewed as a

threat by governments. Mayors often looked at NGO's on the basis of their political colour and were more positively inclined towards faith-based NGO's. As expressed by one senior government official

“...the government is still nursing the stigma of NGO's and fails to see that they complement what the government does. Therefore it is hard to find a kind attitude towards NGO's”

In Davao City, local government officials see positively the issue of participation but their practice shows that governance is still their exclusive turf. In addition to that, the needs and demands of the poor is not high in the agenda of priorities of the government as expressed by one community leader:

“...the Peace and Order is priority, not Housing. Thus the poor is not priority in the mayor's agenda”

On the side of the NGO's, the tradition of area-based and sector-based work meant a strong concentration of staff and resources to working directly with people on limited and geographically defined boundaries or barangays. And they often overlook the need to strengthen and support existing community-based organisations that are actually the entities with the legitimacy to engage in dialogue with other parties and speak on behalf of their constituents (residents).

6 Conclusions

There is a remarkable number of NGO's working to support the poor the majority of whom live in informal settlements in Davao City. In the housing and urban sectors, a great number of the NGO's have been closely associated with the Government sponsored Community Mortgage Programme that provides opportunities for organised communities, with the support from NGO's, to purchase land and secure a place to live in the city.

The programme opened a gateway for NGO's to strengthen community organisation and in the setting up of community savings schemes while providing the ground for the implementation of their own development programmes. NGO's have had a tendency to work on area-based and theme-focused approaches in relative isolation from one another and overlooking strategic citywide policy issues.

Several NGO's are now engaging in direct purchase of land from landowners. Because of exorbitant land prices and the absence of good land market surveys and monitoring instruments, it is not always possible for NGO's to safeguard the position of the poor in centrally located areas. The lack of knowledge about land policies and land management is critical and should be addressed urgently.

The federations of the urban poor are also actively involved in savings schemes to purchase the land on which their members live. There is NGO capacity, although there is still a great need to strengthen their capacities, also in relation with the government. The municipal government does not have a land policy, land management instruments or a clear participatory mechanism to promote policy dialogue on these issues.

A city-based NGO network called Hugpong Dabaw tries to engage the government in a dialogue while defining a common agenda to establish a local Housing Development Board, as prescribed by national legislation and make participatory development councils operational. In the Philippines several NGO networks have been established which is a very positive development but these networks often do parallel works and overlap each other. This reveals a common difficulty in communication and information sharing.

A strong collaboration among NGOs is greatly needed. This will help reduce their workloads and achieve efficiency gains while preventing duplication of efforts. For example, several NGOs are doing a poverty map of Davao City but they are not working together! MINCODE did a poverty map of Davao City, the group of Fr. De los Reyes (APSED) and the Homeless People's Federation of the Philippines are doing poverty surveys of Davao City Barangays; the Hugpong Sa Kalambuan Dabaw is undertaking the "Minimum Basic Needs Survey" and Hugpong Dabaw is planning to undertake a land use mapping survey. If the NGO's collaborated, they would save time and resources, develop a collective platform and increase their chances to succeed in opening channels of civil society participation through which the poor's position in the city would be safeguarded.

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8 Notes

¹ Lowest level of city governance, alike a district with its own administrative structure headed by the Barangay captain, subordinated to the municipal government. The barangay council is elected by its residents. Available data states that there are 176 barangays but interviews with local government officials provide a total of 180 barangays.

² Social Economic Indicators 2005, Office of the City Planning and Development Coordinator, March 2005

³ The Philippines is administratively divided into region. Thus, each national department such as the Department of Health or even HUDCC has its own regional branches. Each region is composed of provinces.

⁴ The Philippines is traditionally divided into three major island groups, Luzon in the North, Visayas in the middle and Mindanao in the South. Metro Manila is in Luzon, the largest group. Mindanao is the second largest group.

⁵ PO stands for People's Organisations, which comprise of different types of legitimate community-based organisations, elected by groups of residents to represent their interest, to coordinate community savings schemes, etc.

⁶ Urban Development and Housing Act, enacted in 1992. It is a national legislation that outlines State policy in the Philippines to address shelter for the underprivileged and homeless citizens.

⁷ City Planning and Development Office, City Government of Davao, "Work in Progress, as of 25 June 2005".

⁸ Interview and PowerPoint presentation given to the authors in 2005. SALIGAN stands for Sentro ng Alternatibong Lingap Panligal (Alternative Legal Assistance Center).

⁹ According to senior local government officials, Davao City government has acquired a land bank loan of nearly 1 billion Pesos in order to realise its development strategy. Nearly 100 million Pesos was used to purchase 24 ha of land to be used for relocation and socialised housing.

¹⁰ Hon. Rodrigo R. Duterte, lawyer and judge, and also former public prosecutor, has been mayor from 1989 to 1998, a total of three government terms of 3 years. The law limits terms of mayor for 3 consecutive years. He ran as congressman in 1998 and was elected, serving till 2001 when he ran for mayor again and was elected for the 2001-2004 term and re-elected for 2004-2007 term. With his

26 Knocking at the mayor's door

popularity, he is likely to be re-elected for his last consecutive term and serve office till 2010.

11 Not yet installed as stated in the UDHA law. The proposal went to its third hearings of the municipal council committee in 2006.

12 CEB-Basic Ecclesiastic Communities or GKK, are faith-based units organised under the boundaries of a parish, gathering groups of families and community leaders, strengthening solidarity, religious ties, etc.

13 Lobbying for urban land reform, right-based approach to safeguard rights on low-income families, reformulation of the legislative and regulatory frameworks, enforcement of UDHA, creation of Housing Board and Municipal Policy, advocacy works to promote government involvement, etc.

14 Changes from rural to urban use, from un-serviced to potentially to-be-serviced land.



9 Acronyms

Acronym	Full Name
SALORSED	San Lorenzo Ruiz Socio-Economic Development Foundation, Inc.
CPDO	City Planning and Development Office
SAC	Social Action Center
MLF	Mindanao Land Foundation
LGU	Local Government Unit
GK	Gawad Kalinga
PRA	Participatory Rapid Appraisal
IDIS	Interface Development Interventions, Inc.
HD	Hugpong Davao (Davao Alliance)
UDHA	Urban Development and Housing Act
RSD	Research & Statistics Division
CSSD	City Social Service Development Office
MIMIFA	Mindanao Micro-financing Association
AAAM	Alliance Against Aids Mindanao

HUDCC	Housing and Urban Development Coordinating Council
ASDA	Association of Social Development Associations
CHLURU	City Housing Land Use Regulatory Unit
SALIGAN	Sentro ng Alternatibong Lingap Panligal (Alternative Legal Assistance Center)
CMP	Community Mortgage Program
CBCP	Catholic Bishops' Conference of the Philippines
ULRP	Urban Land Reform Programme
HPFP	Homeless People's Federation of the Philippines
LGC	Local Government Code
PO	People's Organization
NGO	Non-Government Organization
APSED	Assumption Parish Socio-Economic Development Foundation, Inc.
BEC	Basic Ecclesial Communities
GKK	Gagmayng Kristohanong Katilingban (Cebuano language translation of Basic Ecclesial Communities)
BDC	Barangay Development Council
CDC	City Development Council
HLURB	Housing and Land Use Regulatory Board
HIGC	Home Insurance Guaranty Corporation
UHLP	Unified Home Lending Program
NHMFC	National Home Mortgage Finance Corporation
NSP	National Shelter Program
UDHP	Urban Development and Housing Program
HMDF	Home Mutual Development Fund
ASEAN	Association of Southeast Asian Nations
BIMP- EAGA	Brunei Indonesia Malaysia Philippines East ASEAN Growth Area
SIR	Slum Improvement and Relocation
MINCODE	Mindanao Coalition of Development NGO Networks
CISFA	Comprehensive and Integrated Shelter and Finance Act
ICSI	Institute on Church and Social Issues
UPAO	Urban Poor Affairs Office
CHA	community housing association"
DIDP	Davao Integrated Development Programme
HOA	Homeowners Association
LHB	Local Housing Board
GK	Gawad Kalinga (Giving Care)
PHILSSA	Partnership of Philippine Support Service Agencies, Inc.

2: Land, housing and informal settlement upgrading in Tirana, Albania

Maria Zwanenburg

1 Introduction

Albania is a country in transition. Since the collapse of the communist regime in 1989, the role of the state and the relation between state, market and citizen are in a process of being redefined. This has led to major and visible changes in Albanian society. In this process map, the focus lies on changes in housing policy, land management and urban planning, and more particularly on the situation of informal settlers in the urban fringes of Tirana (and other cities).

The main questions to be answered through the study were:

- What are the channels of citizen participation in local decision-making, in this case on housing and informal settlement upgrading?
- What has been the role of NGOs in promoting and facilitating citizen participation?

The study included a fieldwork period of two weeks, in which the main stakeholders (national government, local governments, international projects and organisations, NGOs and CBOs) were visited. Individual interviews were held with representatives of these organisations; group interviews were held with representatives of CBOs. Additional to these primary data, secondary data were used in the form of already existing studies, project documentation, legislation, leaflets and websites.

This chapter is a short version of the process map report for Tirana. The focus of this study was on citizen's participation in land and housing policies, with specific attention to informal settlement upgrading. Since the collapse of the communist regime, the housing and land ownership policies have drastically changed. Due to internal migration, informal settlements have also grown around the main cities have grown. This situation is described in chapter 2. Community participation in land and housing issues forms part of the wider tendency of decentralisation and a more inclusive local governance. Although the legal framework seems to be favourable, practice is more unruly. Political will at national and local government level and local capacity, both within local government and among civil society organisations are very influential for the outcomes of participatory policy making. Grass root organisations are still very weak and power is often still concentrated at national level. The general situation on participation in local governance is described in chapter 3 and illustrated with the case of informal settlement upgrading in chapter 4. NGOs have been instrumental in creating "facts on the ground" in community participation in local governance, in issues of urban land management and informal settlement upgrading, as well as in other aspects of urban

development. However, their dependency on international donors, both financially and in vision, seems to be an obstacle for the development of a strong Albanian civil society, as is further described in chapter 5. The chapter ends with the conclusions of the process map, in which the main recommendation indeed is that international donors should stimulate Albanian NGOs and grass root organisations to develop their own identity and role as true civil society organisations.

2 Brief introduction to the land and housing situation in Tirana

Tirana is located in the central part of the country, 40 km from the main seaport Dürres. It became the capital city of Albania in 1920 and has been the main urban centre of the country ever since. The population of Tirana was around 500,000 in 2004; between 2003 and 2004 the city experienced a 7% population growth.

Three aspects of transition had a direct impact on the housing and planning situation in and around Tirana and other larger cities in Albania. The first was the 1990 decree on freedom of movement, which led to massive migration from the countryside to the main urban areas. The second was the introduction of private property and the privatisation of the public housing stock. The third was the restitution of property: land and buildings, to former owners or their heirs.

Even before transition, the urban housing situation in Albania was problematic. The privatisation of housing stock did not solve the housing shortage. Albania has the lowest living space per person of Europe (7 m²). Overcrowding is a general problem with several families sharing state apartments. In the privatisation process, the difference in status of the occupants (some being the legal tenants, while others were just sharing) led to the classification of “homeless”, which encompassed citizens with no rental contracts with former State housing enterprises under certain conditions (those transferred from other cities and those living in overcrowded flats); citizens living in temporary buildings (schools, hotels), citizens living in underground or unhygienic dwellings; and citizens living in houses belonging to others and in private rental buildings (including buildings subject to restitution to former owners) (UN Economic Commission for Europe (2002), Country profiles on the housing sector: Albania, p.10)

By 1998, around 46,000 households were registered as “homeless”. The state housing policy gave priority to these households, especially to those that lived in buildings subject to restitution and to former political prisoners. The policy is oriented towards home ownership, subsidized by the government. There is no social rental housing policy.

To the already existing housing shortage, the problem of rural-urban migration was added. The collapse of heavy industry and the lack of alternative employment opportunities in the remote regions of the country

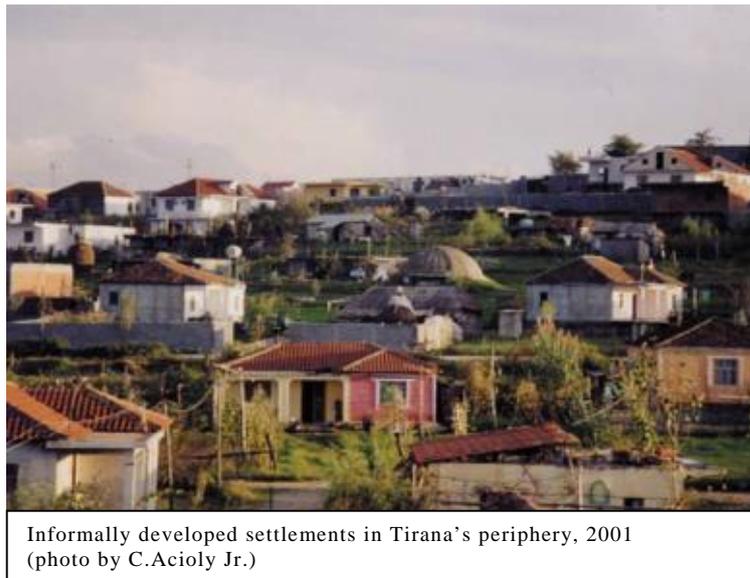
led to massive migration to the central part of the country, and especially the capital city, after the ban on free movement was lifted in 1990. This tendency has greatly contributed to the urbanization grade of the country.

Table 1: Comparison of the percentages of urban and rural populations in 1989 and 2001

Year	Urban population	Rural population
1989	35.74%	64.26%
2001	42.30%	57.70%

Adapted from: Repoba, 2002, In: Human Development Report, Albania, UNDP 2002

61.5% of the migrants settled in Tirana. Population growth in the Tirana-Durres region was around 7% annually between 1991 and 1998 (INSTAT, Household living conditions survey 1998, Tirana 2001 In: UN Economic Commission for Europe (2002), Country profiles on the housing sector: Albania). The increase in urbanization went largely uncontrolled, resulting in informal squatter settlements, both in city centre public areas and on the urban fringes of the larger cities.



Informally developed settlements in Tirana's periphery, 2001
(photo by C.Acioly Jr.)

The rapid growth of informal settlements continued until the financial crisis of 1997, after which it slowed down. Between 1992 and 1996, these informal constructions counted for 60% of the number of houses built by the private sector (Andoni, D (2000) The impact of the housing policy on the poor in Albania. Master thesis. In: UN Economic Commission for Europe (2002), Country profiles on the housing sector: Albania). By 1997 235,000 people or 45% of Tirana's population were living in neighbourhoods with grossly inadequate infrastructure, representing a gross area of about 1,200 hectares or about 57% of the total built up area of

Greater Tirana (ULMP (2000), quarterly report No. 2, pp.4). Total investment in informal housing is estimated at 110 million US dollars (Acioly, C. B. Aliaj & F. Kuci (2004) “A path road to Citizens Participation in Urban Management: Lessons learned from an Albanian NGO”, Co-PLAN – IHS pp. 6). Until today, in its majority, informal settlements in the urban fringe still exist in a legal vacuum.

One of the aspects that may explain the still lacking legal and policy solution to the informal settlements is the slow reform of urban planning legislation and practice. In spite of several updates in legislation, the former system of urban planning is still basically in place. Among others, this means that the multiple functions of cities, land and buildings in a market economy, as well as the multiple actors are not taken into account.

An additional aspect of the reforms in Albania that directly affect land management, planning and housing is the decentralisation of public responsibilities from national to local government level. Albania’s ambition to be an accession country to the EU defines the context in which legal reform takes place. The national legal framework should comply with European standards. Among these is the European Charter of Local Autonomy. In July 2000, the Law on the Organisation and Functioning of Local Government came into effect. This is seen as the basic law on decentralisation in Albania. It redefines the division of responsibilities between central and local government, transferring many tasks to the local government level. It also redefines the relation between the state and the citizen in (local) policy making. In this sense, decentralisation is one of the most influential processes on the issue of land management, urban planning and housing.

3 Channels of citizen participation

3.1 Legislation on local governance and citizens’ participation

The Law on the Organisation and Functioning of Local Governments (no. 8652) is the most important legal instrument for decentralization and citizens’ participation. The law stipulates that citizens should be informed, through public hearings, about several crucial aspects of local governance, including the decision making on the budget. Public hearings can take the form of open meetings with citizens, meetings with specialists, institutions, or NGOs as well as taking the initiative to organize local referendums. Furthermore, the council has the obligation to announce all decisions in public spaces within the territory of the commune or municipality and the council also uses other forms to publicize its decisions. Although the law obliges local government “only” to inform citizens, it also gives opportunity for a more active citizen participation in local decision-making.

The Law on Local Government is appreciated for its quality; the most important criticism on the Law is the lack of law enforcement. The decentralization process is slow. Lack of political will by national and local government and lack of awareness by citizens are mentioned as the most common reasons. Local government and other actors blame national government for a slow decentralisation process. Central government officials would slow down the process, because they do not want to share power. National government officials however bring forward the lack of local capacity as an argument for the lack of progress. Both arguments may be (partially) true: decentralization is certainly a threat to central government, while, depending on the individual municipality, one can find either a good human capacity or indeed a lack of capacity at local level.

3.2 Local government practice in citizen participation

Since 2000, when the Law on Organization and Functioning of Local Government came into effect, local government became an important actor in public policies in general and also in the specific fields of land management, urban planning and housing, as well as infrastructure delivery. The law also stimulates a different interaction with the citizens, in which the citizen could have more influence in local policies. How have local governments made use of this new environment? Within the framework of this study, three municipalities were visited: Tirana, Kamza and Durres.

The prevailing opinion is that the mayor of Tirana and his team have been able to make a considerable difference to the city. The demolition of informal buildings, mainly destined to business, and the recovery of green areas in the city is one of the most notable changes. The other one has been the painting of the façades, which gives the city a different image. One of the criticisms is that the municipal government has neglected the informal settlements on the outskirts of the city.

The current municipal government has not only achieved visible change in the city, it has also changed internally. The staff have been provided with good equipment and have been trained to use it. Several measures have been taken to improve the relationships with the public. Standards have been set on how to deal with requests from the public, documentation has been digitalised and the information to the public in the city hall has improved.

Council meetings are now open to the public. Apart from this, the municipality of Tirana has established citizens' commissions that discuss policies and actions with the municipal government every three months. Members of these commissions are asked on personal title, not in representation of an organisation, although most earned their merits in such an organisational setting. Six commissions exist on different topics, among which include: youth committee, economic development committee,

committee for the elderly, education committee and social welfare committee.

The municipality of Durrës also introduced the citizen commissions as an interpretation of the citizens' participation provision in the Law on Local Government. Among others, commissions exist for urban planning and for finance and budget. Commission members are selected based on two criteria:

- Their knowledge and experience in the subject matter
- Their being connected to the community

In this sense, the citizen commission on urban planning is composed mainly of architects and engineers. The idea that also non-professional citizens, like the inhabitants of informal settlements, can also be part of these types of forums is very new and has, until now, not been put in practice.

The role of the commissions is to give feedback on the proposal prepared by the municipality. For the commission on the budget, the steps are as follows:

- Municipal staff prepares the information for the commission
- The commission gathers and the municipality explains the budget proposal
- The commission members give feedback on the proposal
- Municipal staff improves the budget proposal, based on the feedback received

The municipality of Durrës perceives the functioning of the citizens' commissions as positive. Citizens know their situation better and through this interaction local government can improve its service to the public. On the other hand, this mechanism is an instrument through which citizens can learn a different concept of local government.

The former commune of Kamza begot the status of (urban) municipality in 1996. Its close location to the city of Tirana made Kamza subject to rapid, informal urbanization. It consists almost entirely of informal settlements. Unlike Tirana, where the same mayor and administration continued after last years' elections, in Kamza the opposition came into power. This meant not only a switch in politicians, BUT also the entire civil servant staff changed. This practice leads to extreme discontinuity in local policies, since it is done with the purpose to wipe out any effect of the previous administration.

Over the past years, Kamza has received support in the implementation of tasks dictated by law. The still ongoing Urban Land Management Project (ULMP) in the settlement Bathore, with its component on community participation carried out by the NGO CoPLAN, is known to the actual municipal government and praised for its contribution to settlement development. There are however no signs, in word or in practice, of the municipality taking on the model to find a solution for the informal settlements other than Bathore. The community representation in Bathore, through the CBO "Rilindja" is highly valued, citizens reported to be better

organised than in other settlements. In spite of this, the municipal government remains satisfied with the representation through the traditional, political “elders” in the rest of the settlements. The ULMP/CoPLAN model is clearly not seen as something within their abilities or interest to implement.

Through the “Empowering Local Governance” project of CoPLAN and IHS, the former administration of Kamza also received support in the development of a participatory strategic plan. To this end the municipal staff was trained and received “on the job” assistance to develop the plan. The existence of this Plan was not mentioned by the new municipal officials. There are also no signs of efforts made to get the Plan approved or implemented. Co-PLAN still has an office in the town hall, from which it implements those elements of the strategic plan for which outside financing has been found. The cooperation from municipal side is minimum. The current municipal government of Kamza does not feel any ownership over technical cooperation projects carried out in their jurisdiction and often on their behalf.

3.3 Citizens organisations and citizen participation

Grass root and interest group organisation in Albania after transition is still very weak. There is some trade union activity, which may be the only heritage from the forced collective action under the former regime. In the field of land and housing, hardly any autonomous interest groups are known. The Association of former land and real estate owners is mentioned as one of the strongest. Also, the Association of tenants of building under restitutions is mentioned several times. The Associations of blind people, of the handicapped and orphans have been lobbying for special provision in the new law on social housing, and with result. The general opinion is that these associations are strong, because their leaders are strong. Once the personal needs of the leaders are satisfied, the demand of the associations tend to weaken.

Territory based interest groups (CBOs) are mostly the result of the support of an internationally financed development project. Some projects have civil society strengthening as a separate objective, others use it as a necessary component for fair and efficient project implementation. (International) projects and programmes at local level aim to strengthen local governance and citizens’ participation, mostly in line with the vision and strategies of the individual organisation, e.g. the World Bank Poverty Reduction Strategy Paper (Growth and Poverty Reduction Strategy) and the UN Millenium Development Goals. Most international organisations make use of local organisations (NGOs), often created for this purpose, for the implementation of projects. The vision of international projects and programmes on local democracy and civil society beyond the scope of their own methodologies and projects seems to be limited: “Some international organisations think little about local (Albanian) institutional strengthening”

3.4 Conclusions

The concept of citizens' participation is very new and the whole idea still has to be developed. Municipal governments tend to invent their own way of channels of participation. This depends entirely on the knowledge and political will of the mayor and his team. Political will is in this sense a precondition for effective citizens' participation. The eventual lack of political will is one obstacle for processes like participatory upgrading and strategic planning to be recognised, upscaled and included in municipal policies. The local political culture of changing civil servants after elections is a second obstacle, particularly to the continuation and development of certain initiatives.

On the other hand, civil society organisations, especially CBOs are very recent and still weak organisations. They are often created within the framework of a certain (internationally financed) project and the interpretation of their entitlements in terms of participation seems to be limited to the scope of the specific project (an example is given in section 6). International organisations and local NGOs have been very important in creating space for citizen participation in projects. However, they did not, until recently, contribute to a broader Albanian practice of citizen participation in local governance. Now, several initiatives exist that have "strengthening of civil society" as an objective.

4 Land, housing and informal settlement upgrading: experiences with citizen participation

A series of initiatives have been taken to tackle the housing and informal settlement problem. In 1992 the National Housing Fund was established, under a World Bank project. Since 1993 11,000 flats have been built with a World Bank loan. The targeting of the project was however not correct and the new housing did not benefit the most needing families.

In 1995 the Land Management Taskforce, at the Ministry of Territorial Adjustment and financed by grants from the Japanese government and the World Bank, started to look at the legal and planning situation of land on the urban fringe: land needed for urbanisation, but outside the so-called yellow line marking delimitation between urban and agricultural land. The status of this land, which was expropriated under the communist regime, became even more complex with multiple claims of former owners over the agricultural land. Studies and plans made by the Taskforce were however overruled by the reality of informal settlements and the Taskforce ceased to exist.

At the same time (1995) a first, international NGO financed, project started in one of the informal settlements: Breglumasi. From the staff in this project, the NGO Co-PLAN emerged. The Breglumasi project had local

institution building as an objective and focussed especially on strengthening neighbourhood organisations and their role in basic urban and social infrastructure improvement, as well as social activities and job creation.

From 1998 onwards, Co-PLAN started to work in the informal settlement of Bathore, municipality of Kamza, where they applied the same concept of community organisation for participation in urban upgrading activities. These activities coincided with the presence of the Urban Land Management Project (ULMP), yet another attempt by the World Bank to tackle the housing and urbanisation issue. Co-PLAN and the ULMP have been working together in Bathore, Co-PLAN on organisational strengthening and participation, the ULMP on the actual infrastructure projects. Together they developed a model for decision making and co-financing the infrastructure: 70% of secondary infrastructure is financed by the World Bank (through a loan), 20% by the residents and 10% by the local government. Currently the second phase of this project is being carried out in different zones in Bathore. All the sub projects have been approved by the Council of Territorial Adjustment (national government). The total costs of the project are 15.6 million US\$, of which 10 million US\$ is a World Bank loan.

This model of organisational strengthening, participation and co-financing is the only “fact on the ground” in upgrading of informal settlements in Albania and of citizen participation in such a process. As far as Co-PLAN is concerned this model could work in any informal settlement in Albania. One replica is currently being implemented in the informal settlement of Këneta, municipality of Durrës.

Alongside the implementation of these projects, Co-PLAN fed their experience in urban development/management back into the public debate, basically through a series of seminars and forums on the problems in urban development in Albania, but also by using mass media (newspaper articles and television). In spite of these efforts, the “upgrading model” has not been taken on by national government, or local government, as an example for public policies in this field. The municipality of Kamza praises the achievements in Bathore, but does not show signs of replicating the experience in one or more of the other informal settlements in its jurisdiction. The municipalities of Tirana and Durrës, in spite of their (small) financial contribution to the ULMPs, still ignore the informal settlements at large. Central government is involved in the ULMP, through the World Bank loan and by officially approving all the sub-projects. However, it still leaves the settlements in a legal and regulatory void, except for a recent (draft) law, whose contents are quite contradictory to what Co-PLAN and the ULMP try to achieve.

There is no evidence that the ULMP project has influenced the new (draft) legislation on the regularisation of informal settlements. The official at the World Bank responsible for this project indicated that influencing legislation will be one of the objectives of the follow-up project of the ULMP, since existing legislation does not reflect

participatory practices. The timing in this does not seem opportune, since a draft law for regularization of informal settlements already exists.

The CBOs in Breglumasi, Bathore and Këneta see the NGO support as a necessary aspect of their development and especially as a necessary intermediary between the community and local government. Leaders in Këneta expressed that they never had access to local government, even when they tried, previous to the Co-PLAN project. The CBO leader in Breglumasi indicated not to need the intermediary NGO anymore, now that the relation and terms of negotiation with the local government have been established.

On the other hand, the issues that CBOs in Breglumasi and Bathore deal with, are still very closely related to the issues of the Urban Land Management Project, the context in which they were created, namely the improvement of infrastructure in the settlement. This is necessary, because the need for these improvements is still there. However, it is a type of negotiation far away from lobbying for, for example, a favourable legislation or a more inclusive local decision-making.

The CBO leaders and members interviewed linked their right to participate in local policies directly to their participation in the ULMP. Some more specifically indicated that the fact that they contribute financially to the project gave them the right to participate. In Bathore CBO members debated over the right to participate. While some said this is a right by law for all citizens, others were not sure about this.

4.1 Conclusions

Participatory processes for informal settlement upgrading take place in an unclear or even absent legal framework. Bottom-up approaches to upgrading are frustrated at the moment in which they have to be officially recognized. Communication and influence between local government and central government, or, between NGOs and central government, or, between government and citizens is not strong enough to have the “facts on the ground” respected in the legal and policy framework. The new (draft) law on regularisation of informal zones can be a real threat to everything accomplished in infrastructure upgrading in informal settlements under the ULMP.

5 Role of NGOs

Within the professional fields of land management, housing and urban upgrading, Co-PLAN is the leading NGO in Albania. It specialised in Community Participation in upgrading processes. The first settlement where Co-PLAN was active is Breglumasi, where activities have been completed. The process is ongoing in Bathore, municipality of Kamza, and has just initiated in Këneta, municipality of Durrës. There are other NGOs present in the same informal settlements, but dealing with other aspects of

urban development, like social development. Other NGOs are active in legal advice in the fields of land and housing.

From the experiences in community participation in these specific situations, Co-PLAN moved on to more general participatory approaches in local governance. This started with the Enabling Good Urban Governance (EGUG) project phase I in support of the municipality of Kamza (Empowering Local Governance) and the ongoing phase II of this project in the cities of Elbasan and Fier.

There are many more NGOs that work in the field of community participation and local governance, a comparable field to the Co-PLAN EGUG project. The general perception exists that most NGOs are active in Tirana and it is true that most NGOs have offices in the capital city. Partners Albania (2002) shows that in the past 5 years, the number of NGOs active outside Tirana has increased considerably and the sector has grown more outside Tirana than inside. Among the NGOs (and their donors) interviewed for this study, there seems to be a preference for smaller cities and rural areas. A non intentional geographical division can be perceived: there is not much geographical overlap between NGO/ donor activities, maybe with the exception of the city of Elbasan, where similar activities by different donors/NGOs were reported. All these NGOs have their own strategies, methods and “models” for CBO strengthening and enhancing community participation. However, little evidence exists of communication and exchange of professional ideas among these NGOs. Most NGOs emerged from international cooperation projects (like Co-PLAN) or have been established by international donors. Most NGOs financed by USAID have been created by USAID. Contrary to NGOs in other parts in the world, Albanian NGOs did not emerge from a felt need of a certain (intellectual) part of society to organise and strive for development. Maybe not because the need was not felt, but because the organisational form was not known and because society has not been given time to find its own way in this. This origin has great consequences for the way NGOs perceive themselves. Most of them are, and see themselves, as implementing agencies. They are in charge of a certain project and do not look beyond the completion of that project. They are financially and intellectually dependent on the international donors that created them. They do not see themselves as part of the civil society.

Partners Albania (2002) noticed that, “during the last 4 years, NGOs are turning more towards service provision projects, while simultaneously realizing that they need training and technical assistance in this area. Although NGOs provide more services today, in general they still lack the institutional capacity to implement them fully, as well as the ability to respond to community needs and to involve the community in the activities. One primary cause for this is NGOs’ dependence on donors. Many NGOs feel the necessity to follow donor policies, even when they do not fall within the NGO’s mission or address the actual needs of the community in which they work. In fact many NGOs have problems identifying their beneficiaries or are providing services to beneficiaries not

within their mission. An additional problem is that after the funds end, most service provision projects, especially those in the social sector, are forced to close with no plans for continuation.” (p9-10)

For those NGOs that developed into more independent organisations (a small minority) there are two options. Some indicate to develop into consultancy companies, to choose the development of commercial advisory and training activities and eventually lose their not-for-profit status. Others state that their role in society goes beyond the implementation of projects. They perceive themselves as part of the civil society and are actively involved in public debate and/or lobby related to their professional field, influencing the public debate, through mass media communication, seminars and forums is more common than direct lobbying at political level.

Partners Albania (2002) have seen that compared to previous years, NGOs cooperate more with each other, with government entities, media and to some extent business. However, they also conclude that NGOs have difficulty understanding their role in society, and consequently position themselves through a strategy (p.23) There is little communication between and debate among NGOs about their roles as civil society actors.

Cooperation between NGOs may take place at project level, but general NGO forums for debate and exchange have yet to be developed. There are some exceptions, one of them being the Albanian Coalition Against Corruption (ACAC). ACAC is a platform of 160 members, organisations and individuals, which monitors the national budgeting procedures and lobbies for increased transparency and the rule of law. ACAC has been successful in lobbying to have the Law on the Declaration of Assets by Public Officials revised and approved by parliament. ACAC is financed by USAID.

Two other initiatives, currently under development, are more concerned with the legitimacy and the credibility of NGOs. One is the initiative of the Albanian Civil Society Foundation to establish a NGO website. NGOs that inscribe on this website (www.albaniango.org) publish information on who they are, what they do, etc. The latest idea is to also publish their financial reports with the aim to increase transparency and to set a good example for other institutions, including government. The other initiative, initiated by Co-PLAN, is a network of NGOs with the aim to:

- Set common standards for quality and credibility towards government and towards society
- Discuss the role of the NGO sector in Albanian society
- Discuss common problems of NGOs, like finding adequate funding and dealing with the tax regulations

What do other actors think about NGOs and their (legitimate) contribution to society? The general opinion exists that there are too many NGOs registered of which the majority is illegitimate, basically because of a lack of results or a lack of quality. The interviewed estimate that 5-10% of the NGOs are organisations that produce quality and that (can) have a

legitimate professional contribution, both to “facts on the ground” and to the public debate and lobby. Another instrument considered important in the legitimacy is the new law on not-for-profit organisations. Being registered and complying with the rules of the law are seen as important steps towards being a respected organisation. (National) government is said not to be too keen on NGOs for two reasons: because they discuss public policies and because they have uncontrolled financial means. The previously mentioned NGO network has taken legitimacy as an important issue, planning to work on these items:

- Professionalism and standards for quality control
- Compliance with the law
- Financial transparency

5.1 Conclusions

Civil society in Albania is in full development. Methods and practice have been developed by NGOs for grass root organisation and local governance strengthening. Lobby and public debate are used by NGOs to influence public opinion and government policies. However, NGOs work very much on an individual basis. They hardly exchange experiences and do not benefit from joining forces to lobby and public debate. On an individual basis it is very difficult to work through the whole chain of creating practice to including and up scaling this practice in public policy and legislation. (National) government is still a too strong and inaccessible actor for individual NGOs and grass root organisations to influence.

6 Conclusions

Albanian transition is dynamic, with many initiatives taken at different levels in society. National government has been active in legal reform, of which decentralisation is one of the most important. Practice in land management, upgrading, community participation and local governance has been generated by local governments, NGOs and CBOs, supported by different international donors.

However, these dynamics do not always lead to fully positive results. Rapid changes in the legal and policy environment sometimes leads to contradictory regulations and to contradiction between legislation and government practice. Clear examples are the plans made under the Urban Land Management Project. These are approved of by the responsible Ministry, but in the absence of a legal framework that could support such approvals. These contradictions can lead to frustration in the final steps of official recognition and approval of local practices, like the difficult approval of the strategic plan of Kamza. They can also be a reason for the lack of “up scaling” and adoption of practices like the ULMP by (local) governments. “Bottom-up” experiences therefore remains somewhere between “bottom” and “up”

National government is still a self-centred, little accessible and powerful actor. Civil society (including NGOs) is still too fragile and too fragmented to be a real countervailing power. Civil society strengthening will not only need more time, but also more common definition on the role of civil society in the Albanian context. What is a desirable relation between citizens and (local) government? What should and can one expect from citizens in governance? What has still to change to reach this situation? Until now, NGOs have followed definitions and orientations of their respective donors, and have had little discussion among themselves to come to a common understanding. Donor agencies could stimulate NGOs to initiate or take part in such a debate, rather than promoting only their own view.

Current mayors of larger cities (Tirana, Durrës, Elbasan) seem to have the political will to stimulate citizens' participation in local governance. This is a learning-by-doing process that should be stimulated if political will is there. Local political cultures, expressed in discontinuity of staff, are the main threat to the continuity of these processes. This will continue as long as clientelist practices and party-political interests prevail over good governance proposals, and as long as the law on civil servants is not respected at local level. A strong civil society is important to turn these practices around.

NGOs have been instrumental in creating facts on the ground. They could be instrumental in the debate on the role of civil society and in lobbying for a more inclusive way of policy making. The development of this role has been weak, mainly due to lack of cooperation among NGOs and to large differences in quality and abilities between NGOs. Important are the recent initiatives in networking and cooperation for improving quality and creating legitimacy.

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3: Stakeholder participation to develop a city development strategy in Awassa, Ethiopia

Jan Fransen

1 Introduction

This chapter assesses how NGOs, CBOs and the private sector influence urban decision-making and urban management in Awassa, the regional capital of Southern Nation, Nationalities and Peoples Regional State (SNNPRS) in Ethiopia. The objectives are two-fold: to provide input into a discussion with the stakeholders on strengthening participatory processes and to provide a starting point for the development of a proposal for Cities Alliance to apply a channel of participation in Awassa. Writing a proposal for Cities Alliance requires participation of all stakeholders, which tends to be weak in African cities (City Alliance evaluation report). Strengthening participatory processes is thus a first step in writing a proposal for Cities Alliance.

Participation is defined as the process whereby the community, directly or through civil society organisations, shares influence and control over decisions, actions and required resources to improve their living and working conditions. Stakeholder participation is the participation of organisations. The study focuses on the role of NGOs, CBOs and the Chamber of Commerce in municipal decision-making and management in Awassa. It assesses the legal and institutional environment and the capacity of the actors to participate in participatory processes. While the study briefly looked at the relationship between civil society organisations¹ and civil society itself, it has not as such assessed the representativeness of the organisations. Neither has it evaluated community-based projects of NGO's. By the same token, the study assessed the level of decentralisation and the legal and institutional environment, but has not studied the role of regional and central government in detail. Geographically, the study is focused on Awassa. Results of the study cannot be generalised to other Ethiopian cities.

2 Methodology

The research comprised key informant interviews at national, regional and local level (see figure 2 and annex 1), analysis of secondary data (see annex 2), a meeting with donor agencies and a workshop with all stakeholders. The interviews were semi-structured, using checklists. Many respondents were interviewed at least twice to complete and countercheck data. Data was collected during three missions (November 2003 and April and May 2004). The workshop presented the draft results, allowing feedback and discussion with the follow-up.

The study went beyond merely assessing the present situation and continued to assist in improving channels of participation. An Awassa City Development Alliance and NGO Forum were established and supported by local and international organisations. The report will briefly describe their actions taken, but it is too early to assess their performance. While improving channels of participation, constraints and opportunities for participation became visible enriching the study.

Figure 1: number of respondents

Institution	No of respondents
National NGO's	5
CRDA (NGO network)	3
NGO's in Awassa	6
CBO's	5
Chamber of Commerce	3
Private sector	1
National government	4
Regional government	3
Awassa city council	3
Sub city and Kabelle level	2
Donor agencies	6
Total	41

3 Introduction to Awassa

3.1 Participatory development in Ethiopia

“Ethiopia with approximately 65 million inhabitants is one of the poorest countries in the world with a per capita GDP of 100-120 US\$ and an average life expectancy of 45 years. Infection with HIV is growing and has reached more than 10% of all adults (even up to 30% in urban areas). Ethiopia's economy is based on agriculture, which accounts for half of its GDP, 85% of exports and 80% of total employment.” (Pfeiffer, 2003, p4).

The urban population accounts for only about 16%, with a high urbanisation rate of 5.8%. Addis Ababa is by far the biggest city, with around 3 million inhabitants. The next ten cities, including Awassa, house 100,000 to 200,000 inhabitants each.

Between 1977 and 1990 Ethiopia was governed by the centralised and repressive Derg regime headed by Mengistu. During that period of time, local governments known as ‘Kebeles’ were seen to be oppressive, whose legacy is still visible in the lack of trust towards kabeles these days. When the EPRDF came to power in 1991 it proclaimed a decentralized form of government and developed a constitution that made the country a Federal Democratic Republic. In recent years, the government has decentralised to city level and continues to decentralise to sub-city level creating

opportunities for local democracy and participation. While mayors and councillors have not yet been elected in all regions, elections are likely to take place within a few years. This move towards local democracy should be viewed within the context of a country with a short democratic history, according to many reporters dominated by one political party.

Participation features high in policy statements and laws at national, regional and local level. Donor agencies actively push for participation and a stronger civil society. As such, space for participation increases. Yet, trust in the government and in particular at the local government level is questionable due to the repression of the local governments during the Derg regime. Capacity at the lower levels of government is very limited, though a massive decentralisation process is taking place. The question, as in any decentralisation process, is whether higher levels of government, both political and administrative, are willing to surrender influence to city councils and whether city councils are in turn willing to share influence with its residents and businesses.

Participation also features high in international development assistance. Particularly the World Bank, Capacity Building for Decentralised Service Delivery and Public service Delivery Capacity Building Programmes, and GTZ offer considerable support for urban development, with a focus on deepening decentralisation and capacity building of the public sector. This creates a necessary but not yet sufficient precondition for popular participation in cities, as hardly anyone seems to build the capacity of the private and civil organisations, key partners in urban development.

3.2 Participation in Awassa

Awassa, the capital of the Southern Nation, Nationalities and Peoples Regional State (SNNPRS), was founded in 1960. It is located 275 km south of Addis Ababa in the Rift valley, along the Awassa Lake. It is a pleasant but poor city with approximately 115,000 residents, half of who are living below the poverty level. Most residents are lowly educated, living in unplanned settlements. Economically the city is dominated by the public sector and agricultural produce of the hinterland. Its main resources include a lake, a fertile hinterland, university and the available of a middle class working in the public sector. Administratively it became an independent legal entity as late as 28 April 2003. Since that date, Awassa is registered as a city.

It can be argued that Awassa lacks sufficient institutional capacity to proactively shape its development². Awasa city council itself is a newly constructed entity, with a limited number of educated staff. The regional government maintains a firm grip on urban development, partly to offer institutional support. The (local) government has limited experiences in partnering with NGO's and the private sector. For instance, the Awassa Bureau of Trade and Industry hardly collaborates with the Chamber of Commerce and the relatively strong Women Entrepreneurs Association.

The strongest grassroots organisations in Awassa are 'Iddirs', traditional saving groups for funerals. Everyone in Ethiopia is a member of an Iddir, despite the required membership fee. Being a member of an Iddir provides a social network that assists members to overcome shocks and reduces vulnerability. Various respondents noted that Iddirs play a crucial role in maintaining social cohesion. Iddirs however have an ambitious relationship with the government and NGO's. They believe that their independence enables them to fulfil their role in society. Yet, many Iddirs wish to become more development oriented, which is a government-dominated domain in Ethiopia. For that purpose Iddirs in Awassa established two independent organisations: An NGO save the children to create behavioural change on HIV/AIDS³ and an Association of 104 Iddirs. However, the Association noted that it is mainly ignored by the government and NGO's and is unclear of its own mandate. As a result, Iddirs hardly play a role in the participatory processes in Awassa.

The Ethiopian Government decided to establish Local Development Committees (LDC's) at neighbourhood (Kabele) level to mobilise community support for local development. This at least creates the impression of vertical (top-down) development of community representation and has been criticised by various respondents, particularly due to the oppressive history of Kabeles. It bypasses both Iddirs and Community Development Committees, established by NGOs in their community-based projects. However, various respondents also noted the opportunities created for popular participation.

The private sector is very weakly organised and in particular the large informal sector with about 5,000 enterprises is hardly represented. The Chamber of Commerce was re-established in 2000 and lacks resources and membership. The government aims to establish sectoral associations, with strong government support. Similarly as to the discussion on LDC's, some respondents noted the vertical dependency relationship between associations and the government and questioned whether the associations can truly represent the private sector. The strongest and most independent association is the Women Entrepreneurs Association, with approximately 500 members in Awassa. Some (government) banks and NGO's offer micro credit, but hardly any business development support is offered.

4 Channels of participation by citizens and businesses

This section will first discuss opportunities and weaknesses for participation, after which existing channels of participation are analysed. None of the channels have been institutionalised. While policies promote participation, no policies or laws on participation exist yet.

Figure 2: Opportunities and threats for participation



Three opportunities can be identified, which create a momentum for development partners to shape urban management and development. The prime opportunity is created by the ongoing decentralisation process and in particular the city proclamation. Decentralisation is an essential precondition of participation, as it delegates decision making to the lowest possible level, where participation is most feasible. Since April 2003, Awassa has the legal status as a city. The city council is reorganising and employing higher qualified staff. At Kabele level, Local Development Committees have been established in which citizens can express their needs and demands. Simultaneously, the reform process puts emphasis on a performance-oriented, responsive and decentralised government structure. The decentralisation process and the changes within the government structure towards more responsive governance, create opportunities for participation. All actors are keen to contribute to the development of Awassa. Within NGO's there is uneasiness about working upstream (with local government), as opposed to the downstream work. Yet, trust between partners is increasing. It is not known whether or not the 2005 elections have reversed this trend.

Various restraining forces limit opportunities for participation and force all actors to be realistic about opportunities to shape urban development. Most importantly, the city proclamation was only enacted

three years ago and understandably the decentralisation process is still underway. The historical residue of top-down decision making as opposed to participatory local decision-making is evident in three top-down processes, reinforcing each other:

- The national and regional government strongly influence the new city councils. While support is necessary to deepen decentralisation and build capacity, it is clear that the national and regional levels have a considerable say in local decision-making
- Many government officials have a top-down decision making attitude, whereas participatory processes require more action oriented and flexible planning models
- The EPRDF has a strong political party structure, in which most political appointees at all levels participate

Participation at the local level is also influenced by limited capacity. The municipality only employs a few university graduates. None of the actors have significant experience, knowledge and skills in participation at city level, whereas the institutional representation of businesses and residents is extremely weak. For instance, the informal sector is not represented at all and the Chamber of Commerce cannot claim to represent the private sector due to a small number of members and lack of capacity. While NGO's have considerable experience in community-based projects, they lack capacity in upstream (policy oriented) activities. By the same token, local government lacks the experience and expertise in participation, but expressed its interest. Limited time availability of municipal leaders, who are fully occupied by routine activities, is a main constraint. The questions are therefore:

- Who represent the government, businesses and residents in stakeholder participation?
- Are they qualified?

While the environment for participation is improving, mistrust still exists between the actors, as can be noted from the following comments:

- 'NGO's misuse funds' (comment by a government official during the workshop)
- 'Kabele administration used to oppress inhabitants during the Derg regime'
- The government can withdraw our (NGO) registration any time'

The mistrust is reinforced by the NGO registration procedures, as NGOs are afraid that lobbying and advocacy may affect their registration. The remaining part of this section focuses on existing channels of participation in Awassa.

4.1 Consultative process to develop the City Development Strategy

Throughout Ethiopia, from the highest national to local level, government officials have been trained in strategic planning. This was followed by the preparation of city development strategies in all municipalities, cities and

administrative regions throughout Ethiopia. In Southern Nations, each city followed more or less the same procedure, heavily supported by the regional government. It represents the first systematic attempt of developing a legitimate strategy by adopting various forms of participation, resulting in a City Development Strategy that has been accepted by most stakeholders. The process worked as follows:

- Community members were asked to provide input on their needs and demands at Kabele level
- At Kabele and city level draft strategic plans were prepared, assisted by the Urban Development Departments of the regional government.
- The draft City Development Strategy was discussed in a workshop with 700 residents and in a one-day workshop with NGOs
- Information on the strategy was disseminated through the (publicly owned) newspaper and radio. The possibility was given to comment through the Kabele structure.
- The strategic plan was revised and approved by the Mayors Committee

The process thus followed a three-pronged approach to participation: meetings at Kabele and city level; workshops with stakeholders and information dissemination via the media, with a procedure for comments. Most stakeholders were convinced that their ideas had been taken into account and that the strategy improved as a consequence, but none had yet studied the final City Development Strategy.

4.2 NGO - local government forum

City council initiated the development of an NGO local government forum, where five NGO representatives and local government met to coordinate the implementation of the CDS. The forum has met once to date, chaired by the Mayor. In the meeting, city council aimed to redirect activities of NGO's in line with the CDS.



The initiative has to be applauded, but includes a number of weaknesses:

- The forum coordinates NGO activities, but does not, it seems, provide feedback to city council about its own implementation of the CDS. In other words: It does not provide a framework for participatory planning, monitoring and evaluation
- Only five NGOs and the Christian Relief and Development Association (CRDA) are represented. It is unclear whether these NGO's represent all NGO's in Awassa or not
- The Chamber of Commerce, Associations and Iddir representatives and other partners are not invited. This is a missed opportunity, as

Local Economic Development features heavily in the CDS, yet the private sector is not consulted in the implementation phase

- The mandate of the forum is unclear: Is it an advisory committee on the implementation on the CDS? or does it have a wider mandate? How often does it meet? What are the procedures?

The forum has not met during the past year and the initiative seems to have died quietly.

4.3 Development Coordination Committee

City Council established a Development Coordination Committee, chaired by the City Manager and mandated to coordinate all development activities. The committee brings together the various departments of city council and its seven Kabeles, as well as the chairmen of the Local Development Committees (LDC's). In line with this strategy, the regional and local government build capacity of the LDC's and treats them as the only genuine channels of participation. Their full reliance of LDC's gives fuel to the argument that LDC's are government puppets and that, in fact, governments do not want opposition and criticism.

In a fierce discussion on channels of participation, the city manager at that time (replaced by now) strongly objected to any other forum to coordinate development or any additional membership of the committee, arguing that it would provide overlap and additional work for already overburdened municipal staff. Whereas these arguments are understandable, the committee excludes major players in development and limits coordination to local government efforts. While coordination is of crucial importance, it does not provide an opportunity for development partners to participate.

4.4 NGO projects

NGO's have significant experience in community-based projects. They assess community needs in selected settlements and initiate projects to address those priority needs. These needs assessments and pilot projects provide a useful insight into community needs, which is unfortunately hardly used for local government policies and improved and targeted service delivery. Informally, some NGO's (particularly Mary Joy and RLO) share information but no attempt has been made to interrelate available information between NGO's or to network for increased impact and up scaling of activities.

Community participation in NGO pilot projects has been functional: It primarily aims to implement community-based projects. A very pragmatic stakeholder structure has been developed by most NGO's, in which community leaders and Kabele leaders participate. Sometimes, user groups are set up to represent users of services provided by the project.

Therefore, the community-based organisations do not aim to provide a forum for popular participation outside the scope of the project and do not

(yet) provide a channel for popular participation in urban management and development.

4.5 Poverty study: Working groups

The UNDP has conducted an in-depth assessment of poverty in five cities, including Awassa. The report gives a good overview of poverty and can provide a valuable input into urban policies. It also provides an action plan, which was agreed upon in a workshop with all stakeholders. In each city, committees have been set-up to translate the action plans into proposals that will be presented during a national workshop. These proposals will be used by UNDP to establish an urban poverty alleviation programme.

The process is very participative and will potentially result in proposals that are supported by the major stakeholders in each city. Unfortunately, the working groups established in Awassa are ad-hoc and have not yet met. Being ad hoc, they do not work towards a sustainable channel of participation.

4.6 Awassa City Development Alliance (ACDA)

Based on the NGO Forum and the working groups established by UNDP, the Mayor initiated the ACDA. The ACDA comprises of representatives from city council, NGO's, private sector and CBO's (Iddir Association and Local Development Committees). The ACDA was given the specific assignment to prepare implementation arrangements in the area of housing and local economic development. With considerable assistance, the ACDA prepared concrete project proposals for low-cost housing and local economic development. Both projects aim to strengthen participation in these areas.

5 Key issue: City Development Strategy 2004-06 (CDS)

(Source: Awassa City Transitional Administration 2003)

The newly appointed Awassa City Administration prepared its first CDS in the period October-December 2003. It comprises of a brief profile of the city and office, stakeholder analysis, SWOT analysis, vision and mission statement, values, description of municipal departments, priority strategies, activities, human resource plan and an activity-based budget. This section will highlight key elements of the 59-paged document.

5.1 Vision

By 2015 Awassa will be an ideal centre for residence, industry and social services without poverty, with a maximum level of participation of development forces and good governance, with a basic social, economic

and administrative infrastructure. The vision focuses on poverty alleviation through the provision of basic services and good governance. The poverty focus may be an indirect affect of the participative poverty study conducted by UNDP at the same time.

5.2 Mission (strategy)

Protecting the environment of city dwellers by; timely collection of revenues, participation of governments, NGOs, CBOs and residents and prompt and modern services. In a way, the mission statement provides for a strategy to work towards the vision.

5.3 Values

The values include honesty, good governance, gender equality and quality assurance.

5.4 Priority areas

The document lists 17 'priority strategies', which are in fact priority problems. The CDS describes them in order of priority. They can be grouped in five priority areas:

- Small, medium and micro scale enterprise development
- Housing and shelter
- Municipal reform
- Social services
- Local economic development

It is interesting to note that all priority areas have a distinct focus on urban poverty alleviation, in line with the vision of Awassa. Due to this focus on poverty the CDS does not reflect activities that aim to create economic development in a broader sense. For example, the city council allocates land for agriculture-led industries, such as coffee processing. This is expected to impact on the urban and regional economy, but as it lacks a poverty focus it is omitted in the strategic plan. By the same token, the City Council aims to upgrade the market place, which lacks even basic infrastructure and services. Again, the prime objective is economic development and not poverty alleviation; hence it is not addressed in the strategic plan.

5.5 Budget allocation 2004-2006

The budget for the priority areas is presented in table 3, while table 4 provides the full financial plan for city council⁴ (in Birr, exchange rate 8.9 to Euros).

The government budget for SMME development is close to Euro 300,000 and for housing and infrastructure it amounts to Euro 500,000. NGO's and residents are both expected to contribute about Euro 600,000 in

total. About 30% of the local government budget will be spent on priority areas. Respondents noted that the budget was very ambitious.

Figure 3: Awassa budget on priority areas

Sector	Budget		
	Government	Society	NGO
SMME development	2,842,971 (20%)		
Housing and shelter	4,409,792 (31%)	600,000	4,678,000
Human resource development and participation at schools	4,790,540 (34%)	4,989,040	
Justice system and participation in sports and association	2,105,390 (15%)		
Municipal reform	2,956,891 (21%)		1,492,792
Total	14,319,835	5,589,040	6,170,792

Figure 4: Awassa budget 2004-06

Budget line	Budget		
	Government	Society	NGO
Salaries	42.9 mln		
Work expenses	13.6 mln		
Capital budget	13.5 mln	5.4 mln	8.2 mln
Total	70.0 mln	5.4 mln	8.2 mln

5.6 Analysis of the CDS

This CDS was the first ever developed in the Southern Nations and took place at the first round of CDS's in Ethiopia. It was developed without preparing a thorough city profile; in fact one of the mentioned activities in the CDS is to study the social economic environment. As a result, the CDS primarily reflects the opinions of all stakeholders, but not the facts. The result of this approach is that the strategy is a wish list instead of a calculated, balanced and realistic plan.

The key comment on the CDS is that the described vision of Awassa does not do justice to the unique features of Awassa and its hinterland. In fact one can argue that any city government would subscribe the vision of Awassa: Which city does not want to be an ideal centre for residents and adhere to good governance? The question is: What unique features create such an ideal environment and bring all actors together? Should Awassa develop tourism around its lake? Attract industries to process agricultural



'Knocking at city manager's door'. Residents asking advice of the city manager concerning land conflicts



Community meeting on settlement upgrading

produce? Or become a knowledge-economy based on its university? How? These decisions will impact on the budget of Awassa and have not been made in the CDS. In informal discussions it became clear that city council decided to focus on agribusiness, which is not addressed in the strategy. The strategy has a consistent poverty focus, which is understandable as poverty was identified as the core problem. However, one can question the strategy to alleviate poverty. Can poverty in Awassa be alleviated based on the noted strategies? Or should economic development, tourism and investments come into the equation? This is a fundamental issue. For example, the Department of Trade and Industries provides silk worms and fruit trees to the urban poor. This alleviates urban poverty and reduces the vulnerability of households, which is commendable. But, the impact on the economy is likely to be marginal and sustainability is questionable. The department does not focus its support on SMME's with economic potential, quite the contrary.

While the CDS identifies distinct priority problems, their solutions tend to be isolated and sectoral. For instance, the solution of poor housing is the provision of houses and infrastructure. These infrastructure works have important economic and environmental impacts, which have not been considered.⁵ It also remains unclear how and why SMME development will contribute to local economic development, considering the limited regional market for products and services of SMME's and hence the dependence on agricultural production or the opening of new national and international markets. Since the CDS does not provide an economic analysis and lacks economic data, it is impossible to assess what the impacts of the proposals are likely to be.

Finally, various respondents noted that the government budget far outreaches its present income. This strengthens the impression of an unrealistic strategy.

After the elections in 2005 a new city mayor and manager have been installed, who aim to redo the CDS, learning from the experiences to date.

6 The role of NGOs

Traditionally, NGO's based in Awassa have a regional and rural focus. Droughts in 1973-1974 and 1984-1985 and to a lesser extent 2002-2003 resulted in a focus on emergency relief. Within the past 10 years however, NGO's have moved towards long-term development activities, including urban poverty alleviation. By now, Awassa houses a relatively large number of small NGO's, primarily focusing on community-based development at neighbourhood (Kabele) level.

Most NGO's agree on projects in community meetings after needs assessments at community level. The NGO's have a good understanding of their Kabele(s) and their projects are well appreciated by the community. Contact with the government focuses on project implementation. Kabele administrators are members of Community Development Committees to ease the implementation process. The limited capacity at Kabele level is seen as a major constraint, but none of the NGO's moved to build capacity of its partners indicating the strong project/output focus of the NGO's. Cooperation with city council has only recently been established, as the council had no formal role before April 2003. Coordination among NGO's is weak, with each of them focusing on 'their' Kabele(s). The government policy to spread the NGO's across Kabeles may have contributed to this lack of networking, though recent studies conducted by NGO's conclude that the government does not attempt to dictate priorities or locations of NGO's (Gebreselassie, 2003, p 47).

The only NGO focusing on capacity building for regional government is SNV ⁶. SNV decided to focus on the Southern Nations in 2003. As an SNV representative explained: "Southern Nations is a relatively open community, possibly due to the fact that it comprises of many ethnic groups. It has a dynamic and accessible regional government". SNV is the only organisation in Awassa with experienced international staff in the areas of governance, participation and private sector development.

About 1 year ago, as part of a policy to increase networking at regional level, CRDA the Ethiopian network of NGO's opened a regional office in Awassa. Their representative in Awassa is a dynamic young professional, who unfortunately receives very little support from head quarters. The fact that he has no computer, a temporary office and hardly any advisory support limits his potential. He nevertheless moved ahead and organised the first meeting of NGO's in Southern Nations. The objective is to establish a network of NGO's, linked to an envisaged forum of all development actors at regional level, headed by the regional government. CRDA is keen to establish an urban committee within the network. CRDA,

SNV and IHS have jointly initiated a first meeting of the urban NGO Forum, to discuss the role of NGO's in city-wide development with its other partners. Recently the CRDA representative joined an international NGO, leaving Awassa again without NGO networking.

Figure 5: NGO's working in Awassa

Name NGO	Sectors
SNV Southern Portfolio (SESP)	Capacity building at regional, woreda and Kabele level in Southern Nations, with a focuses on local governance, natural resource management and private sector development. SNV provides technical advise and training, but does not fund activities
Mary Joy	Integrated community development, including infrastructure provision, housing, alternative technologies and saving and credit schemes
Women Coordination development Committee (WCDO)	Integrated community development, including credit and saving associations
Resurrection and Life Aid through Development (RLO)	'Contribute towards bringing about improved quality of life and self reliance among disadvantages groups in its target areas' (RLO, no date). Sectors are integrated community development, including housing and health
Manna Child Care	Child development
SOS Kinderdorfer	Child development
Addis Development Vision	Focusing on people with disabilities and SME development
Awassa Catholic Secretariat	Education and health by providing schools and primary health care
Save the children	NGO established by Iddirs working on HIV/Aids
People in need	Rural education
Tila WLHAA	Association of women living with HIV Aids
VOCA	Organises rural associations. Considering to work in Awassa
Medan Acts	HIV Aids and income generation, primarily a rural focus
Ethiopian Women Lawyers Association	Legal lobby group

NGO's have expressed that Local Government became more open for their ideas since decentralisation took place in 2003. They were content with the consultative process followed in the City Development Strategy and by and large felt that their input has been included in the strategy. However, they missed follow-up activities after the plan had been approved and expressed that government staff were over committed and therefore inaccessible.

In the discussions it became clear that NGO's in Awassa lack knowledge of and experience on city consultations and urban strategy. None of the NGO's expressed a vision on long-term urban development in

Awassa and hence their potential contribution to the strategy was limited. The discussions illustrated their focus on solving immediate problems of their target group, the urban poor at Kabele level.

7 Conclusions and recommendations

7.1 Conclusions

Over the last seven years, city councils across Ethiopia have become legal entities and decentralisation to city level has become a fact. Slowly, more capacity is being developed at decentralised levels to respond to the increased responsibilities. Both the legal and policy environment have become more conducive for civil society participation in urban development, at least until the elections in 2005. Yet, reality lags behind. The decentralisation process is still ongoing and day-to-day work is characterised by centralised tendencies. Donor agencies complain about bureaucracy at the national level and a slow move towards democracy. In Awassa, participation in urban policies is a new concept for all actors and no channels of participation have been institutionalised as yet. NGO's focus on pilot projects, while the association of Iddirs and the Chamber of Commerce complain about limited requests for their advice and services. In such an environment, it is unrealistic to expect wonders from newly established channels of participation in the short run. It however also provides a unique opportunity to shape urban development and management through participation.

The City Development Strategy of Awassa provides a starting point for joint development initiatives. For the first time ever the main actors agreed on the development priorities. The fact that the plan has its weaknesses is not an overriding concern; it provides an opportunity for learning and improvement, which can start during implementation. The major concern is that its implementation is not coordinated, monitored and evaluated in a participatory manner. For instance, the implementation plan is prepared by city council without further consultation. An encouraging first step was made in establishing an NGO –local government forum, but its membership, structure and mandate has not carefully been considered. If the committee would provide a forum for participatory information sharing, coordination, monitoring and evaluation, an important step would have been made to maintain the momentum and commitment of all actors. But local government seems to have chosen another direction. It established a Development Coordination Committee within city council that monitors development based on inputs from Local Development Committees. Whether this system will work depends on the future functioning of the LDC's. The council is, for good reasons, ambiguous about yet another forum (NGO-local government forum) to monitor development. Yet, it may be the best strategy to maintain commitment from the development partners and obtain feedback from civil society through various mechanisms⁷. Functioning feedback mechanisms are in the end the only way to assess

municipal services and improve governance in the long run. For NGO's, it will provide an opportunity to scale up activities.

7.2 Recommendations

The City Development Strategy has successfully been prepared through a number of channels of participation: Community meetings at Kabele level, meetings within an (informal) NGO forum and information provision through the media. This combination is, considering the relatively weak civil society and private sector, the most appropriate way forward for development, implementation, monitoring and evaluation of the CDS. The fact that it has been applied successfully once has set a precedence indicating local support.

The different channels can be strengthened as follows:

7.2.1 Awassa City Development Alliance (ACDA)

This forum builds on the NGO-local government forum and the working groups established by UNDP. It has been mandated to prepare proposals on Local Economic Development/ Small Micro Scale Enterprise Development and Housing. The first proposal will be submitted to Cities Alliance. The second proposal will be managed by Van de Leij Foundation and co-funded by Cordaid. By jointly preparing project proposals the Alliance will be strengthened.

Preferably, the mandate of the forum should be expanded to become a monitoring and evaluation forum, advising city council on implementation of the CDS. Such an expanded role would also allow for successful NGO experiences to be taken on board by local government. While strengthening the NGO forum, due consideration should be given to the representativeness of NGO's, CBO's and the private sector.

7.2.2 NGO Forum

CRDA, the NGO network, organised the first meeting of NGO's and private sector representatives to network, share information and lobby for good governance. In the meeting, NGO's agreed on their representation in the ACDA.

7.2.3 Strengthen the LDC's

LDC's are likely to play an important role in the future. However, they require considerable strengthening to become a useful channel of participation for the CDS at local level. This will require considerable training as well as full involvement of LDC's in the project cycle of the Cities Alliance proposal and NGO projects. Yet, the limitations of the LDC's should be considered, by strengthening other channels of participation at the same time.

The proposed resident contributions to LDC's are risky, as long as LDC's lack capacity and their independence has not yet been proven. I would recommend piloting resident contributions and development activities by LDC's on a small scale first.

7.2.4 Legalising channels of participation

In the long run channels of participation can become legally enforced. Laws may stipulate consultative requirements before City Development Strategies and laws are passed etcetera. However, Ethiopia does not yet have sufficient experience with participation to decide on legal procedures.

7.2.5 Building capacity of actors

An important precondition to strengthen channels of participation is capacity building of the key actors. By involving the actors in writing proposals for Cities Alliance and van de Leij Foundation, we can build capacity on project preparation, partnerships and participation and on the topic of the proposal.

Special attention should be given to building capacity of NGO's, the Chamber of Commerce, associations and the association of Iddirs. CRDA can play an important role by creating an NGO network to capacity building, allow information sharing, lobbying and advocacy, and up-scaling of activities. All actors lack international exposure and insights into various forms of participation.

NGO's should consider working upstream, influencing policies that have affect on large groups of poor in addition to improving the lives of a few. They should also empower the urban poor by giving them a voice. They can contribute to building a strong civil society, which is a precondition for democracy and development. The CRDA urban development forum came to the same conclusions and has also developed comprehensive recommendations (Gebreselassie 2003).

Strengthening organisations that represent the formal and informal economy is crucial in building the institutional thickness that is required to develop the economy of Awassa. The government has a tendency to develop the private sector by itself, running the risk of developing a private sector dependent on the government. Strong private sector organisations can change this trend.

The government is going through major decentralisation and reform processes. It takes time, but is likely to improve local service delivery and legitimacy. However, the government should open up even more to its partners. A government that enables its partners to work effectively can achieve more.

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9 Notes

¹Civil society organisations are defined as non-governmental and non-profit making organisations that represent residents or businesses or aim to support residents or businesses. In Awassa, they comprise of NGO's, CBO's, religious organisations involved in development activities and the Chamber of Commerce

²The role of NGOs in Awassa is discussed in section 7. In summary: their role is by-and-large limited to community-based downstream projects, with limited upstream work

³The focus of the NGOS relates to the role of Iddirs, as HIV/AIDS poses a threat to the members of Iddirs and on their financial sustainability

⁴ Differences between the two tables occur, as NGO's and the society also contribute to non-priority issues, whereas expenses for municipal reform may include salaries and work expenses.

⁵Two examples can be mentioned: 1. Infrastructure construction creates employment and economic development. 2. At present most houses are constructed from wood, which results in serious deforestation. Alternative construction materials may have less impact on the environment

⁶(Officially SNV is not registered as an NGO in Ethiopia)

⁷ It would also be worthwhile to consider other monitoring and evaluation tools to assess resident's opinion on municipal services.

10 List of acronyms

Acronym	Full Name
SALORSED	San Lorenzo Ruiz Socio-Economic Development Foundation, Inc.
CPDO	City Planning and Development Office
SAC	Social Action Center
MLF	Mindanao Land Foundation
LGU	Local Government Unit
GK	Gawad Kalinga
PRA	Participatory Rapid Appraisal
IDIS	Interface Development Interventions, Inc.
HD	Hugpong Davao (Davao Alliance)
UDHA	Urban Development and Housing Act
RSD	Research & Statistics Division
CSSD	City Social Service Development Office
MIMIFA	Mindanao Micro-financing Association
AAAM	Alliance Against Aids Mindanao

HUDCC	Housing and Urban Development Coordinating Council
ASDA	Association of Social Development Associations
CHLURU	City Housing Land Use Regulatory Unit
SALIGAN	Sentro ng Alternatibong Lingap Panligal (Alternative Legal Assistance Center)
CMP	Community Mortgage Program
CBCP	Catholic Bishops' Conference of the Philippines
ULRP	Urban Land Reform Programme
HPFP	Homeless People's Federation of the Philippines
LGC	Local Government Code
PO	People's Organization
NGO	Non-Government Organization
APSED	Assumption Parish Socio-Economic Development Foundation, Inc.
BEC	Basic Ecclesial Communities
GKK	Gagmayng Kristohanong Katilingban (Cebuano language translation of Basic Ecclesial Communities)
BDC	Barangay Development Council
CDC	City Development Council
HLURB	Housing and Land Use Regulatory Board
HIGC	Home Insurance Guaranty Corporation
UHLP	Unified Home Lending Program
NHMF	National Home Mortgage Finance Corporation
NSP	National Shelter Program
UDHP	Urban Development and Housing Program
H MDF	Home Mutual Development Fund
ASEAN	Association of Southeast Asian Nations
BIMP-EAGA	Brunei Indonesia Malaysia Philippines East ASEAN Growth Area
SIR	Slum Improvement and Relocation
MINCODE	Mindanao Coalition of Development NGO Networks
CISFA	Comprehensive and Integrated Shelter and Finance Act
ICSI	Institute on Church and Social Issues
UPAO	Urban Poor Affairs Office
CHA	Community Housing Association"
DIDP	Davao Integrated Development Programme
HOA	Homeowners Association
LHB	Local Housing Board
GK	Gawad Kalinga (Giving Care)
PHILSSA	Partnership of Philippine Support Service Agencies, Inc.

4: Lima, Peru: The bones of legislation and the flesh of practice

Reinhard Skinner

1 Introduction

The present chapter analyses the potential for participatory urban management in Lima, and the extent to which these already exist. The role of the urban poor is given particular attention.

Compared with some of the other cities studied in this volume Lima has a relatively rich history of popular mobilisation, demand making and organisation which has resulted in the poor's participation at the political level and in terms of neighbourhood development. This has transformed itself, however, particularly over the last decade and a half, into a situation in which popular demands for a voice are more muted while the legislative and institutional environment for participatory processes has broadened.

The present study looks at the legislation which purports to define the scope for citizen participation in urban management processes and the reality which finds it falls short of its stated intentions. The contribution of different actors to urban management is also examined, especially that of NGO's. Their partnership with local governments and organisations of the poor stands out in these pages. Finally the study makes recommendations as to how popular participation might be enhanced in the future and the role of donors in this respect.

2 Methodology

The methodology common to all the studies in this book was used in Lima with the following specific features.

The data used in this chapter was collected over the course of two missions to Lima in June and October-November 2003. The following activities were carried out:

The holding of two meetings in June and October with all Cordaid's NGO partners, in order to explain the purpose of the research visit and plan an itinerary and to request feedback on initial findings respectively. Nine non-partner NGO's were also contacted.

Meetings with members and leaders of community based organisations (CBO's) and local government officers and councillors in all zones (*conos*) of the city. Collective meetings were held of NGO's working in these same zones as well some individual meetings.

Various field visits were made to NGO projects or activities and these were followed up with three NGO's (SEA, DESCO and Edaprosopo) who helped fill some of the information gaps remaining from the first visit.

Interviews were held with various key informants from central government, the consultancy field, the European Union, representatives of

associations of NGO's and the private sector, training and capacity building organisations and present and past members of the local government of Metropolitan Lima.

Several meetings were attended as observer including the Coordinating Groups for the Struggle Against Poverty (*Mesas de Concertación para la Lucha contra la Pobreza*) in the eastern and central zones of the city.

Interviews were held with representatives of donor agencies: the Delegation of the European Union, the *Lucha Contra la Pobreza* Project (or *Construyamos Futuro*) of the World Bank, and the UK's Department for International Development (DFID).

3 Content of the paper

The present chapter covers similar themes and issues to other chapters in this book. First the methodology used to collect data is presented; this consists principally of meetings and interviews with stakeholders and key contacts, field visits and the review of existing, secondary data. A brief introduction is then given to the city of Lima, before moving on to an examination of the channels of citizen participation, which exist. This requires a summary analysis of the legal framework for urban management in Peru as a whole.

The roles of the main actors in urban development are then described, including central and local government, non-governmental organisations (NGO's), community based organisations (CBO's), the private sector and donors.

The two key issues hindering the implementation of participatory processes are examined in section 6: weaknesses in the participatory mechanisms themselves and the limited capacity of local authorities. The role of NGO's in filling the capacity gap is explained as well as the partnership role with local government that this has given rise to. This position puts NGO's in a potentially strong position to influence policies, a point returned to later in the chapter. A summary of the changing political role of NGO's is given and it is shown how, instead of pursuing policy change through party political means, many NGO's now look to working through networks.

Section 8 returns to the relationship between NGO's and CBO's and shows how the former help empower and strengthen organisations of the poor.

The chapter ends with recommendations for donors as to how to help maximise the potential of participatory urban management in Lima and in Peru as a whole.

4 Brief introduction to the city

Lima, the national capital, is located on Peru's mainly flat coastal plain between the Chillón, Rímac and Lurín rivers. It is one of Latin America's largest cities and according to the 2005 census has a population of

8,866,160 (or over 9 million in Metropolitan Lima). This represents approximately 32 per cent of Peru's total population of 27,562,000 (UNICEF, 2005). 74 per cent of the national population lives in urban areas (World Bank: http://devdata.worldbank.org/AAG/per_aag.pdf).

Annual national population growth is 1.90 per cent compared with 2.10 in urban areas and 2.30 per cent in metropolitan Lima (UN Habitat: http://www.eeri.org/lfe/pdf/peru_urban_indicators.pdf). Rural population growth is estimated at 0.23 per cent in 2005 (UN Habitat: <http://www.unhabitat.org/habrdd/conditions/southamerica/peru.htm>).

Amongst the main traditional reasons for growth are lack of education, employment and health care in rural areas. During the 1980's the rural violence created by the Sendero Luminoso guerrilla movement and the military response added to the pressure to abandon the countryside. In recent years natural growth of second and third generation migrants has also been significant.

According to UN Habitat's Global Observatory 40 per cent of the urban population in 1997 was living below the poverty line (http://www.unhabitat.org/programmes/guo/data_hsd4.asp).

Gross National Income per capita in 2004 was US\$ 2,360 per annum, considerably lower than the average for the Latin American and Caribbean region of approximately \$3,600 (World Bank, op. cit.). Some social indicators compare favourably to the region as a whole while others fall below average figures. For example, infant mortality of 26 per 1,000 live births is slightly below the region's average of 28, literacy at age 15 and above of 88 per cent is only marginally below the regional figure of 89 per cent and life expectancy at birth of 70 years compares with 71 years regionally. However, access to improved water sources and gross primary school enrolment rates are considerably worse at 81 per cent (compared with 89) and 118 (compared with 123) (ibid.).

Because of its coastal location urban growth in Lima has been limited towards the north, south and east. These have acquired the terms *conos*, literally "cones" of expansion. It is in these cones that the major spontaneous or marginal settlements have grown up since the 1940's, such as Comas and Independencia (in the North), San Juan de Lurigancho and El Agustino (East) and Villa Maria del Triunfo and Villa El Salvador (South). These population concentrations have proven attractive at various times in the modern history of Lima to politicians seeking bases of support and this has led to acquiescence in their growth by, and policies of support in infrastructure and housing improvement from, central administrations dating from as early as General Odría (1948-56), Manuel Prado (1956-62) and General Juan Velasco (1968-75).

Peru has a legislative Congress of 120 members and an Executive comprising a President and a Council of Ministers appointed by him. Members of Congress are elected every five years by universal, compulsory suffrage. (3, 1297) Lima has a metropolitan administration and 42 district governments, or sub-municipalities. All are elected by universal

suffrage. The following sections provide more information on the functions of district governments.

5 Channels of Citizen Participation

Peru has a long history of popular participation at low-income neighbourhood level. In modern times this includes the period of military rule under Juan Velasco (1968-1975) who created ONDEPJOV (the National Young Towns Office) and later SINAMOS (the National System for Social Mobilisation). Both aimed, with considerable success, to promote the participation of Lima's, and the nation's, poor.

Space does not permit full treatment of all the participatory processes which were set in motion in subsequent years. But amongst the earliest was the Law of Municipalities (1979), which was the first to refer to the formal participation of popularly elected grassroots neighbourhood councils in local planning.

In the 1980's in the massive popular settlement of Villa El Salvador the mayor, Michel Azcueta, introduced various participatory mechanisms such as the participatory budget made famous worldwide by the example of Porto Alegre in Brazil. But Villa el Salvador had already developed its own model of participatory planning stretching back to 1971.

In 1996 the Metropolitan Planning Institute brought together various types of participatory planning, which had been developed in the city (such as strategic planning) and created the model of the Integrated Development Plan. Henceforth this became the methodology of local development planning to be adopted by all sub-municipalities in Lima.

In 2001 the government of Valentín Paniagua (2000-01) (Paniagua temporarily replaced Alberto Fujimori, who had fled the country, until presidential elections could be held) established Round Tables for the Fight Against Poverty (*mesas de concertación*) and these have continued ever since. These were conceived as an opportunity for state and civil society to take decisions jointly on appropriate ways to fight poverty at all levels from sub-municipal districts to the regions.

But this is only one example of the new participatory processes operating in Peru in recent years. The most significant legislations establishing the others are:

- The Peruvian Constitution of 1993 which established that local development planning and implementation would be local government competencies
- The 1996 Law of Citizens' Participation which included provision for consultations with citizenry in planning processes such as strategic but also short-term planning
- The Law of Citizens' Oversight (c.2000) which provided for municipalities' accountability to their constituents
- The Basic Law on Decentralisation of 2002, which stipulated that local governments must promote citizen participation in the formulation of local development plans and budgets

- The Organic Law of Municipalities of May 2003 which strengthens the Basic Law by compelling municipalities to involve neighbourhood councils in the local planning process as well as participatory budgets

5.1 The main actors

5.1.1 Central Government

In the National Accord (*Acuerdo Nacional*) signed in July 2002, the government of President Alejandro Toledo and a range of civil society representatives agreed to a process of dialogue to implement twenty-nine state policies including several relating to the establishment of decentralisation and citizen participation and the reduction of poverty.

One of the Ministries most closely linked to these participatory processes is that of Economy and Finance, which is responsible for the implementation of participatory planning especially with respect to participatory budgets.

The Basic Law on Decentralisation created the National Decentralisation Council to coordinate the process of decentralisation. Its most important function, starting in October 2003, has been the transfer of social programmes for poverty reduction from central to regional and local governments.

5.1.2 Local Government

Lima's sub-municipal, or district, governments are, as we have seen, obliged to draw up participatory development plans and budgets. Here they face serious weaknesses in capacity. The decentralisation process has left them with major additional responsibilities but without a corresponding increase in funding. In addition, the recently legislated participatory processes find them without suitable experienced staff. For this reason they rely quite heavily on NGO's to help them discharge their obligations and in fact depend on them to do so. As a result relations between local authorities and NGO's are generally good. This is in contrast to relations with poor communities. In the workshops held with CBO's various criticisms emerged regarding the sluggish response to and interest in local needs and demands. NGO's on the other hand are perceived as quick and positive in their response.

5.1.3 Community Based Organisations (CBO's)

CBO's have a long history of struggle with national and local governments. However, today they tend to be more pragmatic and oriented towards survival or the improvement of conditions of daily life. For example, the federations of low-income settlements which emerged in the late -1970's

have been replaced by organisations furthering sectoral interests, such as youth and the elderly.

CBO participation at district level is significant. It includes the well-known “glass of milk” programme (by which poor children are guaranteed a glass of milk each day) and “popular kitchens” serving residents and workers in poor neighbourhoods with affordable meals. It also includes participation in the above-mentioned local level *mesas de concertación*. The participatory district development plans and budgets are other opportunities for CBO involvement.

5.1.4 NGO's

We have already mentioned that local governments value the technical support they receive from NGO's. This consists of assistance in the coordination of the **mesas de concertación** and other participatory local planning processes, training of local government officials, and the design, implementation and evaluation of projects. More will be discussed about their role in section 7.

5.1.5 The private sector

There is no tradition of corporate social responsibility in Peru as there is in some other Latin American countries such as Colombia. The only foundations that exist are mainly cultural or sporting. Nor does the private sector play a role in participatory planning processes or the *mesas de concertación*.

There are exceptions but these tend to be foreign companies such as AMANCO, an international manufacturer of concrete pipes, which has carried out a number of social projects for its employees and the communities in which they live and where the company is located. Another exception is the Swiss AVINA Foundation which supports Peruvian leaders (including those of some NGO's) in realizing their social projects.

5.1.6 Donors

There are three main donors which work in the area of participatory urban management. The first of these is the European Union, through its co-funding of the Lima Urban Poverty Reduction Programme (Programa de Lucha Contra la Pobreza en Zonas Urbano - Marginales de Lima), or PROPOLI, which started in 2003 and works in selected poor districts. Second is the World Bank funded Fight Against Poverty project managed by the Municipality of Lima which covers the city as a whole (see its website: <http://www.construyamosfuturo.org>). The third donor is the UK's Department for International Development (DFID), which funds participatory planning in the poor Pachacútec settlement in the north of the city (together with the NGO Alternativa) and works together with the Mesa de Concertación para la Lucha contra la Pobreza in training citizens' vigilance committees in 17 districts.

6 Key Issues

In Lima there are two key issues which impede participatory processes. The first is the **weaknesses in the mechanisms** themselves and the second is **the limited capacity of local authorities** to implement them. Space permits only some of the most important to be dealt with here.

6.1 The Overall Process: Some General Problems

The first group of difficulties revolves around the novelty of the processes to the majority of local authorities, as already mentioned Villa El Salvador was one of the settlements where participatory processes were well known. Huaycán is another such area. Furthermore, these new processes have been introduced very rapidly over only a few years and their scope is very broad. It is hardly surprising that local governments have been found unprepared and come to depend upon NGO assistance.

Official information which local administrations need to exercise their functions is limited. Again, some NGO's are filling the breach with publications, which they use in local government training. If local governments lack information it is unsurprising that they are accused by some community based organisations of failing to provide the information they need to participate effectively in the processes.

Lack of capacity also contributes to poor coordination of participatory processes. For example, not all administrations are aware that participatory budgets are supposed to be based on participatory local development plans and establish new priorities in the budgeting process which replace those already agreed in the plans.

Finally, some authorities were found by the study to lack commitment to popular participation and excluded some stakeholders from processes in which they should have taken part.

6.2 Three Participatory Processes

6.2.1 Local Integrated Development Plans

Local Integrated Development Plans (IDP), are supposed to be the basic form of district-level planning as well as being the basis for other processes such as participatory budgeting. However, as already mentioned, the priorities established in the IDP's are sometimes forgotten and redefined in the budgeting process. It has been argued that the IDP's have not yet been absorbed by or fully bought into by concerned populations; for example, with a change in mayor they will not necessarily defend the plan they drew up if the mayor wants to change it.

The Participatory Budget is a potentially multifaceted tool. Apart from its relationship to the IDP and the way it enhances the transparency and legitimacy of local governments, it can improve relationships between the

authority and social organisations through their collaboration in the budgeting process and can strengthen citizen awareness of the importance of paying taxes as they see that they are spent on services they have selected themselves, amongst various others.

(Chambi y Marulanda, 2001). However, its limitations are also various, three of which are as follows. First, there are not yet in Peru any clear guidelines as to how to implement it so different methodologies are employed in different districts. Secondly, it has sometimes been found that unorganised sections of the population have not been invited to participate. Finally, for the process to be well executed it should be well publicised and it may be necessary to create awareness of its importance and train participants. These preparatory activities are not always carried out so participants may not fully understand the process of which they are part.

6.2.2 The Round Tables for the Fight Against Poverty

The Round Tables for the Fight Against Poverty (*mesas de concertación*) exist at different geographical levels from districts to regions and the country as a whole. They have clear benefits such as allowing the coordination of actions by local stakeholders and acting as a vehicle for NGO technical assistance to local governments. However, they too suffer from significant difficulties. One is the almost non-existent financial support they receive from central government; the Lima round table receives the equivalent of less than €1,200 per month so most costs are in practice met by participants themselves, which may thereby exclude certain poorer stakeholders. Another problem is that they are staffed by volunteers with obvious dangers for sustainability. Not all stakeholders are equally represented. For example, in some, community-based organisations are absent and they are constituted mainly by NGO's and local authority representatives. In others state representatives are assigned who are of insufficient rank to take decisions so the tables' power to agree plans meaningfully is curtailed.

7 Roles of NGO's

If during the 1970's and 1980's NGO's played a role in Peruvian politics, from the 1990's this declined significantly. They gradually became seen as potential partners by international donors and government, mainly local. Today they are an important source of technical support to municipal authorities in Lima in implementing participatory management.

However, while NGO's are not directly involved in party politics this does not mean that they do not seek to influence government policy. For example, CIDAP (Centro de Investigación, Documentación y Asesoría Poblacional: Centre for Popular Research, Documentation and advice) has been actively involved in framing legislative proposals on urban renewal for discussion by Congress. Similarly, DESCO has recently led opposition to a proposed law on NGO's.

As early as 1985 IDEAS succeeded in reforming municipal policy in Ate-Vitarte where participatory local development planning was instituted in that year (Sahley and Pratt, 2003).

Furthermore, CIDAP and other NGO's are members of the ANC network (Asociación Nacional de Centros: National Association of Centres), which has enabled them to influence policy. This has included participation in discussions with government in 2002 and 2003 when the *Acuerdo Nacional* was being framed. The Ministry of Economy and Finance has also commissioned the ANC to develop training materials in participatory planning. ANC's Director also claimed at the time of the study that it had direct access to high levels of decision making including certain ministries and Congress.

Foro Ciudades para la Vida (Cities for Life Forum) is a network which held an international seminar in February 2002 on the "The Participatory Budget and Local Governments ", which was attended by mayors from throughout Latin America with the aim of persuading the Peruvian government to legislate for the obligatory inclusion of his mechanism in local development planning. It may well have played a part in these provisions being included in the Organic law of Municipalities which was passed in May 2003.

There are many networks to which NGO's belong though they are sectoral rather than comprehensive. These include:

- CONADES (Conferencia Nacional de Desarrollo Social: National Social Development Conference) which is in continuous dialogue with government in approximately thirty thematic areas
- RED – Perú (translated this means "Peru Network) which has participated officially in discussions on the text of the Law on Municipalities
- COPEME (Consorcio de Organizaciones Privadas de Promoción al Desarrollo de la Micro y Pequeña Empresa: Consortium of Private Organisations for the Promotion of Micro- and Small Business Development), which aims to promote the micro- and small enterprise sector, including through the exertion of influence at policy level

Those NGO's which are partners of municipal administrations are well placed to influence policy at this level. According to Sahley and Pratt (2003, 120 -1) the combination of their lack of party affiliation, technical expertise and links with government at different levels are three of the characteristics which make them particularly suited to this role.

8 Priority and Policy Issues Fundamental for the Poor in the City

In section 6 above we discussed the key issues which weaken the possible participation of the poor in urban management in Lima. Here this can be complemented by the opinions of community based organisations and individual residents who were consulted during the study in the north, south, east, west and centre of Lima. In workshops they were asked for their opinions of participating in local urban management processes. In summarising these it is hoped that one may gain an insight into what the respondents consider important issues.

The first clear finding was that their relationship with NGO's had worked well and compared favourably with that which they enjoyed with local authorities and it is the benefits of this relationship that will be emphasised here.

In all workshops it was felt that NGO's had helped **empower** poor communities by facilitating their relationship with private and public institutions and enabling them to discuss their problems and agree solutions on "an equal footing". More specifically it was variously mentioned that participation in a district *mesa de concertación* had been achieved as a result, that knowledge of legal and citizens' rights had been improved and that self-confidence, self-esteem and capacity to take action in their own interests had been increased.

NGO's have helped poor communities understand their rights better when they have had to deal with actors and institutions in different sectors. Participation within communities has also been enhanced so that ordinary residents have felt better able to participate in planning and decision making rather than relying on their leaders.

By facilitating dialogue and agreement between CBO's and the State, NGO's have **strengthened** the former. This has been supplemented by leadership training in many areas including that of local planning methodologies. Similarly, support in local participatory processes has helped legitimise CBO's.

Workshop members indicated some **costs of participation** in terms of personal economic costs (transport and opportunity, for example), loss of free time, weaknesses in their own CBO's (e.g. leadership rivalries, and lack of communication between leaders and the residents they represent), and lack of municipal capacity (such as lack of financial and human resources and poor inter-institutional coordination).

It is interesting that perceptions of what participation meant and offered varied considerably amongst workshop members, though it must be remembered that rigorous sampling procedures were not applied. Some, who tended to come from the South of Lima, understood participation as being a right to "freedom and basic human rights" guaranteed by the Constitution and the law. Others saw it as a means to allow an individual to

get ahead and better oneself (e.g. through greater economic opportunities) or to advance one's community.

9 Conclusions

Previous sections identified some of the potential for the participation of the poor in urban management as well as the obstacles that exist. This section will briefly propose some ways in which donors can help promote participatory processes.

9.1 Strengthening Local Governments

Although local governments are able to count on NGO support in implementing participatory processes at present, it is in the last instance their own responsibility to lead them and they should be assisted in building up their own capacity in this respect. NGO's themselves can play a role in providing training as some already are. Donors can provide support to NGO's in this undertaking.

9.2 Strengthening CBO's

As representatives of poor communities CBO's are their main organised channel of participation in urban management. They do not generally have the required skills to exercise this role and while some NGO's, such as DESCO, are providing leadership and other training, much still needs to be done, including participatory planning techniques. It would probably also be of benefit for CBO's in different parts of the city to visit each other and exchange practical experiences, as some are already doing between the Centre and the North.

9.3 Strengthening the Participation of the Private Sector

The study found that there are probable opportunities to promote a greater participation of the private sector in social development programmes. This should include participation in local development planning where their commitments would be included in integrated development plans and participatory budgets. Donors should encourage NGO's to promote such social responsibility.

9.4 Strengthening NGO Networks

At present NGO's working in urban processes in Lima tend to have a clear geographical and/or sectoral specialisation. While this makes good sense in terms of making a maximum impact with limited funds it has the disadvantage that city-level issues are easily overlooked. Networks may be a means of linking forces to this end. However, networking requires

resources which NGO's do not have and additional funding from donors will need to be sought.

9.5 Creating a Vigilance Role for Civil Society and CBO's

In future, if local governments are able to strengthen themselves and assume their broad obligations for participatory urban management the role of NGO's will have to change. Their technical assistance will no longer be so much in demand. It is possible that they can turn their attention more to the role of oversight of the participatory processes to ensure they are being implemented as they should or, more appropriately, to support CBO's and civil society in general to assume this role. (They will not be doing this from scratch and will be able to draw on the experiences of other cities and countries where such developments have already taken place, such as Bogotá in Colombia)

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5: Access to land, participatory processes and pro-poor policies: Lessons from Recife, Brazil

Claudio Acioly Jr.

1 Introduction

This chapter is a summary version of the process mapping report commissioned by and prepared for Cordaid. It was carried out in the city of Recife, Brazil, during the years 2003 and 2004. It summarises the institutional and stakeholders analysis, as well as the research findings depicting innovative initiatives that facilitate the participation of the urban poor in decision-making and in access to land and housing in the city.¹

1.1 Methodology

Like the other cases in this publication, this chapter depicts the city auditing in Recife herein referred to as; “process mapping” that has helped to identify actors and disclose the relationships that exist amongst them. It helped to unveil networks of social actors, institutional frameworks, bottlenecks and potentials for local sustainable development processes to evolve in favour of the poor and disadvantaged segments of society. In Recife, that is different from the other cities, a regional workshop and expert group meeting was organised to discuss the findings of the process mappings in Recife and Lima. This generated a substantial discussion between local actors and regional partners of Cordaid from different Latin American countries. As mentioned elsewhere in this publication, the process mapping is strongly based on participants’ observations. Local community leaders as well as technical cadre of the municipal government and NGO’s were interviewed, lay residents were asked to reply on specific questions and at times a site visit was organised. Additionally, the author’s participation in participatory events e.g. plenary session of the participatory budgeting, community meetings, Plan for the Regularisation of Special Zones of Social Interests (PREZEIS) Forum meeting provided important feedback for the current study.

Plan for the Regularisation of Special Zones of Social Interests (PREZEIS), is a legislation enacted in 1987 that established a management system to support urban rehabilitation, upgrading and land tenure regularisation of informal settlements in Recife. It creates a process of participation and shared decision-making on the allocation of a special fund to be used for settlement upgrading and regularisation issues.

1.2 Objectives

As mentioned above, the objective of the research is to unveil actors and processes of participation and assess to what extent they ultimately

influence the formulation and implementation of pro-poor policies in cities where Cordaid is actively involved through its institution and financial support programmes. The goal is to outline and overview the existing channels of participation and identify the major actors involved in the interface public policies-civil society organizations, including NGO's. This involves but is not limited to getting a good insight into the legal framework that is in place and assess to what extent it is enforcing or facilitating civil society participation and how it actually functions e.g. processes, articulations, attitudes, etc. Although several channels of participation were disclosed and analysed, this summary chapter gives priority to the PREZEIS Forum.

The chapter focuses on Recife, the capital city of the State of Pernambuco with nearly 1.4 million inhabitants belonging to one of Brazil's major metropolitan regions. This city has a longstanding tradition with citizen participation and was the arena for very active social urban movements throughout the 1970's and 1980's. These movements were responsible for the formulation and approval of a pioneering legislation on land tenure regularisation in informal settlements herein called PREZEIS that in fact inspired the national law "City Statute" enacted in 2001. A Forum composed of representatives of community-based organisations (CBO's), local government and civil society organisations (CSO's) actually manages the enforcement of this legislation. PREZEIS can be regarded as mechanism of land management and at the same time a channel of participation that prioritises public investment in selected low-income residential areas established as Zona Especial de Interesse Social (ZEIS)². Participants and organisations actively involved in this Forum were interviewed during 2003 providing a rapid assessment of its results after 15 years of enactment. The author was also involved in some activities of the Forum which was organised by NGO's and the municipal government during 2003.

Participation has an intrinsic cost while producing outputs that are not easily measured. Local stakeholders indicate benefits and impacts of this participation. NGO's argue that there is a substantial increase in the quality of citizen participation as a result of capacity building works. Knowledge about legislation, rights and obligations, has resulted in more active citizenship and has more influence in policy making. To what extent does citizen participation lead to pro-poor urban and land policies? How far has participation shaped municipal policies and help establish good governance? These are some of the questions that the survey attempted to respond to. Recife also has a long tradition of NGO's supporting CBO's and the survey paid a specific attention to key NGO's working intensively in the urban sector. The rise of NGO's in the city has triggered the development of interesting forms of articulation and policy dialogues showing that there is sufficient room for grassroots organisations and NGO's to get engaged in the design of policies that address the poor needs.

2 Brief introduction to Recife

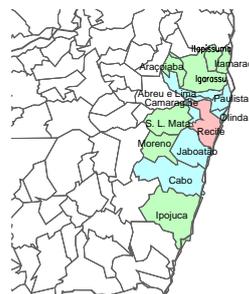
Recife's metropolitan region is composed of 14 municipalities and is the fourth largest metropolitan region in Brazil after São Paulo, Rio de Janeiro and Belo Horizonte. Its population grew from 2.3 million in 1980 to 2.92 million inhabitants in 1991 revealing an increase of more than 533 thousand inhabitants within a decade. Presently it has a total population of more than 3.3 million inhabitants that shows an increment of 417 thousand inhabitants during the period 1991-2001 (FIBGE, 2000; Cortês e Silva, 2003, Observatório-PE). Within a period of 20 years there has been an increment in population of nearly 1 million inhabitants. The capital of the metropolis, Recife, is a vibrant cultural centre with a deep rooted regional folk arts and crafts, traditional music and popular festivities that attract people from all over Brazil. Recife is the home place of 18% of the total population of the State of Pernambuco and 44% of the population living in the metropolitan region. It grew from 1.2 million (1980) to 1.42 million inhabitants (2000) and its projected to reach 1.66 million by 2015 (PMR, 2003c).

It is situated along the coastline of the State of Pernambuco and is one the most important urban agglomerations in the Northeast Region. The importance of this metropolitan region is associated with the growth of its capital city Recife as a regional industrial metropolis during the 1970's when investments concentrated on chemical, non-metallic minerals, mechanics, plastic and electronics. During the 1990's there was a boom in the tertiary service sector with Recife becoming a regional centre of commerce. It boosted the development of an advanced science and technology park and a well-developed health sector that not only provides services to the city but also to other urban centres and states of the Northeast Region (PMR, 2003c). More than 60% of revenue produced through the ICMS tax (VAT) was generated in the city during the 1990's.

Figure 1: Geographic Location of Recife



Figure 2: Recife's metropolitan Region



Source: R.R. Lima (2003). City Development Strategy for Recife Metropolitan Region

2.1 Urban economy

In 1970, the City's economy was responsible for 77% of the GDP of the metropolitan region and 48% of the GDP of State of Pernambuco. In 1998 its participation decreased to nearly 62% of the metropolitan region and in 1999 it represented 43% of the GDP of the state. Currently the profile of the city's economy shows a well developed industry of food processing, textile, clothing, drink, metallurgic, mechanics and electronics, besides the well-developed construction industry. But it is in the service sector that Recife excels, being the seat of important universities and research centres and as mentioned earlier it has very well developed information technology and health sectors. Some specialised services related to health clinic and hospitals, educational services, informatics (software production), technical consultancies, publicity and marketing and more recently the logistic support were the ones that grew up to 19% in 2000 (PMR, 2003c). In terms of income, in 2000 a household head from Recife earned 34% more than the average income found in the Metropolitan region a fact that reveals a concentration of income. Nevertheless, the city's labour market registers an unemployment rate of 19% that places Recife amongst the highest rates in Brazil. Data from the municipality shows that half of the economically active population is informally employed. This segment is more prominent in the construction (74%) and commerce sectors (67%) but also the service sector (50%) and processing industry (38%).

2.2 Poverty and Social Exclusion

Data derived from IPEA and World Bank shows that the Northeast Region, where Recife is located, accounts for 63% of all Brazilian poor while only sharing one third of Brazil's total population (Melo et al, 2001). As for Recife, the city presents the largest concentration of poverty among all metropolitan regions of Brazil with 41% of its population living under poverty line, US\$40.00 per capita, and inequality in the city is worse than that of the State of Pernambuco, Northeast Region and the country as a whole. Half of Recife's population earns less than 1 Minimum Salary (Costa, 2002; Lima, 2003). But what is remarkable about Recife is the sharp contrast between rich and poor that one immediately spots in the spatial structure and built environment of the city. There are very wealthy enclaves contrasting with extremely poor areas. This reflects the historical development of the city that has resulted in a remarkable social and spatial exclusion: The rich settling in prime land while the poor on the steep hills, swamps and peripheral land subject to flooding and land sliding deprived from basic public services. This was accentuated by the fact that a large share of the land stock in the city was kept in hands of a limited number of traditional families who practised land lease or kept them underused for speculative objectives leaving the poor migrant with only the option to settle illegally on inadequate sites situated on river valleys, sea arms and the various hilly and inaccessible areas of the city.

2.3 The place where the poor live in Recife

A 1996 survey sponsored by the State Government of Pernambuco revealed that 12% of the 50 settlements surveyed in Recife were situated in flooded areas, 30% on hilly areas and 40% on low flat land. The urban poor in Recife lives in settlements that are subject to flood and landslides, inadequate public transport services and critical conditions of sanitation and accessibility. Only 27% of the housing units had access to sanitation and nearly 60% of them disposed their wastewater inadequately. Municipal garbage collection often does not cover these areas and it is common for families to dump it on vacant land or in watercourses and the sea (CENDHEC, 1999). One critical aspect of low-income settlements in Recife is the insecurity of tenure and the myriad of claims on land not properly registered. A description of the types of situations found in settlements regarded as ZEIS (Special Zone of Social Interests) and depicted herein this chapter is presented in Box 1. A 1993 survey sponsored by the municipality of Recife revealed that there were 526 low-income squatter settlements in the city. At that time these settlements occupied 15% of the total land area of the city but housed 50% of its total population. Actually there are 468 different poor communities and because some of them are tangled into one another in a kind of urban conurbation of low-income settlements it becomes difficult to map their specific boundaries. 240 communities are contained within ZEIS that means that 80% of the territory of the poor and 80% of the poor population are situated in ZEIS settlements. Actually nearly 40% of the population regarded as poor occupy roughly 13% of land in the city (Lima, 2003) a data confirming the trend of the poor living in densely occupied areas. Presently 70% of the roads of the city are not paved and sewerage coverage is only 30% (Costa, 2002). This coincides with areas occupied by low-income families.

2.4 Urban Violence

Recife scores amongst the highest rates of crime and violence in Brazil. The occurrences of death by violence seem to be highest in peripheral neighbourhoods where the poor is concentrated although data from the Municipality suggests that there is an overall increase in every neighbourhood of the city (PMR, 2003c). Violence is the second cause of mortality in the city with a total of 1,492 deaths (14.7% of the total deaths in 2000) with a rate of 107,68 per 100,000 inhabitants. For mortality by homicide the rate is 67 per 100,000 inhabitants situated in the age group from 10 to 39 years old. This is one of the highest in Brazil. Data from the city's master plan shows that violence is the main death cause among young people (10-19 years old), a phenomenon that suggests a possible impact on the demographic development of the city particularly if one considers that the majority of the fatalities are male belonging to the economically active population. It is also worth noting that 10% of the

population is illiterate and this rate is the same for the age group from 26 to 69 years old with obvious consequences for the labour market and competitiveness of the city.



Figure 3: Aerial view of Recife's downtown



Figure 4: Aerial View of Informal Settlement Morro da Conceição

2.5 Urban Social Movements

Despite the fact that the population could not elect their mayor in Recife during the military regime (1964-1985), the city maintained its leftist political culture with an intense social activism and grassroots movements that were closely associated with the Catholic Church. The leadership of Archbishop Dom Helder Camara turned Recife into a national reference regarding the church engagement in the social problems of the population. In the eyes of the military regime the church's concern with the fate of the poor coupled with the strong labour union movement and the traditional political activism turned the city into a stronghold for the theology of liberation and leftwing political movements.

It is noteworthy that many of the advisors of CBO's and collective movements and members of civil society organisations had strong linkage with the church. As explained hereafter in the chapter, popular initiatives and innovative legislation is accredited to the support of the church e.g. the PREZEIS³ legislation and the birth of the NGO Serviço Justiça e Paz. But Recife also has a historical active labour union movement and a tradition in political activism that has shaped the development of the city in many ways. In opposite to that the city has always been the seat of traditionally very conservative forces belonging to a local aristocracy that frequently polarises the city at every election. Many don't know that Recife was also the place where the Paulo Freire method of pedagogy was applied for the first time when he was then the municipal secretary of education during early 1960's.

Like other large urban centres of Brazil, Recife was experiencing a dynamic number of collective movements and the mushrooming of CBO's and residents' associations from squatter settlements during late 1970's and throughout the 1980's that had two major characteristics: social mobilisation and the struggle for the right to the city. These movements put emphasis on struggling against eviction and for the right to settle on land

in the city (movement “terra de ninguém”). Urban and housing issues and an incipient agenda for urban reform were tangled into civic issues like democratisation that influenced the advocacy character of the organisations and their work on exercising political pressure on the local government. The progressive legislation called PREZEIS and the enactment of its predecessor, the land use plan of 1983, are the result of the work of NGO’s and civil society organisations working closely with these collective movements. The PREZEIS and the concept of ZEIS-Special Zones of Social Interest aiming at safeguarding the permanence of families living in nearly 300 favelas and informal settlements in Recife (1983) were formulated by civil society organisations lead by the Comissão Justiça e Paz of the Catholic Church. It is regarded as one the first initiatives in legislation undertaken by popular movements.

Box 1: A brief history of the ZEIS Novo Prado

History

People who migrated from the hinterlands of the state of Pernambuco to Recife and from other neighbourhoods of the city and who settle on privately owned land were offered a land lease contract by the owner of the parcels of land where today is located the settlement of ‘Novo Prado’. This process began in the beginning of the 1900’s. Since permanent constructions were not allowed, the new settlers built shacks made of massive adobe walls (taipa) and thatched roofs that were to become known as “mocambos”, the local denomination for poor squatter settlements commonly deprived of the most basic infrastructure and services. The land was subdivided between his two hers when the landowner Cornell Neco Chicó passed away. Novo Prado is actually situated in the part of the land inherited by his daughter Dona Vitalina. She continued subletting parcels of land to new settlers and at a certain moment in time she started selling the plots to their occupants. This commercial transaction was recorded in a receipt that was registered in the notary offices of the city. But this never had a legal basis since land subdivision was never authorised by the municipal government.

In the 1970’s, developments in the nearby areas started boosting an informal market of services and commerce that further stimulated spontaneous occupation resulting into a significant urban growth of the area. Novo Prado was to become one of the first poor informal settlements to be transformed into ZEIS. It was only 14 years later, 1987, that the Commission of Urbanisation and Legalisation – COMUL was established. In 1987 a group of residents started with community mobilisation and in 1994 a residents’ association was officially registered as a legal entity in the city.

Profile of the settlement

The settlement occupies a total area of 6 ha and is situated in the neighbourhood of Bongi, western zone of Recife. It shares its southern boundary with the neighbourhood of Mustardinha and its western border with the Electricity Company of Recife. It is very well situated and has major avenues close by. There were 1,352 people divided into 352 families living in Novo Prado in 2001, from which 54% were women and 46% were men. The majority of the residents were born in Recife (78%) and one third of the population belongs to the age group of 0-20 years old. Household income is between 2 and 4 minimum salaries (one minimum salary is nearly US\$75.00) and individual income is between ½ and 1 minimum salary, with women earning less income than men.

Women headed households is significant in the settlement (71%) and half of them have no partner resulting in women being forced to take over all responsibilities for upkeep their households. Half of the inhabitants have the fundamental primary education. In terms of leisure, the inhabitants report that watching TV, sleeping, going to church and listening to radio are the most popular activities undertaken by the population which may suggest that inhabitants do not tend to go out of their residential area for leisure and other activities. Nearly one third of the residents have been living in Novo Prado for more than 40 years and 20% between 30 and 40 years suggesting that residents have a strong link with their neighbourhood. Some 62% of household heads report that the land parcel where they live was purchased from third parties and 77% are owner occupants.

Urban liveability

The settlement was confronted with poverty and deficient basic infrastructure. Water supply, sanitation, and drainage were poorly provided. Roads and accessibility were inadequate making life in the settlement extremely difficult for its occupants. The living conditions in the settlement remained below the minimum standards for human settlement during many years. Until 1991 there was no day care centre where working mothers could leave the children during the day. In 2001 reports made by the residents pointed out the main problems faced by the settlement in order of priority:

- Lack of health centre and medical assistance
- Lack of police station and lack of public safety
- Lack of basic sanitation
- Lack of street pavement

Though, the residents also report some improvements that took place during the last years: some roads have been paved; the main square of the neighbourhood was revitalised; public transport has improved.

Source: ETAPAS, 2001. *Velhas Historias Novas Conquistas*. Zeis Novo Prado. BONGI. Interviews with ETAPAS, 2003

The birth and consolidation of Recife's NGO's are credited to this process. The interviews made during the process mapping research disclosed the strong linkages between the church and practically all popular areas and informal settlements in Recife. All community leaderships, municipal officials and university professors interviewed during the process mapping research had in the past a close link with

movements and/or organisations supported by Dom Helder Camara. It is worth noting that the present mayor of Recife, João Paulo, was once a member and participant in the capacity building programmes designed through the church. The rise of many of NGO's that are still active in the city is also closely associated with that. In relative terms Recife has the largest number of NGO's among all cities in Brazil. The city's master plan acknowledges the existence of 465 organised social groups.

2.6 Civil Society Participation

The first municipal election of the post-military period (1984) brought to power a very charismatic mayor (Jarbas Vasconcelos) with a significant popular support. His government policy advocated the notion of citizen participation in the formulation and implementation of social policies and poverty reduction. A practical result of that was the programme "prefeitura nos bairros" virtually installing the municipality in the neighbourhoods and creating channels of dialogue between the government officials and community representatives to discuss problems, prioritise and commit government finance. Some regards this as the originator of the participatory budgeting (Melo et al, 2001). The strategy was to involve CBO's in policy making for which the city was divided in 18 different administrative regions. Thus in the plenary sessions organised in these regions and attended by the mayor and his executive cabinet (secretariat) only the representatives of CBO's could vote in the prioritisation process although the meeting was open to the public. Some argued that this was a way to co-opt leadership and obtain support to municipal government policies.

It was during his term that the Programme for the Regularisation of Zones of Special Interest (PREZEIS) was implemented although its basis had been formulated during a previous "conservative" municipal administration with the approval of the 1983 land use plan of Recife. This was a pioneer initiative and quite innovative legislation that would only get its similar nearly 20 years later with the approval of the 2001 national legislation called City Statute (Estatuto da Cidade). One must acknowledge that PREZEIS anticipated the instruments contained in the City Statute which is regarded by many as a very progressive legislation that provides local governments with a variety of instruments to intervene in slum areas, land property, real estate development and on rights to build among other things. One can argue that Recife established a participatory land management process by introducing citizen participation in the decision about whether or not to regularise tenure and upgrade settlements developed on informally and often illegally occupied land.

The 2000 municipal election paved the way for the replacement of a conservative government by a progressive city administration that earned the support of popular movements and the NGO sector and was re-elected in the 2004 municipal election. It is clearly committed to participatory governance and pro-poor policies. Channels of civil society participation

especially the sector councils and the participatory budgeting council have received great attention and political support. The participatory budgeting has become the main channel of civil society participation in Recife overshadowing PREZEIS as the sphere where public resource allocation in poor areas is prioritised and decided. There is also greater concern for economic development, employment and income generation as an attempt to address social exclusion and spatial segregation that is recognised by the municipality as one of the worst in Brazil.

3 Channels of citizen participation and the PREZEIS

Recife has built a tradition in civil society participation but it is only during the last municipal administration that citizen participation gained a prominent position in local government policy. Institutionally this was resolved through the creation of a Municipal Secretariat exclusively focused on citizen participation and the formulation of the municipal budget where citizen participation is central. Additionally the current municipal government has advocated a greater involvement of civil society in the governance of the city opening up various channels of participation and dialogue with a multitude of stakeholders including the private sector (see Table 1).

However, one must bear in mind that throughout the 1990's the experience with the PREZEIS, Plan for the Regularisation of Special Zones of Social Interest and the establishment of its management council has provided the municipality of Recife and the CBO's with the opportunity to construct a model of government-community management on land management and tenure regularisation and allocation of public resources for upgrading and infrastructure improvement in low income settlements. Residents and their residents' associations but also NGO's play fundamental roles in the decision making process. This is the oldest channel of participation through which organised civil society interfaces with local government in the city. Moreover, there are a series of sector municipal councils and forums through which citizens get involved in public policy making and resource allocation. The process mapping research identified a number of these sphere of government-citizenship dialogue where individual citizens can participate and in some cases take decisions. However, the current municipal government has opted to work with the Participatory Budgeting as the "universal" channel of citizen participation where policy is integrated through the formulation of the multi annum investment plan and annual budget cycles. It is worth noting that this political decision has generated unrest amongst the NGO's and CBO's that are involved in the PREZEIS. For the purpose of this chapter, we will focus on the PREZEIS. Box 2 depicts the operational process of PREZEIS.

Table 1: Channels of Citizen Participation in Recife

1	Forum PREZEIS-Plan for the Regularisation of the Special Zones of Social Interest
2	COMUL-Commission for the Urbanisation and Legalisation of Land Holdings (linked to PREZEIS)
3	OP-Participatory Budgeting
4	Sector Councils (Health, Education, Children & Youth, Environment, Culture, etc.)
5	FNRU-National Forum of Urban Reform
6	CDU-Urban Development Council
7	CCU-Consultative Commission of Urbanism (special commission from CDU)
8	COMAM (Council of Environment)
9	PRO-METROPOLE (World Bank, State and Municipal governments)
10	Centro Público de Promoção do Trabalho e Renda (Public Centres to Promote Work & Income)
11	Forum Garbage and Citizenship (Forum Lixo e Cidadania)
12	CONDICA-Municipal Council for Children & Adolescent
13	FRESC- State Coalition of Civil Society Organisations
14	FEETI- State Forum for Eradication of Child Labour
15	RECAECA - State Network to Combat Abuse & Social Exploitation of Children & Adolescent

Recife pioneered in recognising, under certain conditions, the tenure rights of the poor over the land they had occupied informally. A strong and continuous social mobilisation pressed the municipal government to enact a land use ordinance in 1983 in which 30 settlements (out of nearly 300) were recognised and declared as ZEIS or Special Zones of Social Interest. Three years later, 1986, this was further regulated in a broad legislation called PREZEIS with the instalment of a particular forum to manage its funds. Although limited to poor settlements legally defined as ZEIS the forum can be regarded as participatory governance on land in Recife where representatives of government, civil society organisations and representatives of the residents of these ZEIS areas actually meet, prioritise and decide on the use of the available resources in infrastructure improvements, upgrading and land tenure regularisation. As affirmed earlier, this achievement must be accredited to collective movements of residents, NGO's and civil society organisations.

The enactment of a ZEIS by the municipal government does not mean that the settlement in question will automatically be urbanised and legalised. It is an instrument to freeze development on that area and in the first instance it halts gentrification and hinders land speculation thus preventing the gradual eviction of the poor. The enactment paves the way for the start of settlement upgrading initiatives meaning that topographic surveys, mapping, initial layout planning and planning for provision of

basic infrastructure can get started and the area can benefit from public investment derived from the PREZEIS fund. Becoming a ZEIS implies that the residents get the opportunity to claim legal rights on that land via court cases thus neutralising chances of eviction. But this is far from resulting the total regularisation of land tenure.

Box 2: Procedures for land regularisation according to the PREZEIS legislation

The PREZEIS legislation provides the municipal government with two instruments when intervening in an informally and illegally occupied land parcel: the “*usucapion*” or *adverse possession* – *usucapião* – and the “*real right to use concession*” (lease holding or CDRU-*concessão de direito real de uso*). These two instruments were regularised nationally through the “City Statute” legislation enacted as national law 10.257 in July 2001. The “ordinary *usucapion*” allows residents to purchase privately owned land, on parcels smaller than 250 m², on which they have been living for a period not less than 5 years under certain conditions. The CDRU is a concession – in the form of a 50-year land lease contract, provided to those who occupy municipally owned land or land belonging to the Federal government but under concession to the municipality that permits the occupants to remain occupying the land parcel on which they have built their house. The procedures and steps can be outlined as follows:

1. Municipal decision declares the area a ZEIS

After some studies, site visits and technical feasibility analysis, as well as debates with community groups and interested parties, the local government recognises and issues a decree declaring that the land tract/area where the settlement is located becomes a ZEIS. Within the territorial boundaries of the ZEIS, special regulations and norms will be applied.

2. Topographic assessment

Basically, a first step is to carry out a topographic inventory so as to establish the basic cadastre of the occupation and boundaries of land parcels. This results into the urban layout of the spontaneous settlement. Simultaneously, the municipal government is consulted in order to find out whether there is an official and approved settlement plan – urban layout – for the area. In case there is such a plan, a map overlay is carried out in order to compare and disclose which houses are situated in privately owned land parcels and which are situated on streets and public spaces.

3. Land property assessment

A survey is carried out in the registry of the notary office of property registration that aims at discovering the legal owners of the plots where the ZEIS is located. This is to assess whether there are any legal claim over that land.

4. Registration of the Residents

A social survey is carried out among the residents aiming at their identification (profession, civil status, nationality) needed to become beneficiary of settlement and land regularisation programme. Is she/he the

owner of the house? How long has she/he lived in the house/location? All elements like electricity bill, tax bills, etc. are used to prove residence and legitimacy of period of residence.

4. Registration of the Residents

A social survey is carried out among the residents aiming at their identification (profession, civil status, nationality) needed to become beneficiary of settlement and land regularisation programme. Is she/he the owner of the house? How long has she/he lived in the house/location? All elements like electricity bill, tax bills, etc. are used to prove residence and legitimacy of period of residence.

5. Decision on which instrument to use

Provided that eligibility criteria and conditions are met, in case land is privately owned, the instrument is the “usucapion”. If it is public land, the choice is usually CDRU that is formalised in a contract between the resident and the municipality.

6. Eligibility for regularisation

Two main factors are determined to sustain chances of success: proof of land holding and the time that the individual occupant is holding that parcel of land, how long he/she has been living there? Land holding can take many forms and not all can be subject to regularisation. If there is no violence in taking hold of the land, if this is not questioned by the legal owner, or if the occupant has been continuously holding that land – living there uninterruptedly – and if he/she has been acting as a legal owner by building a wall, house, planting trees and maintaining the property in good state. If positive, it is likely that the occupant will have the land parcel regularised and be ratified as his/her property.

7. Court decision

A decision is made on the basis of all documents presented on behalf of the residents, occupants of the settlement (ZEIS) in question. Normally NGO’s take up this task. “Extraordinary usucapion” requires a minimum of 20 years of land holding, peaceful and uninterrupted and without claims by owner. “Ordinary usucapion” requires 10 years in case legal owner lives in the same city and 15 years if he/she is an absent owner living in another city, in both cases when owner has made no legal action to claim restitution. “The constitutional usucapion” – as indicated in the 1988 constitution – considers a minimum of 5 years of land holding, uninterrupted and for exclusive residential use and for plots smaller than 250 m², and occupant cannot be owner of another plot neither in city nor in rural area. The judge decides and determines the notary office of property registration to proceed with registration under the name of the occupant.

Source: Fase-NE et al (1997); Fase-NE (1999); Miranda (2002), fieldwork of author.

3.1 The role of NGO’s

The enactment of a “ZEIS-Special Zone of Social Interest” declares the boundaries and recognises the peculiarities and particularities of low-income settlements paving the way for further improvement, regularisation and legalization of tenure as illustrated in Box 2. It goes without saying

that this does not happen without social and political pressure of the residents and from those who are interested to have the area declared as ZEIS. It requires a certain degree of social mobilisation from residents and their community-based organisation that are usually supported by NGO's. Without the technical, political and capacity building support provided by NGO's it is unlikely that a decision can take place to declare a ZEIS an informally occupied area. Moreover it is doubtful that the PREZEIS can remain operational in its present format without the technical and operational assistance provided by NGO's to community-based organisations. However, the need for NGO assistance has given its toll. It has adversely affected the organisational capacity of NGO's to cope with the increasing demand from both government and community sectors. At this point in time there are already 66 ZEIS (2 additional settlements have submitted a request to become ZEIS but there was no municipal government decision till the date of field survey). The ZEIS settlements vary in size, population, tenure status and location in the city. Boxes 1 illustrated the type of environment found in a ZEIS settlement. There is a discrepancy between the number⁴ of entities capable to provide the technical assistance to the PREZEIS and the magnitude of the work derived from the increase in the number of ZEIS. This has obliged NGO's to define geographic boundaries for their scope of work and subdivide amongst them the territory to focus their development assistance. One can speak of area-based assistance within geographic boundaries for every NGO active in the city. In other words NGO's are focusing their assistance to the ZEIS or few ZEIS situated within the Micro Planning Regions (the same that is applied to the Participatory Budgeting) so that scarce institutional, financial and human resources are optimised. Not mentioning that this allows for continuity and concentrated attention. In that respect the NGO's have come to a very clear agreement that prevents duplication and squandering of resources. In order to formalise this within the Forum PREZEIS, a formal proposal was presented by the "collective of the NGO's" but it was not endorsed and the NGO's started to reconsider the problem in their plan of activities independently and from the Forum.

3.2 The forum PREZEIS and decision making

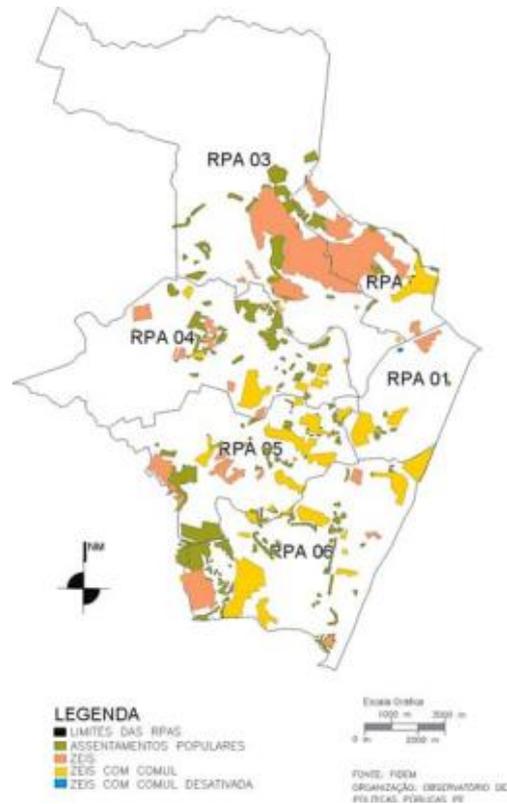
One interesting aspect of the legislation is the management model encompassing different levels of citizen participation in decision-making. Figure 1, illustrates the management structure of the PREZEIS. The Forum PREZEIS is a deliberative channel where government, NGO's and residents shared decisions and define priority areas for fund allocation in the ZEIS settlements. It is divided in the general assembly (the forum), the Comissão de Urbanização e Legalização Fundiária, Commissions for Urbanisation and Legalisation of Land Tenure (COMUL)⁵, the specialised Chambers and the General Coordination. The COMUL's are area-based structures that link local priorities and demands articulated by the residents to the general assembly of PREZEIS (the Forum). As mentioned earlier in

the chapter, the COMUL's are operational arms of the PREZEIS and in fact prepare local plans and priorities and feed-in the decisions to be made by the FORUM. It is through the COMUL's that lay residents actually get involved in the PREZEIS though the plenary sessions of the Forum are open to the public.

More than a decade of experience shows this management model and structure of citizen participation has generated discrepancies. Evidences collected by NGO's and through the interviews undertaken during the process mapping research show that the COMUL's are not always playing the active role that was originally assigned to them. Often local leaders are not keeping residents informed resulting in the COMUL becoming a weak and figurative structure. Moreover the elections of representatives of the areas to take a seat in the Forum often lack the legitimacy and quorum for representation. Some argue that there are community leaders who have become practically permanent members of the FORUM and are continuously elected in doubtful elections. Some argue elections are not sufficiently announced thus residents are not properly informed about them; some elections take place without the required quorum. Altogether results that there is a lack of renovation in local leadership and increasing practices of political "clientelism". It is against this trend that the municipal government took the initiative to start discussing the reform of the PREZEIS. The NGO's have acknowledged the problem and in principle are in favour of restructuring and giving more dynamism to the PREZEIS but the popular movements and CBO's and local representatives reject this idea. This is actually a point of friction that is not resolved yet.

In terms of participation, Table 2 shows clearly that the PREZEIS demands a remarkable amount of time from its participants. The FORUM meets on a monthly basis but if local leaders and representatives who are members of the FORUM are to be informed and fine-tuned with what is being discussed within the COMUL's then one can expect that membership in the PREZEIS can become a full time job in itself. The number of meetings of the COMUL's suggests that participation is likely to impose a toll on residents and those involved in technical assistance like NGO's and technicians of the municipality. Data derived from Table 2 indicates that there are on average more than 100 meetings per month in the COMUL's with at least 3 monthly meetings taking place in each one of the 36 ZEIS that have a COMUL operational

Figure 5: ZEIS and Popular Settlements in Recife, 2003



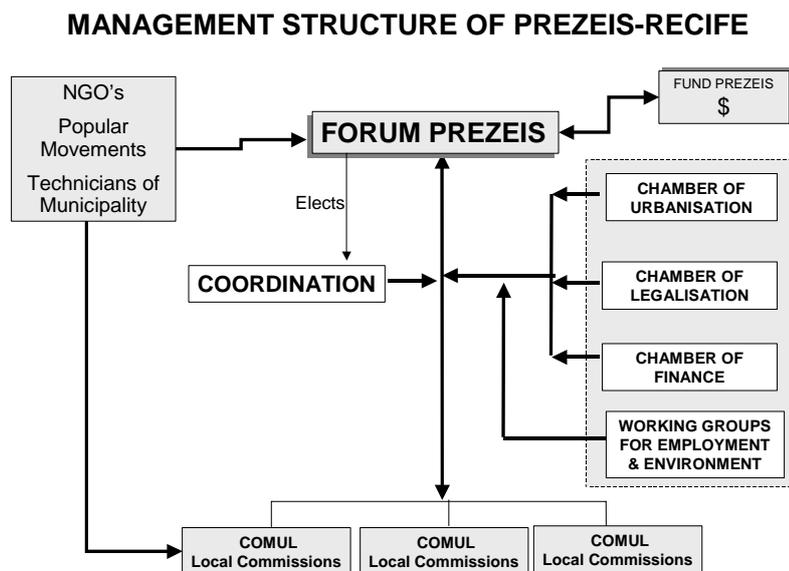
Source: FIDEM, Observatorio Politicas Publicas, 2003

If one considers that the main objective of the PREZEIS is the final land tenure regularisation of all informal settlements (66 ZEIS) where poor families reside it is remarkable and disappointing to conclude that despite all this institutional and participatory efforts the results are meagre in terms of the number of families who had their plots regularised with land title deed issued by the Municipality. The process mapping research disclosed a lot of controversy and contradicting information about the results accomplished by the PREZEIS to date. How many families have actually benefited from the PREZEIS? How many land titles have been issued? How many families have had their residential areas improved by infrastructure and public services derived from the PREZEIS investment plan?

Although an evaluation of the PREZEIS is out of the scope of the process mapping research it is worth to bring light over the results and impacts of the PREZEIS given the fact that this is one of the “oldest”

channel of participation existing in Recife. A document of the Chamber of Legalisation dated from 1995 assessed the situation in 30 ZEIS settlements and disclosed that there was an on-going process of tenure regularisation in 6 different ZEIS that involved 2,719 families (FASE et al, 1997). Another document issued by the municipal government, URB shows that infrastructure works were carried out in 21 different ZEIS benefiting 195,652 inhabitants (FASE et al, 1997). This is in addition to the formulation of the basic documentation for legalisation of land tenure in 9 ZEIS settlements involving a population of 97,436 inhabitants. Interviews carried out in Recife showed that 400 families have received the land property titles.

Figure 6: Diagram of the PREZEIS Structure



Source: FASE, 2003

Table 2: Total Number of Plenary Sessions and Meetings in the PREZEIS

Activities	2001 Jan – Dec	2002 Jan – Oct	Total
1. Plenary Session Forum PREZEIS	16	10	26
2. Chamber of Urbanisation	38	29	67
3. Chamber of Legalisation	20	15	35
4. Working Group PREZEIS	16	10	26
5. Working Group Sanitation	05	10	15
6. Working Group Work & Income	21	12	33
7. Working Group Environment	24	24	48
8. COMUL	1,259	1,400	2,659
TOTAL	1,399	1,610	2,808

Source: URB, 2002.

The intricate regulatory framework regulating land property registration can be accounted as the major cause for the limited results of the PREZEIS. This is illustrated in Figure 2 that depicts the work of the SJP, a NGO providing legal assistance to residents living in the ZEIS settlements. The process mapping research reveals that cumbersome procedures within the local government, particularly within URB, cannot be disregarded when assessing the PREZEIS results. There are long-winded procedures to formulate and approve the urbanisation plan that includes settlement plans, topography, infrastructure layout, etc. and last but not least time-consuming processes to resolve disputes over land ownership. Consequently, there is little progress in land tenure regularisation in the PREZEIS which explains the choice made by NGO's in favour of legal actions to safeguard collective ownership via "usucapião coletivo" that is now regulated by the Statute of the City legislation.

4 Land tenure regularisation and the role of NGO'S

There is little doubt about the pioneering opportunity that the PREZEIS offers to low income residents living in some 500 poor informal settlements situated in various parts of Recife to claim rights over the land where they built their houses and actually begin with property regularisation and formalisation of their settlements. Nevertheless, neither the government nor the residents



Photograph: Community-Gov Meeting at Chico Mendes (Photo: C. Acioly Jr., 2003)

alone would be able to make it work without the assistance of NGO's. The process is complex, lengthy, and costly and demands full engagement and a great deal of knowledge of the legal, regulatory and institutional frameworks. This makes the role and responsibilities of NGO's even more relevant.

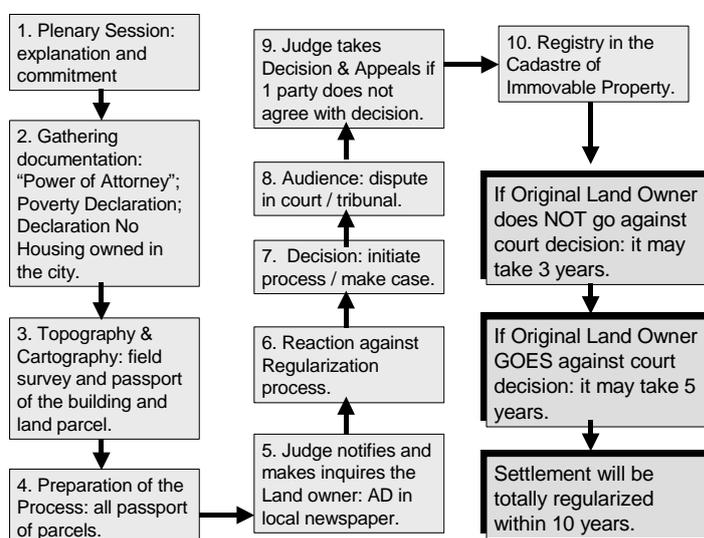
The NGO's of Recife have a very similar approach towards the PREZEIS and the poor communities living in informal settlements in the city. NGO's get involved in community building via their own capacity building programmes and leadership development activities that involves but not limited to strengthening the community-based organisation, organising meetings, mobilising the residents, organising petitions and social mobilisation, etc. But NGO's also get deeply involved in the legal and technical assistance in preparing the upgrading plan, preparing a court case and defence strategy in case of threat of eviction, developing awareness campaign about legal rights and the regulatory frameworks, etc. In order to better illustrate their role, this chapter looks more in detail at the work of a NGO that has been involved in defending the rights of the poor in Recife for more than 13 years, Serviço Justiça e Paz, hereafter referred to as SJP. See Figure 2 for a summary.

One comes to the conclusion that the type of assistance provided to residents living in a situation of social exclusion and under the continuous threat of eviction requires a multi-sector and multi-disciplinary approach. The SJP has built a considerable experience in safeguarding the interests and needs of poor communities excluded from their right to a decent housing. SJP gets involved in local processes of social mobilisation providing technical and political support to resident's associations and local leadership. SJP pursues broad-based citizen participation and stimulates residents to actively participate in the COMUL's (Commissions of Legalisation and Urbanisation of the PREZEIS) but also in the activities and meetings organised in their own settlements, plenary sessions to support collective decisions and course of actions, capacity building seminars and workshops. The social, political and legal context has a

strong influence on the methodology and action and may determine the kind of social mobilisation instruments best suit the momentum. Figure 2 summarises the steps of the process.

The staff of SJP, the great majority are lawyers, gets involved in the formulation of agenda of meetings and in the development of strategies in close cooperation with the local leadership and residents' associations as required by the type and scope of the problems at stake. They attend the leadership meetings and are present at plenary sessions and are ready to respond to inquiries providing prompt explanations on institutional, legal and political procedures. They play a dual role in translating laws and institutional and political complexities to a common language understood by lay citizens. At the same time SJP plays a capacity building role, increasing knowledge and awareness among the residents about the current legal and institutional frameworks governing the land regularisation processes. Thus training events, workshops and transfer of knowledge is an inseparable part of the technical assistance package provided by a NGO. Furthermore, SJP sits next to local leaders and formal representatives of the settlements whenever an audience with the government or any public authority is arranged. SJP is always standing next to residents and their representatives, acting on their behalf in a court case of any kind related to land and housing rights issues.

Figure 7: Legal Steps and Procedures to Regularise Land Occupation in Recife



Source: SJP, 2003

In the beginning SJP concentrated its work on safeguarding the rights of individuals and communities (legal action in court to gain property rights

or get a court decision against threat of evictions), illustrating a very typical lawyers work in line with the tradition inherited from its predecessor the Commission of Justice and Peace of the Catholic Church. As the work evolved and gained magnitude SJP extrapolated the mere domain of safeguarding rights by assuming a much more active role in counselling and proposing forms of rights (formulation and legal action in court) thus building its own identity and work style as a NGO. Thus there is a clear shift from a reactive to a pro-active approach in relation to residents living under threat of eviction and who are confronted with the problem of informal settlements built on privately or publicly owned land. SJP acts and brings forward propositions for “usucapion” and “special concessions” for the purpose of guaranteeing access to housing by the poor. In fact, SJP pioneered the use of the collective “usucapion” which is a sort of horizontal condominium principle where all residents are awarded a parcel right on the land where their settlement is built without further defining exactly the individual boundaries of each individual plot. This proposition was brought forward in Recife before it was actually regulated by the 2001 federal legislation known as the City Statute.

The steps undertaken by SJP in a situation that involves occupation of privately owned land, as illustrated in Figure 2, depicts the complexity and length of the process. The figure gives evidences that there is a need for a continuous assistance and work in various fronts showing what it is expected from “advisors” of community-based organisations. This reinforces the need for an organisation like a NGO that can assist residents of informal settlements who face the threat of eviction and/or are in the brink of a legal conflict that may take away any of their rights they may have on the land. A relation of trust needs to evolve in the first place. A convicted development mentality is a must. Flexibility, time and resources to keep the process going are sine-qua-non conditions for success. One must be aware that in order to initiate a court case to gain land property rights, every head of household and his/her spouse must sign a power of attorney delegating authority to the NGO lawyers. In addition, the “passport” of every individual parcel/shack/house, a kind of A4 cadastre position of the individual construction and the parcel wherein it is built, must be prepared and attached to the documentation. One can imagine the size of the documentation for a settlement of 500 residential units.

Throughout these steps, the NGO as well as the local leaders are fully engaged and often the residents are called to pursue protest marches and public demonstrations that make use of all means e.g. sound equipment, banners, trucks, etc. that can show their unequivocal objection against the long-winded juridical processes of the Ministry of Justice. This is one of their tactics to get the process and decisions going a bit faster than it would be under the current chain of red tapes. Finally, if there is no dispute with the legal owner, it is possible that a court decision is reached within 3 years. In case there is objection and appeals, it can go up to 5 years. Under the current conditions the settlement will be fully regularised in not less than 10 years.

According to SJP, at times the recognition of some informal settlements and their transformation in ZEIS thereafter, as prescribed in the PREZEIS legislation, was propelled by the political interest of the mayor and not by social mobilisation and direct interest of the residents. Consequently, residents tended to take for granted the “land rights” that was awarded to them without the need for social mobilisation. This fact illustrates one of the facets of political ‘clientelism’. Therefore, SJP gave priority for its works on settlements where some kind of social mobilisation and local leadership were in place and where the threat of eviction was a real one. This was as part of SJP strategy to:

- Impede the eviction of families as a result of a legal conflict (like in the settlements of Iraque, Chico Mendes, Rosa Selvagem, Coqueiral, Vila Felicidade)
- Launch a process of land regularisation and strengthening of local social political organisation (like in the settlement of Caranguejo-Tabaiaras)

SPJ, in an attempt to quantify its results, acknowledges that the on-going processes have resulted into the recognition of land rights of inhabitants of informal settlements benefiting more than 30,000 people. Nevertheless it acknowledges that the regularisation process is lengthy and cumbersome. Although the threat of eviction has been halted by court cases and legal actions, legal success, it is not so evident that SJP has accomplished social development goals, development success, resulting into more awareness and active citizenship in these poor settlements. SPJ has not measured the impact of its assistance and direct involvement in the social and political developments in these settlements. The impact of SJP work is that the residents and families of these areas got organised and socially and politically mobilized towards a common goal, transform their settlement into ZEIS, and at the same time residents learned about the legal and regulatory frameworks governing the land tenure matters in Recife and have understood their rights and obligations, they visited other ZEIS and experienced the channel of participation PREZEIS. Last but not least, residents carried out public demonstrations and demanded the designation of their settlement into a ZEIS through public petitions. SPJ claims that its technical and development assistance has helped to realise some of the targets of the Urban Reform since its actions have resulted into the alteration of the current land use regulation and zoning ordinance in the city. Densities were increased in some vacant land and further occupation of existing land provided housing opportunities for hundreds and even thousands of low-income families.

5 Conclusions

One of the main objectives of the process mapping research in Recife was to unveil channels of participation through which civil society organisations and government engage in policy debates. And also to assess to which extent citizen participation leads (or not) to pro-poor urban and

land policies that ultimately facilitates access of low income families to land, housing and basic urban services. Although this chapter focuses on the PREZEIS experience regarded as a participatory land management sphere, the process mapping research reveals that Recife has a remarkable number of channels of broad-based participation. Those citizens and stakeholders involved in these spheres of government-citizen policy dialogues, who were interviewed by the research, report their conviction that their involvement is relevant and despite the disputes on the allocation of scarce public fund and the often prevailing position taken by the municipal government and its representatives it also results in more equitable policies. Additionally, participants report that there is a learning component derived from negotiations involving public-community-private stakeholders mediation resulting in capacity building that, in the eyes of the NGO's, lead to significant improvement in the quality of participation and content of the inputs from community representatives.

There are more than 20 different fora and councils where civil society represents itself in various forms and scope amongst them the Participatory Budgeting Council, the Forum PREZEIS and 10 sector councils that have an impact on the city and its development. A progressive municipal administration governing the city that promotes participatory development creates a breeding ground for citizen participation and overall stakeholders involvement. This undoubtedly results into pro-poor policies, in various sectors, that intend to reverse social exclusion and poverty in Recife. It is also remarkable to note that in the majority of the cases this participation takes place on a voluntary basis.

The research unveils that participation poses an enormous load on the various actors. It demands additional time, energy and resources from citizens and government representatives. Not mentioning the effort in coordination, institutional management, and reporting and logistic support from the public sector that are necessary to make it work. Additionally there is also a paramount of legislation and internal regulations that binds and constrains the actions of local government officials and puts public sector efficiency at stake. Altogether makes civil society participation a costly and time-consuming operation. Furthermore, the amount of meetings and dislocations that representatives of the population are compelled to suggests that they pay high price for their participation since it restricts the time available for income generation. Although this is out of the scope of the process mapping research it would be interesting to speculate and translate this participation effort into cost & benefit results for all the participants involved. We would be able to assess the benefits of participation vis-à-vis its costs.

There is a myriad of laws governing the operation of the public sector and regulating what the municipal government is able to do. This is often not fully understood by those involved and surprisingly by those in charge of dialogue with the citizenry. The boundaries of public sector activities is also not known by citizens and at times even by those working for NGO's, a fact that creates different expectations and different institutional timing

when decisions need to be made and resources have to be allocated. This is not different in the PREZEIS.

This disparity in time, procedures and processes of decision-making between the various stages and stakeholders involved in the PREZEIS has become obvious. For example, once an informal area is declared ZEIS and COMUL's are established, there must be a settlement-upgrading plan prepared before any procedure for land tenure regularisation can start. This is a fundamental condition. Getting the plan ready may take more than 6 months but there is no guarantee that the plan will actually be executed. At times the plan is designed and prepared by NGO's but often it is done within the municipal government sphere (URB Company). The spontaneous (or unplanned) character of land occupation in most informal areas of Recife implies high costs in the relocation of houses and families for making the pathways for roads and infrastructure. This represents a typical and critical impediment and results in plans never actually making out of the drawing table remaining as wishful thinking of planners and architects herein called as the "fallacy of the planner". This is illustrated in Figures 8 and 9.

The urban plan must go through different phases and steps that consume valuable time and financial resources:

- Field survey to map the existing physical situation including housing, plots, obstacles, etc.
- Topographic survey and mapping, taking at least 2 months, to get the right cadastral information
- Social and Economic survey to determine the number of families living in the area, where they live and their family situation
- The population must have set local priority with the COMUL and the PREZEIS Forum must have allocated resources to finance the works in the area and a number of meetings must take place to legitimise decisions
- URB company must hire a firm if there is already a framework contract; otherwise it must prepare a public tendering documentation and make it public. This requires the preparation of a budget outline for the project before it goes public and contenders can place their bidding proposal. Only the tendering procedure can consume 45 days and only once the result is known the company with the best and cheapest proposal can be hired
- Once this is accomplished there is an agreed timetable to execute the works. But if there are obstacles hindering implementation and there is a need for unforeseen relocations it maybe that only part of the plan can be realized resulting in the contract to be reviewed
- This may cause that there is a need to reformulate the tendering so as to define exactly what is to be executed

It is obvious that this internal process of URB, the municipal agency in charge of the PREZEIS, does not match the participation process and the interface with the community.

All in all, the process to have a plan made, approved and executed is time consuming and cumbersome. It is hard to imagine that a commercial firm or a NGO can cope with the costs implicit in this peculiar project cycle. On one hand, firms and NGO's are impelled to flexibility required from the direct involvement of the population and the continuity of on-site actions simultaneous to project and plan formulation activities and project implementation. On the other hand, the public sector is bound to fixed and constraining procedures that leave little room for flexibility.

Figure 8: ZEIS area showing conflict between plan and informal occupation



Source: Melo et al., 2001

Figure 9: ZEIS area showing the boundary where security of tenure has been acquired and the conflict between plan and reality



Source: PREZEIS/SEPLAM. Observatorio, 2003

Consequently, the performance of PREZEIS in actual plan implementation is rather poor and the legalisation and regularisation of land tenure in more than 15 years of existence is even more disappointing despite the fact that there has been more than 20 upgrading plans prepared for various ZEIS and a range of infrastructure improvement actions have been carried out on an annual basis focusing on improvement in supply of water supply, drainage, access and roads, community facilities, etc.

The PREZEIS was designed to safeguard the rights of poor residents of informal settlements and create the basic conditions for them to remain living in the city through urbanisation and legalization of tenure. But residents of informal settlements have to deal with two major restraining forces against the upgrading and regularisation of their settlements. One is the market forces that determine the formation of land prices in different locations of the city and that turn ZEIS areas in attractive real estate development potentials creating pressure over the properties of poor families. PREZEIS has created an artificial mechanism to go against displacement processes and prevent market forces and speculative mechanisms to operate freely and “evict” the poor from these areas. The legislation hampers excessive floor area ratio in construction, establishes

maximum lot sizes of 250 m² and rules out the merging of plots. This is a clear disincentive for developers and real estate investors but not sufficient to believe that speculation and displacement of original residents will not take place.

The other is the legal force that gains shape in court procedures and juridical steps undertaken by landowners who aimed at the repossession of their land parcels. The process mapping research reveals that many NGO's provide direct juridical and legal assistance to CBO's and individual residents of ZEIS settlements as part of their own developmental programmes in the city. This is more prominent in the work agenda of CENDHEC⁶ (Dom Helder Câmara Centre of Studies and Social Action) and SJP. This type of assistance is more than evident in the settlements that are eligible for the interventions of the PREZEIS. In general NGO assistance has been instrumental in safeguarding the rights of residents of informal settlements helping to consolidate many low-income settlements that were confronted with the threat of eviction like the favelas of Iraq, Chico Mendes, Rosa Selvagem, etc. The actual transformation of ZEIS and court procedures to stop eviction can be accredited to NGO's. In fact one must acknowledge that several thousands of families have actually benefited from NGO assistance in Recife and live today in a number of popular land strongholds where land prices would make them prohibitive for poor families. The legal procedure makes use of instruments like "collective uso-capion" that helps in coining court decisions that acknowledges the existence of collective rights over the land tract where the settlement is built thus assuring the permanence of the inhabitants within the physical boundaries of the settlement determined by law. So, poor residents remain where they are and at times in very prestigious locations thanks to juridical actions. But because this is not directly linked to an urbanisation plan there is sufficient reason to believe that residents run the risk to be placed in a situation of perpetual precariousness herein called as the "fallacy of the jurist".

If the ultimate goal of the PREZEIS is to improve the living conditions and quality of life of low income families living in informal settlements in the Recife, one come to the conclusion that neither the "fallacy of the planner" nor the "fallacy of the jurist" seem to provide answers to this quest. The positive aspect is that low-income families are given the access to the city through legal actions and plans are prepare to reverse the precarious situations where they live. The opportunities that exist in the PREZEIS for participation in decision-making that affects the development process and improvement in infrastructure in their residential areas may change this stalemate but that will require a continuous state of social mobilisation.

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7 Notes

¹This article draws from Acioly (2004) “Process Mapping: Disclosing Actors and Citizen Participation in Recife”, a report prepared for CORDAID within the framework of a global survey in different cities coordinated by the author.

²Zona Especial de Interesse Social. Legal delimitation of an urban area informally occupied by poor families, characterised by poverty, inadequate infrastructure, according to the PREZEIS law.

³Plan for the Regularisation of Special Zones of Social Interests, a legislation enacted in 1987 that established a management system to support urban rehabilitation, upgrading and land tenure regularisation of informal settlements in Recife. It creates a process of participation and shared decision-making on the allocation of a special fund to be used for settlement upgrading and regularisation issues.

⁴There are 6 NGO’s considered as urban NGO’s involved directly with the PREZEIS: FASE, ETAPAS, EQUIPE, CENDHEC, SJP, Centro Luis Freire, the latter based in Olinda.

⁵Comissão de Urbanização e Legalização Fundiária, Commissions for Urbanisation and Legalisation of Land Tenure.

⁶CEHNDHEC stands for Dom Helder Câmara Centre of Studies and Social Action, a NGO based in Recife

6: NGO's and Emergent Civil Society Participation; Yaounde, Cameroon

Reinhard Skinner

1 Introduction

There is little history of popular participation in urban management in Cameroon. It seems therefore that recent legislation to establish such mechanisms offer a great opportunity to stakeholders in general and to the poor in particular. The present study looks at this legislation and finds that the opportunities are less than might be expected, at least within present circumstances. These comprise a central government which is reluctant to cede its traditional powers and a state that is in any case too weak to implement the processes even should it prove itself fully committed towards them. Civil society actors also currently lack the strength to take up the call for participation effectively and the capacity to participate where opportunities exist.

As is found in some of the other studies in this volume the role, real or potential, of NGO's is an important one. They are well placed to influence the extent to which civil society takes up a role in urban management. They have the potential to train and build capacity but also to lobby and pursue advocacy.

The present chapter analyses the potential for participatory urban management in Yaounde, and the extent to which it already exists. The role of the urban poor is given particular attention. It is expected that this analysis will be applicable to other major urban areas in Cameroon.

2 Methodology

The methodology used in Yaounde followed the same guidelines as the other studies in this book. However, some specific features are useful to mention.

The data was collected during two visits to the city in May-June and November 2004 in a total period of approximately one month. Particular activities carried out during this time were as follows:

- Holding of two workshops with representatives of Cordaid partner NGO's in Yaounde. The purpose of the first was to explain the objectives of the mission and to obtain their ideas on stakeholder participation taking place in the city. In the second the main preliminary findings of the two missions were discussed and feedback obtained.
- Meetings with five individual partner NGO's, namely ASSEJA, BASC, CIPRE, CAFER and INADES and eight non-partners NGO's mostly working in relevant fields (CANADEL, SERCAADE, ERA Cameroun,

ASSOAL, SAILD, CAMNAFAW, CIPCRE, and CREDDA). Two international NGO's were also visited: the Dutch SNV and the French volunteer association AFVP.

- Meetings with donor agencies (French Cooperation, GTZ, European Union and UNDP) as well as the EU co-financed FOURMI II and PACDDU programmes and the French funded PADUDY project.
- Field visits to participatory urban improvement activities being carried by ERA-Cameroun in three neighbourhoods (*quartiers*), CAFER in Okolo III neighbourhood, ASSOAL in four poor neighbourhoods, as well as the participatory governance research project being carried out by the CIDIN (Nijmegen University) research team sponsored by Cordaid. The last of these took the form of a workshop with students of the University of Yaoundé II.
- Meetings with four representatives of the public sector at national level (the coordinators of the Local Governance and City Consultation Programmes) and city level (the Mayor of Yaounde II District and the Director of Technical Services at the Municipality of Yaounde).
- Interviews with two representatives of the private sector, the association GICAM and the PMUC company as well as with the state-sponsored Cameroon Chamber of Commerce.
 - In addition extensive internet searches were carried out during the course of report writing.

3 Content

The present chapter follows the same format as the others in this volume though the emphasis given sometimes differs. After an explanation of the methodology used to obtain data the chapter presents an introduction to Yaounde, including the legal framework for urban management in Cameroon and the place of stakeholder participation within it are examined. It is shown that the latter is historically weak and provides a meagre legacy for current participatory efforts.

An analysis is made of the main actors in urban development: central and local government, non-governmental organisations (NGO's), community based organisations (CBO's), the private sector and donors (mainly French technical cooperation and the European Union). It is found that some of the relations which exist between these actors are weak although all are active independently.

Particular attention is given to NGO's and their networks as well as consideration of the possibility of future collaboration between them.

Four major programmes offer significant scope for citizen participation and these are presented here. They are the Poverty Reduction Strategy, the Highly Indebted Poor Countries Initiative (PPTE as it is usually known in its French acronym), the French bilateral equivalent, the C2D (the Debt Relief-Development Contract) and city consultations. The difficulties that all four have encountered are then identified.

The chapter does not ignore the various obstacles which beset participatory projects worldwide and with which Cameroon will probably have to cope if its own participatory processes are expanded. These include lack of citizen information, capacity and experience in local government, political commitment, and the representativity of participatory organs. The purpose of this analysis is to identify the kinds of support which NGO's could offer to participatory processes and corresponding actors.

The chapter ends with a consideration of priority policy issues for the poor in Yaounde and makes some suggestions how these might be addressed.

4 Introduction to Yaounde

(Most of the information on urban poverty used here was drawn from the following sources:

www.worldbank.org/files/Cameroon_-_PRSPI.pdf;
www.worldbank.org/files/Cameroon_-_PRSPI.pdf, IMF (2004), World Bank (2002).)

Cameroon has a population of 15 million of whom 1.1 million live in Yaounde (World Bank, 2002, 27; www.camnet.cm). The city is growing by 6 per cent per year (WB, 2002: 5).

In a manner similar to many other developing countries Cameroon's urban growth has been largely fuelled by rural-urban migration. This started in a significant way in the 1960's when the economy was growing strongly and migrants came to seek relatively well-paid employment and the opportunity to enjoy modern services.

During the early 1980's Cameroon was again enjoying a period of considerable prosperity. However, in 1986 the economy began to decline once more: growth stopped, oil prices dropped, exports of farm produce fell and unemployment rose rapidly. Public finances were also exhausted and external debt rose steeply so that the Government could no longer meet its commitments. (www.worldbank.org/urban/upgrading/cameroon.html). Cameroon did not start to emerge from the recession until around 1996. Today the economy is relatively healthy and it is expected that current economic growth of 4.1 per cent will continue due in large part to the opening of the Chad-Cameroon oil pipeline at the end of 2004.

Urban poverty, at 22 per cent, is well below that found in rural areas where it is approximately 50 per cent. Douala and Yaounde account for 20 per cent of the country's total population but less than 12 per cent of the country's poor. However, 40 per cent of urban informal sector workers and, unsurprisingly, the unemployed, fall below the poverty line and the gap between the poor and the non-poor is more pronounced in the cities than in the countryside.

While income poverty in Cameroon is high, with over 40 per cent of the total population affected in 2001, according to household surveys undertaken by the Government, this represents a significant improvement over the 1996 level of 53 per cent. Economic growth did not, however,

result in greater equality. The same surveys analysed income distribution and found that there was little narrowing of inequalities in the same period. (IMF, 2004)

At the time of the preparation of the final draft of the Poverty Reduction Strategy Paper (PRSP) in 2003 some of the most pressing problems associated with urban poverty were squatting, health hazards, unemployment and a rise in levels of serious crime. The Government prepared an integrated urban development strategy to address these problems and a study initiated which was aimed at preparing a national housing policy. Similarly, to address the problems of social exclusion and discrimination, which had been signalled in the participatory consultations for the PRSP as contributory causes of poverty, the Government aimed to produce a social development strategy. At the time the research was undertaken for this chapter none of these had yet been implemented.

Some social aspects of poverty merit mention. First, regarding the gender gap, the incidence of poverty amongst women-headed households is slightly lower than that for those headed by men (38.7 per cent compared with 40.6 per cent). However, adult literacy amongst women is only approximately 60 per cent compared to men's 77 per cent.



Road levelling and drainage projects, ERA -Cameroun in Yaounde VI (2004) Photo by R. Skinner

Second, stakeholders who were invited to participate in the preparation of the PRSP identified poverty very much in social terms and did not see it as uniquely income related. In two rounds of participatory consultations held nationally between March and April 2000 (involving some 10,000 people drawn widely from civil society as a whole) and January 2002 (about 6,000 participants) a range of factors constituting poverty were identified. These included the 'collapse of morals' (such as delinquency and prostitution), the loss of self-esteem and social standing, living with crime and unsanitary conditions, and the inability to seek justice, enforce rights and to avoid everyday abuses. Similarly, social failures were seen as important, such as the decline of family or community solidarity, the lack of public spirit, the resurgence of tribalism, social prejudices, HIV/AIDS, and premature maternity. Bad governance was also cited: corruption, diversion of public funds, impunity, exorbitant charges for public services and the failure to decentralise were given as factors contributing to the unfair

distribution of growth and the persistence of poverty. Amongst the more material factors cited as contributing to poverty were insufficient public health spending, safe drinking water, transportation and energy services. (IMF, 2004)

According to the 1996 Constitution Cameroon is a *decentralised* unitary state (Article 1.2). However, in practice, it remains centralised and legislation to implement decentralisation was only enacted in July 2004.

There are four different tiers of government: central, regional (*préfecture*), sub-regional (*sous-préfecture*), municipal (*communauté urbaine* and its sub-divisions, variously known as *communes*, *arrondissements* and *mairies*). The neighbourhoods (*quartiers*) are smaller areas within the *communes* without an official representative structure but which often has representative community based organisations.

The Municipality of Yaounde is broken down into six *communes* each of which governs numerous neighbourhoods. The decentralisation law attributes powers to communes throughout Cameroon but in the cases of some urban agglomerations the President can decree them as a *communauté urbaine*. They then assume all the responsibilities the *commune* would have had and the powers of the latter seem to be eliminated. It remains to be seen how the functions of these communes will be defined.

Of most interest to us is the Municipality or *Communauté Urbaine* of Yaounde, which was created in 1987. This administration is headed by a Presidential appointee who exercises executive power and a Council comprising the mayors and five councillors from each of the six *communes* (Articles 112 and 121, Law 2004/018, Cameroon, 2004b). Councillors were elected in multi-party elections for the first time in 1996. The Council's precise role vis-à-vis higher levels of authority is not provided in any legislation and remains unclear. At city level, however, it is responsible for city wide services though even here it is not always clear whether responsibility is central or municipal.

The decentralisation law of 2004 transferred various competencies from central to local governments in Cameroon. In Yaounde the main powers are granted to the *Communauté Urbaine*, or Metropolitan Authority. These include responsibility for drinking water provision, public spaces and green areas, refuse disposal, street lighting, settlement upgrading, provision of health centres and primary schooling (Cameroon 2004a, articles 15-20).

5 Channels of citizen participation

Apart from decentralisation and universal suffrage there is no legislation which enshrines the citizen's right to participate in government. However, in recent years four significant processes have been initiated by central government, which gives legitimacy to the notion of grassroots participation.

The first is the **city consultation process**, following the well-known methodology developed by the Urban Management Programme of the

United Nations Human Settlements Programme (Until 2001 known as the United Nations Centre for Human Settlements (Habitat)). Phase I of the Cameroon city consultations took place in 2003 in the cities of Yaoundé (specifically the sub-municipality of Yaoundé VI), Bertoua and Limbé. They involved holding a broadly based workshop of stakeholders to carry out a needs analysis, prioritisation of these needs and the drawing up of an action plan. The results of the workshops would contribute to a National Urban Strategy to be drawn up by the Ministry of Towns (*Minville*). During 2004 a start was made on extending coverage to an additional 20 cities.

The second significant process is that which led to the writing of the **Poverty Reduction Strategy Paper (PRSP)**. This drew on inputs from a wide range of stakeholders, including community-based organisations during consultations held throughout the country between January - April 2000 and again in December 2002 (IMF, 2003: 19-21, 133-134). The PRSP is to be monitored by a Technical Monitoring and Evaluation Committee established by Prime Ministerial decree in September 2003, in which civil society, including NGO's, is represented.

The third process is the one establishing the **Highly Indebted Poor Countries Initiative (PPTe: Pays Pauvres Très Endettés)** in Cameroon. The country became eligible for the HIPC initiative in June 2000. After meeting certain conditions (such as the satisfactory implementation of the PRSP for at least one year) HIPC started in Cameroon in April 2003. Under the HIPC Cameroon will receive relief from official multilateral debt to the value of 830 billion Francs CFA (approximately 1.27 billion euros) over a period of 15 years. The relief is conditional on the Cameroonian government utilising it for poverty reduction.

A Consultative Monitoring Committee was established in December 2000 as a form of participatory monitoring of the HIPC. Its 19 members represent government (7 members), bilateral and multilateral donors and creditors (5) and civil society and private sector organisations (7). It is responsible, amongst other things, for ensuring transparency and participation in the management of HIPC funds.

Civil society representation comprises one member each from the Catholic, Protestant and Muslim faiths, two NGO's, a representative from the micro-finance sector and the Secretary-General of GICAM (the association of private companies) on behalf of the private sector. Universities, professional associations, CBO's and labour representatives (i.e. those closest to the poor beneficiaries) are not included.

It has been suggested that the omission of CBO's reflects the Government's unwillingness to allow broad participation, on the one hand, and its belief that grassroots organisations are insufficiently qualified to participate in this type of decision making.

The last of the four significant processes is that of the **Debt Relief - Development Contract: C2D (Contrat Désendettement- Développement)**, which is the substantial French complement to the HIPC Initiative for Cameroon. At the time of the research the agreement had not yet been signed with the Cameroonian government but was intended to be worth

CFA Francs 656 billion (1 billion euros) over a period of twenty years. The C2D funds are mainly intended for use in social development (including primary health and basic education), urban development and rural development.

5.1 Main actors

In Yaounde there are six main actors we should consider: central government, municipal governments (both the *Communauté Urbaine* and the six sub-municipalities), community-based organisations, NGO's, the private (business) sector and donors.

5.1.1 Central government

The principal role of central government is to define the institutional framework, which delimits the areas and scope of citizen participation, the most important recent example of this being the legislation on decentralisation mentioned above. The main government departments working in the area of urban management and poverty reduction, together with their most salient responsibilities, are the following.

The Ministry of Urban Development and Housing (*MINUH: Ministère de l'Urbanisme et de l'Habitat*) implements the Government's policy on town planning and housing in towns with populations of less than 100,000. For towns and cities of over 100,000 inhabitants the Ministry of Towns (*Minville: Ministère de la Ville*) is responsible. Its mandate includes: development and upgrading of towns; sanitation and drainage; social development; public health and welfare and supervision of waste collection and treatment; vocational and social integration of young people 'in difficulty', and administration of roads (World Bank, 2002). It also provides national coordination for the city consultation processes referred to earlier which are supported by UNDP/Habitat.

In the field of poverty reduction the Ministry of Social Affairs (*MINAS: Ministère des Affaires Sociales*) implements the government's social policies in such areas as child welfare, the family and social inclusion.

The Ministry of Economic Affairs, Programming and Physical Development - MINEPAT (*Ministère des Affaires Economiques, de la Programmation et de l'Aménagement du Territoire*) is responsible for organising the provincial commissions for the participatory monitoring of the PPTE and coordinates the PRSP monitoring at national level. It is one of the seven ministries representing government on the national PPTE monitoring committee, which is chaired by the Ministry Of Finance.

5.1.2 Local government

The trend towards partnerships between local governments and NGO's which can be detected in many developing countries is also to be founding in Yaounde but in an ad hoc, unsystematic way. The absence of

institutionalised participatory mechanisms means that this kind of collaboration cannot be guaranteed and will depend on the mayor who is in office at a particular time. The current Mayor of Yaoundé VI is, however, one example, receiving technical assistance from the NGO ERA-Cameroun. This includes the promotion of participatory planning among residents and the coordination of public works. Residents contribute 10 per cent of the costs (typically 1,000 - 2,000 CFA per month) in addition to community labour inputs (In June 2004 the Central African Franc (CFA) was exchanged against the Euro at a rate of approximately 655. Thus, monthly family contributions were in the range of 1.5 to 3 euros.). This role is unfortunately uncommon for NGO's in Yaoundé.

5.1.3 Community based organisations (CBO's)

Several of the NGO's researched are working with CBO's to strengthen their capacities. For example, CIPRE undertakes participatory planning with communities in which it works and CAFER works in the poor neighbourhood of Okolo III where participatory planning at grassroots level is being carried out.

However, some of the NGO's reported that the poor were suspicious of the motives of those promoting mobilisation, which are assumed to be political. When they do participate there is mistrust of other members of the neighbourhood and participation is limited to work in small groups; it does not extend to the whole community and certainly not across communities. One respondent was of the opinion that there is stronger cooperation in Anglophone areas of Cameroon than in Francophone. Another identified obstacles in heterogeneous migrant populations, principally in the form of ethnic differences.

Nevertheless, associations do exist in the neighbourhoods, both those founded on an ethnic basis and those which are mixed. Examples are youth and women's associations and those which provide social services such as assistance with funerals and in times of illness.

In addition there are development committees though they tend to be formed around a single issue, e.g. road improvement or access to drinking water, which dissolve once the problem has been dealt with. (In Cameroon CBO's are often called GIC's, or *groupements d'initiative commune*: community-based initiative groups). However, some committees are of longer standing and it should be noted that some NGO's, such as CAFER and ASSOAL, are attempting to promote more permanent development organisations through their capacity building workshops.

Unsurprisingly, NGO's and CBO's provide the most common example of collaboration between stakeholders. NGO's are dealt with in section 7.

5.1.4 The private sector

There at least three examples of valuable private sector participation in social development. The first is GICAM (*Groupement Interpatronal de*

Cameroun : Cameroon Employers' Group) which is a private sector association of companies and professional associations. While it is principally concerned with promoting the interests of its members it also plays a social role in sectors which are in some way related to business. For example, while it would not work with street children it is involved in employment creation projects and in combating HIV/AIDS. The latter it does in collaboration with the International Labour Office (ILO) as part of a programme to help companies draw up plans to prevent HIV infection among their workers. At the time of the research it had plans to establish a social fund to contribute to these efforts as well as for construction in the social sector (e.g. roads, schools and hospitals).

The Guinness Community Fund, established in November 2003 by the eponymous brewery also plays a social role. During its first year the Fund contributed the equivalent of approximately €230,000 to projects in urban and rural areas throughout the country. Urban projects are focused on infrastructure improvements (e.g. water, electricity), sports facilities, and community and cultural centres. The Fund continued into 2005 (Cameroon Tribune, 19 November 2004, 30) though it is not guaranteed that it will continue in the future.

Another PMUC (*Pari Mutuel Urbain Camerounais*: the Cameroon Urban Tote) manages a Solidarity Fund for poverty reduction purposes. The company is obliged by contract with the Cameroon Government to contribute 2% of its turnover to the fund annually which in 2003 amounted to around €24,000. Projects are supported nationwide focusing on such areas as vocational training and job placement for youth, health and projects for the aged and handicapped.

Finally, it should not be forgotten that all poor neighbourhoods have their own private sector of micro-enterprises and collective firms, such as those which collect household refuse.

Two important **international NGO's** in Yaounde are AFVP (*Association Française des Volontaires du Progrès*: French Association of Volunteers for Progress) and SNV (Netherlands Volunteer Foundation). The first works, amongst others, in urban development where it provides training to CBO's and supports neighbourhood improvement such as water distribution and sanitation. It has also assisted four communes with training in participatory planning techniques. (In fact the four communes requested assistance with carrying out a participatory budget exercise but AFVP does not have the necessary experience).

In comparison SNV works mainly in rural areas but also offers consultancy services in institutional capacity building including NGO's, local councils and Ministries.

Several **donor agencies** have a high profile in Yaounde. The first of these is French Technical Cooperation which has three important programmes to support urban development, stakeholder participation, the strengthening of civil society and poverty reduction. (At the time of the research another, the FACILS programme was subject to an identification mission. The programme would promote local economic development to

reduce poverty). These are: the Social Development Fund, supporting poverty reduction micro-projects, mainly in urban areas; the *C2D*, which has been described above, and the PADUDY programme. The last of these, the *Projet d'Appui au Développement Urbain à Douala et Yaoundé* (Project for the Support of Urban Development in Douala and Yaounde) seeks to strengthen the *Communautés Urbaines* in such areas as participatory urban management. It intended in 2005 to start training the *commune* councils in management and attempt to promote cooperation with their traditional political rivals, the *Communauté Urbaine*.

The European Union's main contribution to participatory urban development has been its Urban Participatory Development Programme (*Programme de Développement Participatif Urbain*) known as FOURMI. This aimed to:

Strengthen popular participation in local urban development. The programme ran in two phases from 1995 - 1999 and 2001 - 2004. The most visible part of its work was the financing of micro-projects, largely in the fields of infrastructure and employment generation. The micro-projects were intended as vehicles to strengthen local organisations implementing them and enable them to later carry out their own development planning.

At the end of the study period another national programme was in preparation, the Civil Society Strengthening Programme. This was expected to start around September 2005 and aimed mainly to build capacity in government institutions but also to strengthen civil society through its alliances or networks.

The World Bank's only support to urban poverty reduction work is through the PRSP.

6 Key Issue

There are numerous obstacles to stakeholder participation, especially by the poor, in Yaounde but it is possible to identify two interrelated key issues which stand above the rest: the lack of stakeholder capacity to participate meaningfully and the lack of effective relations of solidarity between actors.

Civil society is prevented from playing a full part in the new participatory processes by resistance on the part traditional power holders and decision makers and a lack of capacity. The four main cases of this are the city consultation process, the monitoring of the PRSP and HIPC and the decentralisation process. Space does not allow a consideration of participation at grassroots level in the poor neighbourhoods themselves.

The follow-up to the city consultations, at least in Yaoundé, has been weak. No funding had been obtained for implementation by the time of the research although the process is rather mechanically being extended to 20 other towns and cities.

According to the head of CIPRE the value of the city consultation process has been to show urban populations that development planning

does not depend solely on political parties but also on civil society. He suspects that the parties do not favour this development and that this may be a reason why the process has halted before implementation. (There are also city consultations run by other donors which may show more results as they include *contrats de ville* under which funds are committed for implementation. PACDDU's approach is of this type. Some RODEUR members (Cordaid partners) have proposed a similar method: first agree with Commune that it will earmark funds for the projects to be prioritised, then carry out the problem identification, prioritising and action planning on the basis of available funds. This contrasts with the UN-Habitat approach which invested in the city consultation and the drawing up of plans but failed to identify funding (notes from meeting with partners, 19 November 2004)).

The HIPC initiative is facing some severe difficulties. The main problems encountered by the Monitoring Committee, representing government, donors and civil society are: the infrequency of meetings which leads to suspicions that decisions are taken behind closed doors by Ministers; insufficient financial information provided to it to carry out its monitoring of disbursements, and the decisions made by the Committee, which is only consultative, are often ignored by the government. This includes approving funding for projects which the Committee ruled as ineligible for the HIPC Initiative and vice versa. Donor members are reportedly very irritated by this. Finally, by the time the present study was concluded grant approvals had been made by the Committee for about 250 billion Francs CFA, more than the total budget for the period 2001-2005. Of this amount approved civil society proposals numbered 22 and were valued at a little over 12 billion Francs CFA, about 5% of total approvals. Even the projects which were approved, however, do not necessarily receive funding since, it was reported by one member of the Committee, that the Prime Minister and Ministry of Finance have allocated a significant part of it to projects ruled as ineligible by the Committee (Pastorale et Développement, 3).

The PRSP Implementation Progress Report of October 2004 is very positive about advances made in participatory monitoring. It refers to enhanced ownership and improved transparency and accountability that such a process is intended to bring as well as to the enhancement of quality and appropriateness of public service provision (IMF, 2004:12). However, the mechanism for its monitoring, the Technical Committee, includes the Monitoring Committee of the HIPC Initiative. As explained above the latter is itself suffering from serious operational problems and is unlikely to strengthen the PRSP monitoring process for as long as this situation continues.

Although it is still too early to analyse the implementation of the Decentralisation Law some important observations can be made. (The text of the law is published in **La Tribune du Citoyen** No. 23, November 2004.) First, while substantial responsibilities are decentralised from central to lower levels of government, such as a broad range of planning

and infrastructure provision at the level of the *commune*, central government maintains final control. (Responsibilities include establishment, equipping and management of health centres; establishment, equipping and management of pre-schools and primary schools; "support" to income generating micro-projects; provision of drinking water; street cleaning; management of domestic waste; road construction and maintenance and street lighting. At the planning level they include the neighbourhood improvement and the drawing up of urban development plans). It appears, therefore, that more responsibility than authority is being decentralised.

There is no mention in the law of a role for civil society except to elect the municipal councillors.

This said, it is certain that local governments of different levels will be taking on new activities over the next few years whatever these turn out to be. These will place enormous management burdens on local administrations for which they have not been prepared. This problem creates a potential role for NGO's to provide support and capacity building.

To overcome institutional resistance to citizen participation will require coordinated pressure from civil society. The basis for coordination between NGO's, as one sector within it, is currently weak and there is no evidence that the situation is any different for others. During meetings with NGO representatives it was clear that many do not know each other or even the work that others are doing. NGO's tend to be inward focused rather than looking at the needs of the sectors they are working in or the city management and service delivery system as a whole. However, some promising developments are taking place such as the initiatives of those organisations promoting the formation of networks. These are examined in the following section.

7 Roles of NGO's

Most NGO's in Yaounde, as in most cities in the world, have as their core business micro-projects of one sector or another. However, a slowly growing number of them are working to increase stakeholder capacity to participate in poverty reduction and urban management processes and to strengthen relations between actors.

Thus, for example, the evangelical CIPCRE provides training for lobbying especially in the field of environmentally sustainable development under its Lobbying Project.

ASSOAL also provides training services to NGO's as well as supporting local governments to establish participatory budgeting processes. It is of particular interest because, while it works directly at the level of neighbourhood improvements, it also promotes CBO networks in Yaounde and nationally, the RUHY (Yaounde Urban Residents' Network) and RNHC (National Network of Cameroon Residents) respectively.

CANADEL is an NGO which provides training for CBO's to increase their neighbourhood planning skills. But it also builds planning, budgetary

and natural resource management and revenue generation capacity in local governments. It is likely that demand for municipal training will be high in the light of the decentralisation legislation which will increasingly place the burden of public service provision on local authorities.

CANADEL has worked with the Ministère de la Ville and UN Habitat in the execution of the city consultation process in three cities in Cameroon. It is also one of the civil society representatives on the PRSP Monitoring Committee. The other is CAMNAFAW (Cameroon National Association for Family Welfare), an NGO working in reproductive health and family planning.

ERA-Cameroun is an NGO whose objectives include strengthening local democracy at neighbourhood level and to strengthen partnerships between poor communities and the district level local governments (*communes*). The first of these involves it in training local leaders in a range of subjects including participatory planning and in bringing together local associations around common themes in the form of federations. The second sees it working with the municipality of Yaoundé VI in 5 neighbourhoods.

Apart from building stakeholder capacity some NGO's are involved in developing and strengthening civil society networks. ASSOAL, for example, coordinates the Yaounde Urban Residents' Network, as mentioned above, which aims to solve local development problems through "collaborative action by residents, elected officials and urban professionals" (RUHY presentation pamphlet). At neighbourhood level it also facilitates the establishment of networks of community-based organisations on a thematic basis in a similar way to ERA-Cameroun.

The *Programme Concerté Pluri-Acteurs, PCPA* (Consensual Programme of Multiple Stakeholders) is supported by Caritas' social programmes office, BASC (Office for Social and Charitable Activities). Its principal objective is to strengthen the negotiating, participating and lobbying capacity of civil society in the drawing up of public policy, the debt reduction and development processes, and the process of democratisation of social, economic and political life in Cameroon (Pastorale et Développement, 12). It believes that civil society organisations too often either work in isolation or only work together for short-term objectives. PCPA aims to bring them together to act in a concerted and long-term manner.

FOSCAM (Federation of Cameroon Civil Society Organisations) is a national federation of NGO's founded in April 2003 as a product of a forum of NGO's in Mbalmayo. It has attempted to coordinate civil society in taking positions on significant political and social issues. This included bringing together civil society organisations to comment on the EU's mid-term review of Cameroon-EU cooperation in the second half of 2003. It also coordinated the drawing up and submission of a memorandum to the sixteen candidates for the last presidential election in Cameroon in 2004.

8 Priority and Policy Issues for the Poor in Yaounde

8.1 Weaknesses in participatory mechanisms

The HIPC and PRSP are exceptional historic opportunities to improve the position of the poor in Cameroon. The funds they make available for poverty reduction work are potentially transformative. In addition, the way in which they have been established provide civil society as a whole, including the poor's own organisations, with the chance to steer decision making and investments. However, until the mechanisms through which this participation is channelled are strengthened, the opportunity will be severely limited. This means, in brief, that the government needs to cooperate fully to allow the Consultative Monitoring Committee of the HIPC and the PRSP's Technical Monitoring and Evaluation Committee to function as intended when established.

8.2 Doubts about decentralisation

The Decentralisation Law of 2004 is another opportunity which has to be tested. In principle it gives greater responsibility to locally elected authorities to plan and provide services and thereby offers a more important say to citizens in general. It remains to be seen, as explained in section 6 above, whether central government will allow an increase in local power or will retain final decision making for itself.

8.3 Participatory budget

Greater participation by the poor has other potential channels. One, which is currently emerging, is the participatory budget. Championed by the non-governmental organisation ASSOAL, not by central government, it is supported by five local authorities in different parts of the country. After the Africités Conference of Mayors held at the end of 2003, five Cameroonian local governments stated their intention to implement participatory budgeting in their cities. These included Yaoundé VI (La Tribune du Citoyen, April 2004, p.15).

8.4 Weak civil society

We have seen that civil society in general lacks the capacity to participate effectively in decision making on urban management issues even were government to facilitate its full entry into such processes. A priority issue for the poor within the context of the present study is the development of effective CBO's and alliances of the poor and other stakeholders to press for participation. Some of the ways in which donors can support this are discussed in the following section. One that can be mentioned here is to fund the results of participatory processes rather than just the processes

themselves, such as has happened with the UN Habitat supported city consultations where stakeholders successfully drew up plans but failed to find funding. Planning to no effect will only undermine demands to participate.

9 Conclusions

The previous section identified some of the potential for the participation of the poor in urban decision-making. It reiterated the importance of strengthening the different sectors of civil society and alliances between them. This section will briefly propose some ways in which donors can support such developments.

Highest priority should be given to capacity building amongst NGO's. Some can be equipped subsequently to provide capacity building services to other stakeholders, including other NGO's, CBO's, local government and the private sector.

As we have seen there are numerous networks of civil society organisations in Yaounde. However, at the time of the research for this study only two of them involved NGO's and both of them were just starting. (These are RODEUR (a network of Cordaid partners) and PCPA (mentioned above in section 7)) The contribution of each NGO would be enhanced if it took part in a network. They would cease to be limited to their own thematic areas and would also, by working together, be able to direct their efforts towards participatory urban management. This is unlikely to be realised, however, without some financial support since NGO's will probably not have available funds for this 'non-essential' item. Furthermore, for networking to function well a substantial time commitment is required.

Another area in which donor support would be effective is in strengthening participatory processes. This could take several forms:

- a) Support to specific projects identified in the project *fiches* of the city consultation process
- b) Support to NGO's providing technical assistance to municipalities committed to participatory planning
- c) Support to specific innovative techniques, such as participatory budgeting.

Thirdly, attention should be paid to strengthening the capacity of local governments.

Local governments at the level of *communes* and the *Communauté Urbaine* are ill-equipped managerially, administratively and technically to discharge the new duties assigned to them by decentralisation. Local authorities keen to promote participatory practices will similarly lack the necessary experience. NGO's can provide capacity building services, as there is no state training body capable of doing so. This role could be complemented by the provision of continuous technical assistance. Part of the strengthening of local governments would consist of sensitising and influencing higher-level officials regarding the benefits of participatory

planning (i.e. that it is not only a tool to extend democracy but also to enhance efficiency in the discharge of their own duties).

The strengthening of CBO's could be pursued through:

- a) Technical support to existing CBO's in implementing their projects
- b) Strengthening CBO networks such as the *Réseau Urbain des Habitants de Yaounde*
- c) Strengthening one or more NGO's or networks to offer capacity building services to CBO's.

Supporting exchange visits between CBO's in the same city would be a simple and effective way to foster learning about organisation and successful strategies. This would also bring together CBO's from different parts of the city and possibly give an impetus to coordinated action on major issues.

It has been mentioned that the private sector already participates in urban management. However there is scope for this to expand. There is willingness amongst the companies interviewed to cooperate in concerted local development work. But communication between the private sector and other sectors of civil society is weak. NGO's could usefully contribute to changing this situation by acting as intermediaries between the private sector and local governments. All partners, including CBO's, would stand to gain by collaborating.

As we have seen several civil society organisations operate programmes to strengthen collaboration between members of civil society (e.g. CIPCRE's *Projet Lobbying*, ASSOAL's National Network of Cameroonian Residents and Yaounde Urban Residents' Network and PCPA's efforts to strengthen civil society's negotiating, participating and lobbying capacity). These programmes also deserve support. (An agency which was not mentioned earlier is CODAS (*Coordination des Activités Socio-Caritatives*: Coordination of Social and Charitable Activities) which offers services to civil society organisations, including CBO's and the Church, helping them raise funds and providing training. Another is CREDDA (Research Centre for Sustainable Development in Africa), coordinator of the Project for Support to Civil Society Organisations in Cameroon which provides information to civil society organisations in order to assist them in participating in political dialogues and poverty reduction work. It runs provincial training workshops in project preparation, a bi-monthly information bulletin and a national workshop on major issues for civil society (CREDDA, 2004))

Donors could also usefully encourage NGO's to increase their lobbying and advocacy roles with respect to promoting the institutionalisation of participation by the poor and its protection in a legislative framework which as yet does not exist. Most Yaounde NGO's at present, with the exceptions mentioned earlier in this chapter, do little policy influencing, lobbying or advocacy work.

NGO's in Yaounde are working with poor communities in direct service provision but also, in some cases, in the promotion of participatory processes and the building of capacity at neighbourhood level and in civil

society as a whole. Donors are funding participatory processes, significantly at the macro level through such programmes as the PRSP, HICP and C2D. If they were also able to support the processes being built up at grassroots level through NGO's and other civil society organisations they would increase the likelihood of the urban poor in Yaounde, and throughout Cameroon, of having a say in the urban management decisions which affect their future.

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7: Disclosing actors and citizen participation in Nairobi with a focus on slum upgrading

Hans Teerlink and Eric Makokha

1 Introduction to the study

This study was undertaken in 2004 and assesses the channels, potentials and obstacles of civil society participation and participatory decision-making in urban management and particularly in slum upgrading in Nairobi.

In 1999 the local Authority Service Delivery Action Plan (LASDAP process) was introduced in Kenya. This nation wide program of bottom-up service delivery planning provided, together with the Kenya Slum Upgrading program (KENSUP, 2003) the only two institutional frameworks for citizen participation. Both programs represent the focus of this study. Although both programs are nation wide programs the study is limited to the experiences in the City of Nairobi, and focussed on the slum area Soweto in Kibera under the KENSUP program and several local areas for the LASDAP process.

The study was undertaken in 2004, and thus all findings presented in this chapter date back to that date.

2 Methodology of the study

The process mapping study was carried out in close cooperation with local counterparts of Cordaid and involved various stakeholders: residents, businesses, NGOs, CBOs, public sector and donor agencies. Study-team member Eric Makokha (IHS alumni) collaborated in this study and could facilitate an easy access to those key stakeholders. First the policy, legal and institutional environment were assessed and the roles of key actors and the relationships between them identified.

The work involved rapid field surveys, on-site interviews and meetings and structured interviews in the Kibera slum area (KENSUP) and in a number of areas that have been involved in the LASDAP process. In addition, a desktop review of key documents and a consultative local workshop to discuss the findings of the study. The studies results are based on the stakeholder's own observations about their role and their views on those with whom they interact as well as on the mechanisms through which participation takes place.

3 Introduction to Kenya, Nairobi and the policy, legal and institutional environment

3.1 Brief introduction to Kenya and Nairobi

Situated on the equator on the East African coast, Kenya borders Sudan and Ethiopia to the north, Uganda to the west, Tanzania to the south, Somalia to the east and the Indian Ocean to the south east. Kenya, an agricultural-dependant country and with a current estimated population of 30.4 million, covers a total land area of 582,650 sq km, three quarters of which is arid or semi arid.

Like many third world countries, Kenya is a rapidly urbanizing country. In 1975, the urban population in the country constituted a mere 12.9 %. This had risen to 34% in 2001 and is projected to increase to 47.2% by the year 2015. Over the last decade, urban population grew from 3.8 million in 1989 to 9.9 million in 1999 and is projected to grow to 16.5 million in 2005. As a result of the rapid urbanization, compounded by bad governance and poor urban management, the country has experienced major problems including proliferation of informal settlements, social strife, environmental degradation and deteriorating living conditions. Approximately 60% of Nairobi's population (or 1.4 million people) lead precarious lives in informal settlements, occupying only 5% of the city's total residential area. These are settlements with inadequate and badly maintained infrastructure, poor housing, lack of basic amenities and utilities. Access to basic facilities such as clean, safe drinking water and sanitation is a dream for the majority. Inhabitants are exposed to communicable diseases and, without the adequate infrastructure, continue degrading the environment. But despite these problems, urban areas and the informal settlements continue attracting thousands of rural immigrants searching for employment and better living conditions.

3.2 The policy, legal and institutional environment

The Kenya Government's approach to development as spelt out in the 'Poverty Reduction Strategy' paper is to alleviate poverty among the vulnerable groups by creating an economy that is market oriented and an environment supportive of the efficient operation of the private sector. The policy towards employment generation is to provide a favourable environment for private investment and job creation. The improvement of shelter and alleviation of poverty, incorporating sustainable livelihood strategies, are recognized as crucial measures for people living and working in slums and informal settlements.

The Government of Kenya has initiated a number of policy and legislative reforms with a view to giving more space to the citizens to participate in matters affecting them. The Local Government Reform Programme is one of them.

The new National Housing Policy for Kenya, passed in parliament on 30th June 2004, for the first time recognizes:

- The right to housing (facilitating progressive realisation of the right to adequate housing by all)
- Provision of legal security of tenure to the poorer sections of Society: like women and other vulnerable groups, especially in areas located near their work place
- Participation of the inhabitants in the housing and slum upgrading process
- The following key components recognized in slum upgrading are: security of land tenure, provision of basic infrastructure facilities and services, improvement of housing structure and socio-economic status of the target community and prevention of unwarranted destruction of existing housing stock and displacement of residents
- The need for special policy to pay attention to the tenants

Among the stated objectives in this paper is the promotion of inclusive participation of the private sector, public sector, and community based organizations, non-governmental organizations, cooperatives, communities and other development partners in planning, development and management of housing programs.

On Upgrading of slums and informal settlements, the paper states that this will be undertaken with minimal displacement to cater for proper planning and provision of necessary infrastructure and related services. The government will also facilitate slum upgrading through an integrated institutional framework that accommodates participatory approaches involving relevant stakeholders, particularly the benefiting communities while enhancing coordination at national level. Upgrading will take into account factors of ownership of land and structures, age of settlement, and affordability. The government further commits that appropriate compensation measures will be instituted for disposed persons where necessary.

3.2.1 Land Policy

The land tenure systems in Nairobi's informal settlements vary from one settlement to the next with squatting incrementally increasing since independence due to disregard of the existing tenure systems. Some settlements have non-formal defacto tenure while others do not. However, what is very clear is that land ownership in informal settlements is mixed and often very complex with the majority of residents having quasi-legal tenure in the form of Temporary Occupation Licenses (TOLs). Some settlements are built entirely on government land while others are partially on government land; partly private or on local government land. The insecurity of tenure in such settlements and lack of clear support policies from the authorities has prevented NGOs and other development partners

from undertaking new service delivery initiatives and have made existing interventions unsustainable.

The Ministry of Lands and Housing are in the process of formulating a National Land Policy by an intensive consultative process, having established several thematic working groups with recruitment of external resource persons and experts. One may rightly say that so far this new policy is developed in a real consultative process.

3.2.2 Legislating civil society participation

The local government system in Kenya does not provide legal and administrative structures for community participation and involvement in the management of local authorities. The law only guarantees political participation through civil elections. Once elected, council and central government remain the key decision-makers on local development matters. It is assumed that councillors effectively represent citizens, yet they rarely hold consultative meetings in their respective wards.

In recent years, the government has initiated some policy, legislative and institutional reforms aimed at addressing the situation. This has provided impetus for the search for solutions to the problems and challenges. There has also been increased interest in identifying and using innovative development approaches. A clear reflection of such change in decision-making and civil society participation are the Local Authorities Service Delivery Action Plan (LASDAP) introduced under the Kenya Local Government Reform program some years ago, and the Kenya Slum Upgrading Program (KENSUP) a program of the Government of Kenya and UN-HABITAT. Both will be critically analysed in this study, since they are the first experiences that provided an opportunity for the citizens to participate directly in planning and eventually decision-making.

All developments mentioned above are likely to have a positive impact on participatory planning and decision-making, by putting moratoria on eviction, aiming for minimal displacement and secured re-allocation in unavoidable cases, and by that the potential to remove the distrust between the citizens and the Government, which is most likely the biggest obstacle to real participation: e.g. open two-way communication based on trust.

3.2.3 The Local Government and Administrative structure

The local government system in Kenya comprises of the Ministry of Local Government, the Provincial and District Local Government offices, and the local authorities. Other key players include the Ministry of Finance, the Controller and Auditor-General and the Provincial Administration (especially the Provincial and District Commissioners, as ex-officio members of their respective Local Authorities). Local authorities derive their legal foundation, powers and functions from the Local Government Act, Chapter 265 of the Laws of Kenya. They are semi-autonomous legal

entities with administrative and legal powers delegated by central government.

Nairobi has eight constituencies with 54 wards with a population of nearly 3 million residents. Kibera constituency alone has over 300,000 people. Nairobi has a complex and overlapping system of urban governance consisting of an elected City Council, National Assembly representatives and the Provincial administration. The elected councillors have multiple relations with the city authorities and political leaders. There is a general public complaint on the corruption of the Councillors and their major influence in what happens and doesn't happen in the different wards.

The provincial administration, headed by the Provincial Commissioner (PC) has a major influence in running the city, through its Divisions and Locations, since there are no districts in Nairobi as is the case with the rest of the country. The District Officer oversees the division and under him are Chiefs (Location) and Assistant Chiefs (Sub-locations). These are all civil servants and direct representatives of the PC. Since one of their main functions is to co-ordinate development within their areas of jurisdiction, they cut across departments. They therefore work with local authorities in their areas of operation. Their function is supposed to supplement and complement that of local authorities. This appears easy and logical on paper. But on the ground it is not always that straight forward. Often the two systems appear to work in parallel and not fit together easily. At times the separation of powers between the two can be foggy, with these grey areas slowing down decision-making and/or implementation. The institution of Chiefs is entrenched by laws, which gave them, even after the Chief's act was recently repealed, immense powers especially in rural areas and in the informal settlements.

4 Key civil society players

The following network and umbrella organizations and coalition groups do play in general an important and successful role in influencing policies and facilitating civil society participation:

The Nairobi Informal Settlements Coordination Committee has been a successful and influencing Committee not in the least because of its multi-stakeholder membership and chairmanship by the PC and its Secretariat vested in the NCC (Director of City Planning). This operational partnership brings together the Government, NGOs, CBOs, private sector and donor world and has been a strong vehicle for providing channels of communication and an overall coordinating and strategic framework at the citywide level. All member stakeholders interviewed recognized the importance, relevance and impact of the NISCC. The involvement of the NISCC in the LASDAP process has demonstrated that the NISCC can play an important role in ensuring civil society engagement. The NISCC's "Development strategy for Nairobi's informal settlements", formulated in 1997, has without any doubt had a great influence on the "inclusiveness"

approach of 2003 KENSUP program, as well as on the National Housing Policy.

Especially for the NCC, still facing weak capacities in several important areas for facilitating participatory development approaches, this NISCC provides the NCC the opportunity to benefit from a large pool of professional resources. Moreover it can play an important role to integrate the different area based programs and initiatives, like the KENSUP-Kibera slum upgrading, in a wider context/framework of Citywide development. It is therefore highly regrettable that staff changes in the position of the Director of City Planning (holding the secretariat of the NISCC) seems to be the main cause that the NISCC is “sleeping” at the moment. Support to reactivate the NISCC is highly recommendable.

The Shelter Forum is a well-organized and successful network organization with a large and wide membership of about 600 professionals. They have been successfully involved in numerous advocacy, lobbying and policy influencing activities, and because of their wide network, are in a position to create ad-hoc/loose/strategic coalitions/alliances for diverse purposes.

The Federation of Slum Dwellers (Muungano wa Wanavijiji Maskini), a coalition group, stems from the grass roots level and directly represents the informal settlement dwellers, initially in community mobilization against evictions but now grown to a network organization that advocates and defends the rights of the urban poor, influencing policy making, organizing awareness campaigns and now entering in NGO-like activities as stimulating saving groups, waste recycling and composting. They are recognized now by the Government as an important partner and were invited to the Barcelona World Urban Forum.

The Nairobi Central Business District Association, was founded in 1997 to defend the interests and improve the conditions of the Nairobi Central Business District, however they gradually developed in a citywide operating business association with member representation of almost all big corporations, industries, hotels, etc. Expanding from improvement of the central business district to citywide urban regeneration activities, in different partnerships with the MOLG, NCC, Kenya Police and others, like with the donor community the Ford Foundation, USAID and CORDAID. Their initiatives to invite the informal sector in their associations failed because of distrust from the informal sector side. Major challenges are seen in changing legislation and raising the awareness of the public sector on PPP modalities, and overcome the negative working culture and attitude of officials against the private sector.

A major finding is the **absence of any channel by which the private informal sector can voice their interests in the urban arena**. At micro level some informal businesses may have formed a CBO for their specific interest at the neighbourhood level, however at the city and national level no active federation or associations are in operation. There is mentioning of a **Jua Kali Association** and a **Kenya National Hawkers Association** but those associations do not function well (or not at all).

Definitely there is a need for initiatives that can unite the informal private sector under a (number of) umbrella organizations or coalitions, by which this sector can better defend its interest at the city and national level, raise their voice with the authorities, influence policy making and participate in the different fora of development.

Next to these umbrella organisations, there are **numerous NGO's** operating in Nairobi. They support CBO's in informal settlements who emerged from interest groups organized by communities such as Merry-go-round savings schemes, women groups engaged in cultural activities such as traditional dancers, social support groups and business communities. Through the interventions of NGO's, such groups are more organized and have stronger leadership making them more active and focused on development of their neighbourhood. The main NGO's are the Regional Office Intermediate Technology Group (strengthening technical skills of poor people), Maji na Ufanisi (access to water and sanitation for urban poor), Kituo Cha Sheria (Legal Advice Centre), Undugu Society of Kenya (street children rehabilitation and marginalized-community development) and Pamoja Trust (socio-economic empowerment of urban poor).

Next to the NGOs, there are **faith-based organizations** working with the poor, mainly in slum areas in Kibera and Soweto. These faith-based organizations are involved in various social programs, like in education, health, water and sanitation programs. They have very regular contacts amongst each other and often work at an individual level directly with the members of the community.

5 The two programs with institutionalised mechanisms of participation.

5.1 The LASDAP process

Since 1998, the Government of Kenya has been working on the Local Government Reform Programme (LGRP). Through this programme, the Local Authority Transfer Fund (LATF) and the associated Local Authority Service Delivery Action Plan (LASDAP) were introduced and first implemented in 2002. The LATF transfers 5% of total income tax revenues as grants to local authorities for development purposes. As a condition of LATF payment, local authorities are required to formulate their LASDAP in close consultation with their local communities. This process provides opportunities for promoting greater community involvement in the local planning process and is the cornerstone of the Government's evolving policy on decentralization.

Local Authorities Service Delivery Plan (LASDAP) is an instrument that enhances local authorities accountability to citizens. The approach provides a scope for citizen participation and budgetary support for plan preparation and implementation. The LASDAP endeavours to achieve four objectives:

- To assist Local Authorities to plan/prioritise their use of Local Authorities Transfer Fund (LATF) and other resources
- To encourage Local Authorities to spend resources on service delivery to citizens
- To encourage Local Authorities to meet the needs of the poor in line with the Poverty Reduction Strategy Paper (PRSP)
- To enable Local Authorities to mobilize citizens' participation in prioritising Local Authorities resources.

The LASDAP approach is a response to the inadequacies of a centralized planning and development approach that has characterized the development agenda in Kenya since independence. It adopts a participatory approach to identifying local area development needs of the population with regard to service provision and infrastructure development.

5.2 The KENSUP program

The Kenyan Slum Upgrading Program (KENSUP, 2003) originates from the 1999 'Collaborative Nairobi Slum Upgrading initiative', an initiative from the Nairobi City Council, which got at that time support from the City Alliance (through UN HABITAT) and approval from the Kenya Government. Under this initiative a study has been conducted "Nairobi Situation Analysis" (Collaborative Nairobi slum upgrading initiative, 2001) that provided the foundation and basis for the formulation of the KENSUP program. The KENSUP is a national slum-upgrading program. The following program strategies are applied in the program:

- Inclusiveness: involvement of all relevant stakeholders
- Partnership: provision to facilitate private / public partnership and involvement and empowerment of beneficiaries in deciding priorities
- Security of Tenure
- Gender consideration: women empowerment
- Income generation and poverty reduction
- De-densification to create service way leaves and rationalized planning
- Meeting development costs: affordable to the residents

A separate agreement was signed in 2003 to make a start with slum upgrading in the area Soweto (60,000 inhabitants), one of the eleven villages of the slum area Kibera (300,000 inhabitants).

Kibera's informal settlement is located on government land, with a history dating back to the colonial time when the Nubians settled on the land, as "tenants at will". The Nubians and other communities who have settled there have no "legal right" to that land apart from the TOLs, which are the informal, land rights given through the local administration. Due to insecurity of tenure, the residents who live there, though having temporary licenses and "title deeds", live in constant fear of eviction. The mere thought of eviction whether real or perceived has bred a mentality of fear, suspicion and at times open hostility in the community. In relation to land

in Kibera, there are four categories of people with a deep interest in the land. These include the Nubians; second a group of structure owners who have title deeds, many of which were attained fraudulently; third the structure owners with unofficial but recognized allocations given by local officials. These structure owners are either absentee landlords or live within the settlement; fourth the tenants being the largest group that are laying claims to the land.

5.2.1 Main objective of the Kibera-Soweto Pilot project

To improve the livelihoods of people living and working in Kibera-Soweto village by promoting and facilitating, the provision of security of tenure, housing improvement, income generation and physical and social infrastructure, including addressing the problems and impacts of HIV/AIDS. All these will be done through engaging full and active participation of the inhabitants and other stakeholders.

The Kibera-Soweto project has its objectives and components directly derived from those of the Kenya Slum Upgrading Programme. The outputs of the project will therefore contribute to the realization of the goals of the Programme as well as the development of certain components of the Programme.

5.2.2 Institutional arrangements

The institutional arrangements include the various inputs of the public sector, the private sector, the donor agencies and community/CBOs and NGOs, The Government, through the Department of Housing in the Ministry of Roads, Public Works and Housing will play the co-ordination role for the project.

- **Public Sector.** The various Public Sector Departments will provide the necessary framework that is conducive to slum upgrading and effective participation of the stakeholders, programme coordination, leadership, policy guidance, facilitation and counter-part funding.
- **Nairobi City Council.** NCC is the main implementing agency and a Project Implementation Unit (PIU) is established at its Housing Development Department to coordinate city level activities. These will include generation and provision of information, and facilitation in provision of required infrastructure and services.
- **Non-Governmental Organizations & Community Based Organizations:** to assist in community mobilization and organization, provide technical assistance in issues of micro financing and assistance in service delivery for the poor.
- **Donors and International Development Agencies:** Rendering technical advice and facilitating the sharing of global best practices and support in the provision and/or the leveraging of bilateral, multi-lateral and private sector finance.

- **Private Sector including professional bodies in the fields of housing, planning, urban management, finance and development:** They will be engaged to provide resources and expertise in the design and production of appropriate services and housing.

5.2.3 The institutional framework for co-ordination, consultation, participation

- **The Inter Agency Steering Committee (IASC):** is providing guidance, facilitation and support to the Programme process, advising the Minister in charge of Housing and Human Settlements, and the Executive Director of UN-HABITAT on Programme matters, and to facilitate access to the Office of the President. Members are the Permanent Secretaries of all relevant Ministries, the Attorney General, the Director of Housing and the NCC.
- **The Inter-Agency Coordinating Committee (IACC):** This committee brings together all the concerned government (Ministries, NCC, Provincial Commissioner) and donor agencies to review the approach adopted for the implementation of the programme and to ensure that it conforms to Government Procedures and mandates of the involved sectors. The IACC will provide the overall policy and programme direction to the Kenya Slum Upgrading Programme and will, as deemed necessary establish sub-committees to take care of and ensure delivery of specific aspects of the project. Members of the JPPT are also in this Committee.
- **A Programme Secretariat is established within the Housing Department of the Ministry of Lands and Housing** to execute the co-ordination of project planning, implementation, monitoring and evaluation. It will be the link mechanism between UN-HABITAT, the donor Community and the Government of Kenya. A technical team referred to as the Joint Project Planning Team (JPPT) which includes UN-HABITAT and representatives of Nairobi City Council, the National Housing Corporation, Urban Department of the Ministry of Local Government and Shelter Forum, work with the Secretariat in defining the scope of the programme and projects, preparation of schedules, proposals, budget and other technical aspects of the programme. As well they may constitute ad-hoc sub-committees like the 'community mobilization sub-committee' to discuss and develop specific issues.
- **The Project Implementation Unit (PIU)** is established within the Housing Development Department of Nairobi City Council to coordinate all the Council's inputs and ensure that ensuing results comply with the broad principles of the Council. In the PIU the following Sections of the Housing development department are

represented: administrative section; Community development section and the technical section. In addition each of the following departments are seconding two of their staff to the PIU: Department of Social Services and Housing; Town Clerks office; Department of City Planning; City Engineering department; Water and Sewerage Company.

- **The Settlement Project Implementation Unit (SPIU)** will be composed of community representatives selected by the community to constitute the Settlement Executive Committee (SEC) and appointed technical support. SPIU will identify all necessary settlement stakeholders and grassroots organizations, project intervention needs, communal areas and facilities, mobilize grassroots participation, discuss tenure ship arrangements and outline procedures for community involvement in carrying out the slum upgrading project. SPIUs will work in liaison co-ordination with PIU and Programme Secretariat.
- **The Multi-Stakeholder Support Group (MSSG):** This is an amalgamation of representatives of key consultative stakeholders (Community representative, Government, NGOs, donors, development agencies, and private organizations like amongst others: the World Bank, SIDA, DFID and the bilateral cooperation like from Belgium and Japan) that provides a powerful mechanism for participatory decision making and information sharing.

6 Key issues that had an impact on the citizen participation in the LASDAP process

6.1 The channels of citizen participation

The fourth LASDAP objective is to enable Local Authorities to mobilize citizens' participation in prioritizing Local Authorities resources. This objective is also linked with the information and ownership criteria of citizen or community ownership of the process. Experience from the first two LASDAP consultations seems to show that LASDAP's objective of mobilizing community participation has been realized to a reasonable extent. What might be doubtful is the degree of effectiveness in mobilizing citizens' participation: consultation sessions have been organized in each of the eight constituencies. Invitations to the meetings have always been open. This was done through several ways: posters, announcements in church, mosques and chiefs' might however be challenged: how many people read those notices or attended chiefs' barazas? Still, many people said later that they were not aware of the meetings.

The period between putting up of the posters around the city and the actual meetings has also been very short, about two or three days. The communities were not able to get together in their estates or neighbourhoods to debate or brainstorm on their local needs and priorities

in advance. Thus they went to the LASDAP consultation meetings without any preparation. Residents from some wards complained that their Councillors compiled project lists without consulting them or consulted just a few of their close supporters, which they then read out as having been identified by “their people.” They then handpicked a group of supporters for the meetings who dutifully endorsed the proposals as read by the Councillor.

Thus, both the criteria of effective participation and the issue of information in the LASDAP process are in focus here. If mobilization was not well done, and since information dissemination was inadequate, then it is difficult for the citizens to identify with the project. This militates against project ownership by the citizens. The hurried manner in which the meetings were organized hardly gave the citizens time to prepare for effective participation. They arrived in the different community halls and, true, were given information about LASDAP and about the financial resources available. The resource envelop, (presenting an financial overview of funding sources) was available for all to see. This indeed has made local authorities in Kenya more transparent than ever before. However many of the participants are not accustomed to budgetary forms. It is difficult even for highly educated people to read financial statements and immediately relate them to their own situation. Presenting them to illiterate or semi-literate people and expecting them to make useful contributions is expecting too much. This very useful information needs to be discussed in advance within longer periods in small groups in neighbourhoods before the real LASDAP meetings. The two-way information gap within the LASDAP process needs to be addressed if participation is to be more effective and if citizen ownership of the process is to be enhanced, and transparency and accountability promoted.

Based on experience with the LASDAP, the NISCC expressed as a criticism that the LASDAP reflects a real bottom-up participatory planning process, however still a one-way process: feedback after the consultations and/or involvement in prioritization and decision making of projects didn't take place (no transparency!). The necessity of open and two-way information and communication was stressed. Moreover several newly elected Councillors, during the second year, didn't commit to the long list of the community (and previous Councillor) and started changing some of the projects. A new regulation has been put in place to make this impossible in the future.

A study with recommendations has recently been completed on “A communication strategy for sustainable urban livelihoods in Nairobi” (DPU, 2003), especially addressing a communication strategy for the LASDAP. Hopefully this document doesn't arrive too late for the LASDAP, as well as for the KENSUP program for which the recommendations are of similar relevance.

6.2 Policy and administrative arrangements

At the time of the second LASDAP (March 2003) not a single project, of the ones identified during the first LASDAP (March 2002) had started implementation. This caused distrust amongst the community members during participation in the 2003 process. This delay was even sadder, considering the co-funding budget which was made available for pro-poor projects under the DFID PROLOGS program, and of which hardly any use has been made. This implementation delay is illustrative for a participatory approach that has not been helped by administrative arrangements and procedures. In the long run this might have a negative effect on all the participants (communities, City Council officials and NGOs) who had shown commitment to it, as they get frustrated. Many have started expressing sentiments to the effect that LASDAP is a mere talking shop or just a public relations engagement for City Hall. In order to ensure that participants do not lose interest in the LASDAP process, there is urgent need to re-examine the administrative procedures and requirements with a view to simplifying them. As well that sub-contracting to the communities can take place.

6.3 Fear of eviction

Although both the central government and Nairobi City Council have put a moratorium on demolition of informal settlements, this is not yet clear to the residents. The residents of informal settlements still live in fear of evictions. This lack of conviction and real clarity in policy on informal settlements might have had a negative impact on participation in LASDAP since many residents of informal settlements remained sceptical.

6.4 Capacity of the Nairobi City Council and the communities.

It can be questioned how well the LASDAP facilitates the process to deal with the fundamental issues of community organization, action planning, participatory budgeting, facilitation, negotiation conflict resolution and gender sensitive approaches to planning and development? There is no doubt that most of the officers from Nairobi City Council are highly qualified. But is their kind of training sufficient to tackle the challenges presented here? It would appear that there is need for capacity building among city council staff with special reference to participatory approaches. It doesn't seem as well that the LASDAP process has deliberately addressed gender concerns (such as the roles and workload of women and the impact of this on their availability to participate in the LASDAP). Equally, not all community workers are conversant with techniques of action planning and participatory budgeting, which LASDAP is all about.

6.5 Conclusions

As a (participatory) mechanism for improving service delivery to Kenyan citizens, LASDAP has immense potential. It is a worth initiative that needs to be supported by all stakeholders including the government, local authorities, communities, NGOs and donors. LASDAP also has the potential of contributing to good governance and good urban management. The central principles of transparency and accountability, which are cornerstones of good governance, can be promoted through LASDAP.

During its first two years of operation in Nairobi, the LASDAP process has done fairly well but some weak areas have been observed. If the process is to continue being a vehicle for good governance and good urban management, these weaknesses must be addressed. Among the major shortcomings are inadequate preparation, weak information dissemination and ineffective community engagement. LASDAP has not invested in providing the necessary knowledge, skills and attitudes (such as facilitation, community organization, negotiation, conflict resolution and gender analysis) among its operational personnel, i.e. Council officials. Current government procedures and requirements (e.g. government tendering) are also not in the best interests of LASDAP, which has been designed as a partnership programme.

Given the weakness as listed above, the actual situation now is disappointment, disillusionment and distrust with the communities, unwillingness of the councillors to proceed because they say they will lose their credibility, and frustrations in the NCC. Some people even fear all these may seriously obstruct or even block the next consultation rounds.

7 Key issues that had an impact on the citizen participation in the KENSUP program

7.1 The institutional arrangements for participation

Some of the institutionalised arrangements for stakeholder engagement don't seem to function well, like the Multi Stakeholder Support Group, the Interagency Coordination Committee and the Interagency Steering Committee. Although it was the purpose of the Multi Stakeholder Support Group (MSSG) to facilitate inputs from all stakeholders through their representatives on KENSUP, it looks that this body faded out since it didn't hold meetings since 2002.

With the election of members of the Settlement Executive Committee (SEC), all committees are now in place. There are different views on whether the announcement and invitations for the elections and the elections of the members themselves were properly conducted: there were criticisms on insufficient publication, limited invitations, and insufficient time for the different interest groups to decide on a representative. Whatever the case: the SEC is going to play an important role in the participatory process of decision making, and given the limited number of

members in the SEC and their constituency of 60,000 people, the members have a big task to represent their interest groups. For the SEC a stratified representation has been chosen, with the following members:

- 2 representatives of CBOs
- 2 representatives of faith based organizations
- 1 NGO (Maji na Ufanisi)
- 2 representatives of the structure owners
- 5 representatives of the tenants
- 3 representatives of the marginalized groups (disabled, widows and orphans), ex-official: the Councillor, Chief and DO.

No differentiation was made between absentee structure owners and those owners letting out some rooms but living as well themselves in the structures. As well note that the formal and informal private sectors are not represented as well. CBOs and NGOs required physical presence in the area (while numerous operate in the area without a physical structure in Soweto).

7.2 Key issues as perceived by Civil Society organizations

A number of network organizations and NGOs expressed the following concerns:

- There is still tension and fear for displacement. People still don't trust the Government based on experience with the past government and the influence of the Chiefs (they are considered to be the real government at the ground)
- More clearly defined roles are required for all actors involved in the program, especially also the TOR's for the different institutions created
- Government agencies still don't seem to know how to involve the community (lack of skills)
- DO and chiefs require sensitization and awareness to participatory processes and good governance
- So far communities receive info one way, but they need time for digestion and should be allowed to provide feedback on their needs. As well feedback is required after consultations
- In general there is a serious capacity gap with some of the partners in communication skills and quality of mass media material. As well most information only arrives through new papers but should also be disseminated by more official documents and channels

7.3 Key issues as perceived by the authorities

7.3.1 Secretariat KENSUP

It's remarkable that the Dir. Of Housing, Ministry of Land and Housing, instead of talking about problems, formulated them as challenges: she

seems a real believer in the current applied process approach, where actions and interventions are not predefined, and where mistakes should provide an insight in how to do things better when replicating in other areas in the future. The process itself is closely monitored and documented. As major challenges she expressed:

- That sufficient capacity can be build in the City Council so that the PIU doesn't remain dependent on external experts
- That the authorities can understand their changed role from service supplier to facilitator and coordinator
- That the community gets sufficiently empowered
- To be able to manage the expectations of the community and the involvement of the politicians: she recognizes that they have to be involved but as well can become destructive
- A lot of community based organizations are often in competition with each other: whether all different interests can result in a common view
- That NGOs can handle their changed role as well: under old government lot of money was channelled through the NGOs, deciding themselves on interventions with multiple, uncoordinated inputs and projects: now they become one of the players in a bigger forum of participation

7.3.2 Nairobi City Council, PIU

The Director of the Housing Development Department expressed the following concerns:

- While the senior officials in the Ministry believe in the inclusiveness of all stakeholders in the KENSUP approach and like to stick mainly to their program policy role, the more junior officials in the Central Ministries have difficulties with their role, preferring to do things in the 'old way' and involving themselves too much in affairs that should be in the hands of the NCC
- With regard to the tasks of the PIU, it is felt that staff strengthening is required in the areas of Participatory planning skills; Skills in community contracting; forms of PSP/PPP; negotiation and contracting skills; New appropriate technologies and building materials

7.4 Key issues as perceived by the faith-based organizations

Soweto is a heterogeneous, polarized community, without community development Committees. Levels of awareness on human rights, etc are very low. For the process of representation from amongst the different interest groups very short notice was given and elections were held under pressure. Several people claim that this allowed the Councillor to push his own candidates. Even stronger, that the Councillor hijacked the SEC,

overpowering the local authority (NCC): nothing will happen which is against his interests. It should be noted that this strong view is not shared by others: like the Secretariat KENSUP openly admitted that things may go wrong, or may have been done in a wrong way, but that the whole process is carefully documented providing lessons for the future replication. Moreover real participation just now has to start through this recently established SEC.



View of Nairobi's squatter settlements (2004). Photo by H. Teerlink

7.5 Concluding remarks

The Kenya Government shows a very high commitment to the program. On paper things seem to be well thought out, and the recent approval of the national housing policy by parliament works in favour of the program. Nevertheless there are already in this early stage, several criticisms on the participatory process from the community, faith-based organizations, CBOs and NGOs. The criticisms on inadequate info-com are shared by the public sector as well and initiatives are taken to develop a strategy and build capacity for improved info-com.

Box 1

It is also remarkable, based on experiences in former slum upgrading projects, that not more efforts have been made to first organize and empower the community in Soweto at large through leadership and communication training, and only after that have started the process of stratified representation in the Settlements Executive Committee for the KENSUP program.

Instead a Settlement Executive Committee has been established, of which the level of representation of the community could be questioned for an estimated total population in Soweto of 60.000 people. Compared to the set-up of community development (umbrella) groups as established in some of the other informal settlements in Nairobi, the number of representatives is marginal. This places a lot of responsibility on the shoulders of the existing members of the SEC: their constituency is vast and to maintain close contact and have consultations will not be easy for them.

8 General obstacles to participatory processes as seen by the NGOs and CBO's

Almost all NGOs and CBOs interviewed identified the following general obstacles to efficient and effective civil society participation:

8.1 Relations of civil society with government officials and politicians

- No historical working together culture amongst the different actors, and a historic distrust between the public sector and civil society. Because of that there is no openness of information sharing in both directions
- Fear for eviction amongst the inhabitants in informal settlements, based on experience with the past government; while mutual trust is the foundation for open communication and partnerships
- The relationships with government institutions are often ad-hoc and not yet institutionalised (with the exception of the LASDAP process and institutions under the KENSUP); it often depends on individual relations, personal contacts and patronage and by that is not sustainable
- The constraints to maintain even a short-medium term partnership with the NCC (because of the high level of staff and leadership turn-over) and the difficulty to get access to new officials;
- Often no coherence is seen between the Government policies on paper and the practice, resulting in disappointment and distrust (like with the LASDAP process)
- Ultimate decision-making is done by a small group of local politicians (councillors, chiefs) in the old style. Only a new constitution could change this situation and empower the people by improved access to information
- Ignorance in civil society that Council meetings are open to public. The council structure of working with Committees (where committee meetings are not open for public) and the secrecy-act in civil service are as well seen as obstacles to transparency.
- Finally there are complaints (especially from the community and grass root level) that individuals participating in consultative fora and meetings don't receive any compensation for their travel and the fact that they can't work during those events. (Note: for the working groups in preparation of the new land policy, financial compensations are provided after certain defined outputs/reports have been submitted)

8.2 Inadequacies in knowledge, skills and attitudes

- Lack of knowledge and information is seen as a main obstacle: there is a lack of back ground info, the info often arrives at too short notice and is in difficult English language. The result is that civil society is often poorly prepared because of insufficient information. Tailor-made publication materials for special target groups are required: to make things more understandable. Now participation sometimes looks like window dressing (especially also because of absence in feedback). The new constitution should address the right to information (as well to encounter the attitude of civil servants to hide behind the Civil service secrecy act)
- Often there is no feeling of being equal partners: public sector still often has the attitude of policy makers with the powers to implement (superiority complex). This requires awareness raising and appreciation of participatory approaches at high levels of Government, the Councillors and the Chiefs
- Not all actors have the right skills for participatory planning and decision-making, and how to facilitate civil society involvement. Especially within the public sector, both the technical officers as well as the councillors

8.3 Obstacles amongst civil society organizations themselves

- NGOs (and CBOs) are sometimes divided amongst themselves and the level of collaboration is low: in certain areas they may even work in relative competition. More may be done on the basis of common interest
- Civil Society Organizations represent the community views and needs, however mechanisms of accountability by providing feedback on the outcome are not always in place
- Conflict of interest between slum dwellers (and their CBOs) themselves: like amongst the owners and the renters of structures. Capacity building by leadership training, self-management and organizing the community by e.g. village development committees can contribute to a better understanding of the different interests amongst civil society itself

9 Pre-requisites for optimal functioning of citizen participation

Based on the LASDAP and KENSUP experiences a major conclusion may be drawn that a good communication and information exchange can have a significant value to optimal civil society participation. Poor communication is caused by inadequate information and communication skills with other stakeholders, inadequate information or communication methods, poor

quality of (mass media) materials, and procedural inadequacies like too short periods between invitation and meetings, preventing for proper preparation and consultation.

9.1 LASDAP

In its set-up the LASDAP is a good step forward in facilitating popular participation though a bottom-up planning process for improving service delivery to Kenyan citizens, and has great potential. However it can be concluded that a number of pre-requisites for optimal functioning were not in place at the launching of the process. With particular reference to:

- Inadequacies in the mechanism of consultation as a two-way process:
 - Single info channels for announcing meetings (posters): not reaching all
 - Period between announcement and meeting too short: not allowing communities to get together and prepare/consult before the meeting; more than one meeting would improve this situation
 - Several materials (like budgetary forms) are too difficult for illiterate or semi literate people, and require explanation and discussion longer in advance of the meeting
 - No involvement in prioritization/final decision making; and neither a feedback mechanism to inform on the decisions made; causing frustration
- Inadequate skills in techniques of action planning, participatory budgeting, facilitation, negotiation and conflict resolution amongst officers of NCC as well as community workers
- The slow or complete absence of implementation of the identified projects caused by (central government) administrative arrangements and procedures for funding disbursement; causing complaints from the community that the participatory process is just window dressing for the purpose of public relations of NCC

Given the weakness as listed above, which basically could all be addressed for improvement, the actual situation now is disappointment, disillusionment and distrust with the communities and NGOs that have been involved; unwillingness of the councillors to proceed because they say they lose their credibility; and frustrations in the NCC. Some people even fear all these may seriously obstruct or even block the next consultation rounds. Co-ordinated and major efforts are required to revive LASDAP.

9.2 KENSUP

Without any doubt the UN-Habitat has a strong belief in the KENSUP set-up and its participatory, process oriented approach. As well the Kenya

Government shows a very high commitment to the program, although it has not yet succeeded in mobilizing all required funding for the implementation stage of the program. On paper the program seems to be well thought out, and the recently approved national housing policy works in favour of the program. The local World Bank office takes a reluctant stand on the KENSUP program. This may be caused by the traditional project blueprint approach normally applied by the WB, while the KENSUP program has chosen a process-oriented approach (interventions defined by participatory mechanisms).

As well the fact that Kibera-Soweto has been chosen as the pilot area for the KENSUP program has made both the World Bank and DFID very reluctant to step in this program: a number of improvement interventions have failed in the past in Kibera because of weak capacities of the NCC, lack of adequate leadership and the un-resolved land tenure/ownership issue by the Kenya Government.

There are concerns about the weak capacity of one of the key implementing agencies, e.g. the Nairobi City Council in general, and more specific the Project Implementation Unit (PIU). A main cause is the high turnover of professional staff as well as leadership (Town Clerk), restraining the sustainability of capacity building interventions.

Moreover the NCC has to change its role from single service provider to facilitator and coordinator of multi-actor involvement. This requires skills in community mobilization, participatory and action planning, communication skills and negotiation techniques, and skills in community contracting and contract preparation and negotiations with the private sector.

At the level of the project area (Soweto) it is felt that the DO and Chief, given their powers on the ground, require substantial sensitization and awareness on participatory processes and good governance. The political influence of the area Councillor in the participatory process is also questioned. Good Governance remains a field of big concern. There are some criticisms on the way the members of the Settlement Executive Committee were elected. These criticisms come from some inhabitants, faith-based organizations and CBOs. Criticisms on inadequate info-com are shared by the public sector as well and initiatives have been taken to develop a strategy and build capacity for improved info-com.

9.3 Involvement of NGOs, CBOs and faith-based organizations

The NGOs and faith-based organizations have the widest experience in facilitating the involvement of communities in participatory processes: they provide leadership training, build capacities for self management and organization, and often function as the facilitator and/or intermediary between communities and the authorities (like during the LASDAP process), even till such an extend that some even fear that communities see them as extensions of the government.

In the traditional role of NGOs, sometimes the small scale of interventions in informal settlements by different NGOs (by means of pilot projects), has led to impacts at the micro level, but at the same time lacked the necessary integration (and coordination) of systems and activities at the area (meso) level and citywide level. The KENSUP program is clearly an attempt to reverse this trend, and places the Settlement Executive Committee in the lead of formulating what has to be done (from a settlement-wide perspective) and by whom: thus from 'supply' driven 'isolated' NGO interventions to a more demand driven call on NGO (and Government) support. Lessons learned from KENSUP-Soweto will be of importance, not only for replication under the KENSUP program, but as well for interventions in any informal settlement in the future. Starting with organizing and building self management capacities of a community at a local area level (thus wider than a single neighbourhood) and locally co-ordinated interventions have the potential of improving the ultimate impact of the diverse interventions substantially.

10 Potentials and recommendations to improve civil society participation

Strengthening civil society participation should be approached in a holistic way: capacity building of the civil society alone doesn't guarantee increased effectiveness of the participatory processes. It as well requires the strengthening of the mechanisms and channels of participation amongst all stakeholders, and capacity building of the local authorities themselves. In broad lines civil society participation requires (next to the capacities of the individual stakeholders) access to information and channels for two-way communication. Although several channels and mechanisms are in place it is especially the weak dissemination and feedback methods and the low quality and insufficient openness of the information that restrain transparency and accountability, being both important aspects of good urban governance.

- As a general recommendation one could say that upcoming request from organizations in support of strengthening their communication and information dissemination capacities deserve support
- Support requests for advocacy and lobby activities and contributions to the process of the constitutional review and review of the local government act in order to legislate the right of information and systems of participation as part of the government system, deserve support
- Advocacy and lobby activities and contributions to the formulation process of the new Land Policy and Land legislation deserve support

- Support requests in the area of Local Economic Development, either at the city strategic level, or at the micro and meso level, deserve support

10.1 Strengthening the channels and other mechanisms of participation

There are a range of partnerships, coalitions and alliances that provide important channels of intra- and inter-communication and all having the potential to mobilize their members in different partnerships and forms of participation.

10.1.1 Nairobi Informal Settlement Coordination Committee

- Given the weak capacity of the NCC and the important complementary role the NISCC has played, any initiative to reactivate the NISCC should be supported.
- As well future support requests for specific activities coming up under the NISCC may deserve serious consideration;
- In addition to the City Planning Department, other relevant departments of the Council should be brought on board as well, like the Social Services and Housing Development Department. This aspect may even be made conditional in case of honouring support requests from the NISCC.

10.1.2 Other network and umbrella organizations and coalition groups

- Given the successful role Shelter Forum played and given their wide network allowing them to mobilize and establish various ad-hoc/loose/strategic coalitions/alliances/groups, the organization deserves continued support to their activities and possible specific requests for support;
- Given the successes of the Federation of Slum dwellers, being a grass root coalition, the Muungano wa Wanavijiji Maskini deserves continued support to their activities and possible specific requests for support. The information and experience exchange amongst the different slum areas is an important activity of such coalition groups, and possible future requests for assistance in forming new coalition groups (e.g. of CBOs representing the informal private sector), deserves serious consideration;
- Given the successful creation of the Kenya Private Sector Alliance, and the fact that an umbrella organization could speak with a single voice with the authorities to represent the interest of their member organizations and associations, any upcoming requests for assistance in forming new umbrella organizations for the informal

private sector, deserve serious consideration. Especially for city wide instead of national alliances.

10.1.3 The LASDAP process

- Government/Local Authority procedures, government procedures that are relevant to LASDAP must be reviewed with a view of changing those that hinder rather than promote partnership, especially with citizens. Very specifically, tendering procedures and requirements that give a central role to the Central Tendering Board, must be reviewed. Mechanisms that allow community contracting should be put in place.
- Smoothing of the government procedures to get more rapid disbursement of funds: civil society involvement in planning without clear results in the end frustrates and obstructs the participatory process
- Capacity building, City Council staff, NGO and CBO officials and leaders should be trained in relevant fields including community organization, action planning, participatory budgeting, negotiation, conflict resolution and gender sensitive approaches and analysis.
- Information and preparation, preparation for LASDAP consultation meetings should be given more time. A series of meetings should be held at neighbourhood level at least a month before the final Constituency meeting. In addition to the posters, other channels of communication should be identified and used. More resources should be available for information dissemination (both pre- and post).
- Monitoring and Feedback, committees comprising community representatives, City Council officials, Councillors, CBO and NGO representatives should be formed to monitor project implementation and provide regular feedback to all stakeholders on implementation status.
- Expand the consultation process into a 'local area' action planning process that could incorporate engagement and contributions from other stakeholders and local sources next to the projects to be funded through the Local Authority Transfer Fund.

10.1.4 The KENSUP program

- The activities in Soweto deserve a close monitoring of the experience and lessons learned, since the KENSUP program set-up is process oriented, participatory and interventions bottom-up defined
- If international NGOs receive requests from CBOs and NGOs for support of their activities in Soweto (under the KENSUP program), this provides an opportunity for more direct involvement, and

contribution to the further development of the whole KENSUP program

10.2 Capacity Building of Civil Society Organizations.

The following capacity building activities are of importance to improve and optimize the participatory processes:

- Building Community self management and community organizations (like village development committees) is the foundation for internal communication amongst the different interest groups and is as well the nodal point for interactions with the external world and involvement of the community in participatory processes with other stakeholders
- Building participatory (budgeting), action planning and advocacy skills within the communities, CBOs and NGOs
- Awareness raising of NGOs on slum upgrading approaches and facilitation of exchange visits
- Awareness raising amongst communities on civil rights and empowering communities to express their demands
- Facilitating and intermediary activities between the communities, CBOs and the authorities; especially those that can reduce the suspicion and distrust amongst them
- Building of communication and information dissemination capacity and skills of CBOs and NGOs

10.3 Capacity building of local authorities.

The following capacity building activities in the NCC are as well of importance to improve and optimize the participatory processes:

- Information is a pre-requisite for good communication. There is a need for a central urban database and information system, and easier access to public information
- Building of communication and information dissemination capacity in NCC: skill improvement of technical officers and councillors, improving facilities and establishing of systems
- Building community mobilization, action planning and participatory budgeting skills of technical officers of the NCC; and skills in conflict resolution
- Building skills on community contracting; contract preparation and monitoring in the context of different public-private sector participation models; and negotiation techniques
- Awareness raising and sensitization of councillors to participatory and consultative approaches, and more general on the principles of good urban governance
- Cultural change in the NCC from a bureaucratic to a pro-active organization

- Improve revenue collection capacity of the NCC to increase the financial resources and by that facilitating to invest more in quantity and quality of technical staff

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12 Abbreviations

AG	Attorney General
CEO(s)	Community Based Organization(s)
DFID	Department for International Development
DUD	Department of Urban Development
GOK	Government of Kenya
GTZ	Gessellschaft fur Technische Zusammenarbeit
HDD	Housing Development Department
IACC	Inter Agency Co-ordinating Committee
IASC	Inter Agency Steering Committee
IDCA	International Development Co-operation Agencies
ITDG	Intermediate Technology Development Group
JPPT	Joint Project Planning Team
KENSUP	Kenya Slum Upgrading Program
LASDAP	Local Authorities Service Delivery Action Plan
MoLG	Ministry of Local Government
MORPW	Ministry of Roads and Public Works
MP	Member of Parliament
MSE	Micro-Scale Enterprises
MSSG	Multi- Stakeholder Support Group
NCC	Nairobi City Council
NGO(s)	Non-Governmental Organization(s)
NHC	National Housing Corporation
NISCC	Nairobi Informal Settlements Coordinating Committee
PROLOGS	Poverty Reduction through Optimizing Local Government Structures
PRSP	Poverty Reduction Strategy Paper
P.S	Permanent Secretary
PIU	Project Implementation Unit
SEC	Settlement Executive Committee
SPIU	Settlement Project Implementation Unit
UNDP	United Nations Development Programme
UN-HABITAT	United Nations Human Settlement Programme (UN-HABITAT)
UNEP	United Nations Environmental Programme

8: Conclusions

Reinhard Skinner and Claudio Acioly Jr.

The preceding chapters have presented attempts to increase decision making by the poor and other civil society stakeholders in urban management in seven cities worldwide. Each has been specific to its own context and history. However, if we are to learn from these experiences we clearly need to look for common lessons and experiences that can be shared. This chapter makes an attempt to identify these commonalities as well as taking due note of the specificities which may apply to any city case.

1 The study cities

There are characteristics of growth that apply to most cities in developing countries so it is unsurprising that the seven cities covered in the present publication share many of them. One is that urban growth has been largely fuelled by rural-urban migration. While this may be true, at least historically, one should not be unaware of historical demographic changes. So, while migration has accounted for significant migratory flows there is equally important growth that takes place amongst second-generation migrants so that urban areas generate their own population expansion. The evidences brought by the studies in the seven cities do not all unequivocally sustain the argument that growth in the informal settlements are higher than the overall city growth, there is a global notion and evidence that this is the case.

Secondly, one should understand that the studies deal with urban problems and to some dimensions of urban poverty which in some countries like Brazil and Peru already accounts to large parts of the total population. Similar trends of urbanisation and increasing informality are found in other countries and cities covered in this publication.

In recent years international donors have marshalled much of their aid to the poorest countries around poverty reduction strategies including assistance offered to some of the countries appearing in this publication. To the extent that they have drawn up Poverty Reduction Strategy Papers (PRSP's) they will also have committed themselves to an agenda of citizen participation, as this is implicit or explicit in the offer of such assistance. It is important to bear in mind this external pressure to promote participation when considering the urban management processes which have evolved.

Whether the impetus to promote participation is external or internal the legislation to embody it has been recent, as have the laws that established decentralisation. This novelty brings with it uncertainties and, of course, lack of experience as well as other possible problems such as low political commitment.

Decentralisation has brought its own problems, as well as opportunities, to all cities. If it is true, as Fransen believes in the case of Awassa, that "decentralisation is an essential pre-condition of participation, as it delegates decision making to the lowest possible level, where participation is most feasible" it is equally true that one can usually witness struggles between central and local government for control of local decision making. Additionally, decentralisation, it is well known, means that local authorities have more responsibilities but do not necessarily have more funds to meet them. This, paradoxically, is an opportunity from the point of view of the participation minded. Scarce funds require local authorities to focus on local financial and non-financial resources. To a large extent this helps explain the ways in which local governments have sought to bring in local organisational and human resources in the form of participatory planning, including participatory budgeting as mentioned in the case of Recife. However, it also draws attention to the way in which local financial resources in most cities have not yet been tapped, such as in the case of the private sector which seems in some cases to be a partner waiting to be asked to dance, such as in Lima and Yaounde. Nevertheless, all the cases herein analysed give evidences that levels of decentralisation and the practice of citizen participation linked to it differ from country to country as well as the legal and institutional frameworks. This helps making a point that these conditions can definitely enable or restrict the rise of forms of participation and collaboration between governments, CBO's and NGO's.

Another common characteristic of the study cities is the role of NGO's. While their actual activities may not be uniform they have always played a positive role in promoting stakeholder participation and usually in supporting local authorities to do so.

Sadly, another common feature is the lack of political will to ensure participation is realised. This may be at the level of central government, local government, levels within one or other or all of these. The different city studies identify which applies to them. The causes of this reluctance may be various. It is too easy to assume that it is only due to a reluctance to share power. This is undoubtedly the case but it cannot be ignored that much of the pressure to make urban management processes participatory is external in origin and may find little local resonance. This is something we see implicitly at least in several of the studies. Recife is an exception where several councils, the participatory budgeting and the participatory land management, PREZEIS, demonstrate a strong political commitment to safeguard and promote broad citizen participation.

Apart from donor pressure to install stakeholder participation in city management one can identify entry points into the arena of participatory management in most of the cities in this publication. In Recife this was 1984 when Mayor Jarbas Vasconcelos assumed office and began to advocate citizen participation in social policy formulation and poverty reduction. The first channels of dialogue were created between government and community in low-income neighbourhoods where problems were discussed, prioritised and government finance committed. In Lima the

history has been longer but much interrupted from the government of President Juan Velasco (1968-1975) to the present with participation largely absent during the 1980's and 1990's. Historical milestones of stakeholder participation can credibly be proposed in the cases of Tirana (the collapse of communism in 1989), Awassa (the fall of the Derg and opening towards the West) and Nairobi (the departure of Moi and entrenched KANU government). It is probably fair to say that in Yaounde's case it was mainly donor pressure which put stakeholder participation on the agenda.

2 Channels of Citizen Participation

Citizen participation worldwide shares certain characteristics such as the impetus given to it by decentralisation. However, the seven city studies have shown that the forms or channels of participation can vary widely. In Recife the PREZEIS (Programme for the Regularisation of Zones of Special Interest) has dominated since the second half of the 1980's. We have seen that this revolves around land management in which citizens participate in decisions about whether or not to regularise tenure and upgrade settlements developed on informally and often illegally occupied land. PREZEIS is complemented by a series of participatory sector municipal councils and fora through which citizens become involved in public policy making and resource allocation such as participatory budgeting, a Forum on Garbage and Citizenship, the State Coalition of Civil Society Organisations, Sector Councils on Health, Education, Children & Youth, Environment, Culture as well as the Environment Council.

In Lima the main channels through which stakeholder participation takes place are local (district) integrated development planning, the related and subsequent participatory budgeting and the, anti-poverty round tables (the *mesas de concertación*).

None of the above mechanisms exist in Yaounde, although there are attempts (though not by central government) to install participatory budgeting. Instead there are city consultations, a Poverty Reduction Strategy Paper (which brings with it, at least in theory, participation in the monitoring of project disbursements), and HIPC, the Highly Indebted Poor Countries initiative which again is supposed to include participatory monitoring.

In Awassa, as throughout Ethiopia, a city development strategy has been developed with stakeholder involvement. The City Council has also established a Development Coordination Committee, to coordinate all development activities, which comprises city council, its seven Kabeles (neighbourhoods or city sectors), and chairmen of Local Development Committees.

Meanwhile, in Nairobi participation is focused mainly on two programmes, LASDAP (Local Authorities Service Delivery Action Plan) and KENSUP (Kenya Slum Upgrading Programme). In other cities the

range of channels is broader, being over twenty in Recife and a more modest six in Davao (e.g. the City Development Council, City Social Service Development Office, and the Barangay Development Council).

3 Problems of Participation

Each of the studies has shown what the difficulties are in establishing and developing participatory urban management. It is interesting that some of the problems seem to exist universally. For example:

- Lack of citizen information. Stakeholders receive too little information on processes in which they should be involved, receive it too late to be able to prepare themselves to participate meaningfully or the information is couched in language which is difficult for the lay person to understand.
- Lack of capacity and experience in local government. The speed with which the processes have been introduced have left municipalities ill equipped to coordinate them well. This leads to poor implementation but sometimes also to opportunities for NGO's to provide technical assistance to municipal governments.
- Lack of capacity of grassroots to participate effectively. Apart from the lack of information referred to above, there are certain skills required to participate in urban management processes such as understanding the relevant legislation, one's rights and responsibilities, and having a basic grasp of planning procedures and tools (e.g. strategic planning).
- Lack of political commitment or willingness on the part of government to surrender power.
- Lack of representativeness of participatory organs. This can arise when the coordination of meetings fails to ensure that all stakeholders are invited, when organisations are invited which do not properly represent the poor or when leaders do not provide adequate feedback to constituents who subsequently do not feel their leaders are representing them.
- Lack of collaboration or solidarity amongst actors. In Nairobi, for example, it was found that NGOs (and CBO's) are sometimes divided amongst themselves and collaboration is weak; in certain areas they may even work in relative competition. In other cities the same was found: NGO's may agree practically to divide the city (and/or donors) up between themselves rather than sharing them and working together in them. In various cities it was found that few if any activities were carried out in partnership or collaboration. This is a particular problem in the field of advocacy where alliances are likelier than individual efforts to bring about policy change.

Similarly, the city-based audits reveal that civil society organizations are still not sufficiently strong to play a role in policy dialogues with the local government and embark into a multi-stakeholders interface. This is

certainly the case in Yaounde, Lima, Awassa and Tirana. In Tirana NGO's (and CBO's) are often created by donor projects and lack the kind of social base or support that they would have enjoyed had they emerged as a result of popular pressure for change.

Networks are a form of collaboration which some donors, including Cordaid, are trying to promote. Yet these are still universally weak. In both Cameroon and Peru networks exist (weak as they may be) or are developing. In Lima networks are coming to be seen by some NGO's as a means to achieving policy change rather than participating more directly in the political process as NGO's did in earlier decades. This represents a strategic historical shift in the case of Peruvian NGO's but in Cameroon it is a first venture into the political arena. In Tirana a single NGO, Co-Plan is promoting a network of NGO's though with a very introspective mandate to deal with quality and credibility standards, the role of NGO's in Albanian society and the discussion of common problems like funding. In Awassa no networking exists at all amongst NGO's and coordination among them is weak, with each of them focusing on 'their' Kabele(s). In the case of Davao, and in the Philippines as a whole, this is a strong feature with a number of networks forging collaboration and lobbying on a common agenda. In Recife, the NGO's set up a "NGO Collective" to represent the NGO sector in the various councils and participatory channels in addition to a well organised regional branch of the national federation that has a seat, on behalf of the NGO's, in the various channels of interface with the local government. In Nairobi a single NGO, Shelter Forum, is a relatively successful network organization while the Federation of Slum dwellers is an interesting and promising network initiative amongst slum communities and CBO's. This is also found in Davao City where the poor is establishing people's federations on local, provincial and national levels.

In most of the study cities there is potential to broaden stakeholder participation to include more actors such as the private sector¹. Broader participation and collaboration between stakeholders is important for many reasons and purposes. One of these is overcoming institutional resistance to participation which, in order to achieve, will require coordinated pressure from civil society. This is argued in the Yaounde case in particular.

4 The Role of NGO's

The present city studies have provided us with an insight into some of the differences between NGO's in different countries. These reflect a number of factors, including their own historical evolution and the opportunities and needs which exist in the contexts in which they work. In Recife they provide technical support to CBO's and as such act as a kind of interlocutor between them and the institutional and political framework. Thus, for example, they provide technical and operational assistance to CBO's in their claims to have their settlements declared a (ZEIS) Special Zone of Social Interest (ZEIS) which would lead the way to regularisation and urban development. NGO's also make arcane legislation and

institutional and political complexities accessible to lay citizens. The majority of the NGO's in the city has their own development programmes and intense capacity building of individual citizens and CBO's with a goal to build a new form of citizenship: critical, participative, conscious of his/her rights but also of his/her obligations.

In Lima the position of NGO's in providing technical assistance to local authorities in the implementation of participatory processes makes them well placed to influence the policies of the same authorities. NGO's in Yaounde are also well placed to influence policy but not directly through local authorities as the extent to which they work closely with them is at present much less than in Lima. Instead their latent strength lies in their role in strengthening civil society to this end.

In Davao City, NGO's are working closely with CBO's and residents of informal settlements within the framework of the Community Mortgage Programme and usually focusing on livelihood improvement and securing access to land. NGO's are also interacting with other stakeholders and having a seat in the Barangay Development Council (the lowest level of urban governance in the city) in addition to the City Development Council. However, these councils do not have a frequent agenda of meetings making the impact of the NGO participation rather limited. NGO's are making use of social mapping techniques and micro-planning workshop tools to mobilize residents at the neighbourhood level and this is bringing some results in social cohesion and social mobilization. But at the interface with the local government, NGO's are failing to breakthrough the lack of trust and distance that exist between the public sector and civil society in the city.

Two qualities of NGO's in Tirana are of particular note. First, they are largely implementing agencies for donor projects and, secondly, they have in most cases actually been created by donors rather than emerging from a felt need as NGO's traditionally have elsewhere. A particular and well-capacitated NGO has emerged in Tirana, with significant donor support, and with a strong focus to the urban and land problems in the city (and in the country as whole) pioneering public discussions and promoting broad participation. Despite the positive results with local community-based groups and local governments, their work and experience hardly find echo within the local and national government policy frameworks in favour of greater citizen participation in planning and urban management. The process of transition seems to require longer time for governments and civil society to embark into a policy dialogue meaning that the role of NGO's focuses on attitude change and broadening knowledge of different stakeholders.

In Nairobi NGO's provide professional services to Nairobi City Council and give assistance in community mobilisation and organization, similar to the way NGO's work in Lima. However they are almost all also involved in advocacy, lobbying and policy influencing work through multi-stakeholder alliances and fora. In Awassa, on the other hand, NGOs are wary of lobbying and advocacy since these may adversely affect their

status as registered NGO's, such is the suspicion of central government which still exists.

5 Conclusions Reached

Most of the studies propose ways in which external support can be mobilised to assist processes to promote greater civil society participation and to help remove obstacles to participation. Dominant amongst them is the strengthening of civil society stakeholders. This is a theme in the Lima study which proposes strengthening of NGO networks and of CBO's in skills to allow effective participation. The Yaounde study also proposes the strengthening of CBO's but in addition the building of capacity amongst NGO's. Efforts should also be directed towards increasing collaboration between the different civil society actors. For Awassa the recommendations include NGO's and CBO's but extend to the need to create an NGO network which will itself provide capacity building and allow information sharing, lobbying and advocacy.

A deficiency in the systems of participation which come through in nearly all the studies is the weakness of capacity in the local governments who have to implement it.

The Lima, Awassa and Yaounde studies are three which identify a need to exploit the potential contribution of the private sector to local development processes and the need to have it become more involved in their planning. In Awassa it is noted that organisations that represent the formal and informal economy also require strengthening.

Most of the studies again propose that participatory processes and the institutions linked to them be improved or strengthened. Thus in Awassa it is suggested that Local Development Councils, which are likely to play an important future role in participatory urban management, require considerable training in order to be able to discharge their duties properly. In Nairobi the main reasons participatory processes have fallen short of expectations are given as lack of capacity and some resistance at middle and lower levels of state, a problem echoed in Lima. It is also suggested that in Tirana local institutions of government need strengthening so that they do not depend on NGO's.

The Yaounde study concludes that support is also needed to strengthen participatory processes, and that citizen innovation should receive donor support, such as for city consultation projects and the incipient participatory budgeting.

A few of the studies suggest ways in which NGO's can augment or change the way they work in order to contribute more effectively to the establishment and reinforcement of participatory urban management. One may imply from these that donors are asked to be open to requests from NGO's to support them where they attempt to take up these efforts. Awassa is one case in this respect where specifically it is felt that NGO's should try to influence policies as well as carrying out its traditional project work. A similar proposal is to be found in the Yaounde and Lima cases. In the

latter it is also suggested that NGO's, and civil society as a whole, assume a vigilance role over the participatory processes to guarantee the quality of their implementation.

6 Some closing remarks

Apart from the conclusions reached by the authors of the individual studies there are some that can be drawn about city participatory processes as a whole.

The first of these is that while many laws have been passed to enable, promote and even make participation obligatory, legislation by itself does not guarantee participation. Other pre-requisites have been identified in the city cases including political will, institutional preparedness, capacity amongst stakeholders to make their participation effective and a strong civil society. Bottom-up and sustained social mobilisation is a key to make participation meaningful and continuous. Persistently knocking at the mayor's door requires good tactics, a strategic vision and capacity to persuade and engage into conflict resolution with a consensus-approach mind setting. Unfortunately this lacks within the CBO's and not all NGO's are capable to pursue a continuous capacity building and support to grassroots that will enable the mayor's door to be open for them.

Second, and related to the first, donors have been a major influence in the adoption of participatory processes by governments. It is evident that in most cases the processes fall well short of what is intended. Donors should invest equally in ensuring that they work properly and certainly better understand and support the role that developmental NGO's play in increasing the quality of participation and its effectiveness. Though not always explicitly presented in the different city-based texts, the role of Cordaid, as a development partner but also as international funding agency, has been regarded as fundamental for NGO's and some CBO's, like the people's federations in The Philippines, to keep the poor agenda in focus and remain knocking at all doors of the local government. The capacity to persuade and influence the NGO's agenda by donor and funding agencies is undoubtedly. In the case of Cordaid it must be given the credit to insist on the principles of network and sustainability as a strategy to breakthrough the tendency to isolationism and fragmentation of the NGO intervention at the city level.

A risk of pushing for participation within a context earmarked by limited capacity of stakeholders is that participation may become symbolic and often just a tool to show to outsiders e.g. donors that one is doing the right thing and therefore eligible to further support. By lacking capacity to manage participatory processes, local governments tend to use of a strong rhetoric without actually practising real participation. Alternatively local governments may feel forced to promote capacity building of community-based organisations and co-opt their respective leadership to the extent that these lose their legitimacy, independence and lack community support. Such vertical relationships between governments and civil society

organisations limit the building of social capital and that is exactly when NGO's appear as independent capacity builders like in the case of Recife while in Awassa it is the government who strongly supports Local Development Committees. By all means one must take into account that the development and consolidation of sustained civil society participation takes time.

Fouth, strengthening civil society participation should be approached in a holistic way. In the same way as passing laws does not guarantee participation capacity building of civil society alone does not guarantee increased effectiveness of participatory processes. Capacity needs to be built amongst all stakeholders and local governments too. To paraphrase the adage, the strength of the process is only as great as that of its weakest participant².

The studies which make up the present publication were undertaken to help create a synergy between bottom-up participatory approaches and the traditionally top-down policy directions of local governments. The studies show how efforts to link the two have so far been undertaken in seven cities, what problems they face and what needs to be done to reap their full benefits. In this way this publication hopes to make a valuable contribution to the debate taking place during and after the World Urban Forum of Vancouver around urban policies and strategies that engage all city dwellers, including the poor and marginal groups worldwide.

7 Notes

¹The recommendations section in the full Lima report gives an extensive listing of potential stakeholders. The same section identifies potential relations which might be developed between stakeholders such as NGO-CBO, private sector-CBO, and so on.

²This observation has been made in both the Nairobi and Awassa studies.

About the authors

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Mr. Claudio Acioly Jr. is an architect and urban planner, a development practitioner with more than 21 years of experience in the fields of planning, design, management, implementation and evaluation of housing and urban development projects. He has worked with governments, non-governmental, bilateral and multilateral organisations providing management assistance, technical advice, on-the-job training and research services. He is the author of four books focusing on neighbourhood upgrading, density and urban management, participatory planning and public budgeting and has published and contributed to a number of international publications. Mr. Acioly has long and short-term experience as practitioner and docent in Brazil, The Netherlands, Egypt, Guinea-Bissau, Albania, China, Angola, Moldova, Mozambique, Kenya, Jordan, Bolivia, Portugal, Cuba, Armenia, Costa Rica, Bulgaria, The Philippines. He joined IHS in 1993 and is currently the coordinator of the Housing Specialisation of the IHS Master Course and lectures on housing policies, slum upgrading and land management, civil society participation in urban management and inner city revitalisation.

Marloe Dresens

Ms. Marloe Dresens is staff of the Quality, Policy and Strategy Department of CORDAID and policy officer of the Urban Liveability Programme. Ms. Dresens specialised in international management at the University of Leiden and thereafter took a long-term assignment to Brazil focusing on the field of education. Upon return to the Netherlands she moved on and started working for Hivos. She joined Cordaid in 1995. She has worked as a programme assistant for South-America and as well as programme officer for Brazil. Ms. Dresens coordinates strategic alliances with international institutions like IHS. Her interest lies in linking people, community organizations, NGO's, local governments and international organizations that work in the field of urban development with the objective that they can exchange theory and experiences in the field of empowerment of urban poor, slum improvement and participatory governance.

Jan Fransen

Mr Jan Fransen is Head Education and Training of IHS and Senior Urban Development Specialist with special focus on local economic development, capacity building and participation, related to urban poverty alleviation. He has working experiences in various European, African and Asian countries (Ethiopia, Kenya, Ghana, India, Indonesia, Netherlands, Namibia, Romania, South Africa, Tanzania, Uganda, Vietnam, Zambia and Zimbabwe). Before joining the IHS, he worked for the International Labour Office in Kenya and Zimbabwe on poverty alleviation through employment creation and labour-based technologies. Mr Fransen conducted research

into labour conditions and trade unionism in India, the informal economy and community participation.

Eric Makokha

Mr. Eric K. Makokha, alumni of IHS since 2003, is a sociologist with more than 20 years of professional experience and the Chief Executive Officer of Shelter Forum, a leading advocacy, information and network organization in Kenya. Because of the nature of this organization he has been intensively involved in the Nairobi Informal Settlement Co-ordination Committee, in the formulation process of the new Housing Policy and in both programs elaborated in the Nairobi study, e.g. in the LASDAP (local authority service delivery action plan) and the KENSUP (Kenya slum upgrading program). In addition he is Chairperson, of the urban land use, environment and informal sector thematic group of the National Land Policy formulation process and chairperson of the NGO Coalition on Urban land/Housing Rights Campaign on behalf of Nairobi's urban poor.

Junefe Gilig Payot

Mr. Junefe Gilig Payot is a researcher in the Urban Poor and Governance Section of the Institute on Church and Social Issues (ICSI), a research and advocacy institute at the Ateneo de Manila University where he also got his bachelor's degree in Economics. He has done research on various housing arrangements and resettlement, particularly of families in high-risk areas and families affected by government infrastructure projects in several cities in the Philippines. He also trains, assists and guide community-based organizations in doing their own research as a way of empowering them. He is the co-author of two modules in a slum upgrading sourcebook and recently coordinated the drafting of an Urban Development and Anti-Poverty Framework for Metro Manila, a mega city of more than 13 million people. He is an alumnus of the Institute for Housing and Urban Development Studies. He occasionally writes commentaries on urban poverty and development in the Philippines for the Philippine Daily Inquirer, the country's biggest newspaper. He is also fluent and teaches Japanese.

Reinhard Skinner

Reinhard Skinner is a sociologist who has specialised in urban management and poverty reduction for most of the last three decades. Within these areas he has worked for extensive periods on settlement improvement and community participation in numerous countries worldwide, most notably Kenya, Peru and Colombia. In addition Skinner worked for four years on a EU funded programme of vocational training for demobilised soldiers and guerrillas in El Salvador. He worked at IHS in two periods, from 1977-1984 and 2000-2004. Other relevant work experience includes three years at UN-Habitat (1984-87) where he was a member of the DANIDA funded training project on "Community Participation for the Improvement of Low-Income Settlements". He has published substantially in these fields.

Skinner currently manages the Monitoring and Evaluation, Studies and Information Unit of the Bernard van Leer Foundation in The Hague, Netherlands.

Hans Teerlink

Mr. Hans Teerlink is a Senior staff member of IHS with more than 30 years of professional experience as a development planner and training and institutional development expert. A major part of this experience has been built on overseas assignments in various European, African and Asian countries. (Bangladesh, Belarus, Eritrea, Egypt, Indonesia, India, Kenya, Lithuania, Nigeria, Poland, Uganda, Romania, Serbia, South Africa, Sri Lanka, Tanzania and Vietnam). Since 1995 Mr. Teerlink specialized in the area of Capacity Building, Human Resource and Institutional Development, Training needs and impact assessment, curriculum development and Training of Trainers in the context of participatory planning, urban management and strengthening local governments. Before joining the IHS he worked in slum and informal settlement upgrading programs, resettlement planning and integrated urban infrastructure development programs.

Maria Zwanenburg

Ms. Maria Zwanenburg has more than fifteen years working experience in social development issues and poverty reduction, especially in the fields of employment, micro and small enterprise development and local economic development. She has a long-standing experience in working together with national and local authorities, micro and small business associations, NGOs and commercial banks, the International Labour Organization (ILO) and UNDP in Latin America and Southeast Europe. She was directly involved in the design and implementation of a variety of projects in the field of micro and small enterprise development and local economic development. She joined IHS in 1999 and has designed and conducted training and research as well as advisory services as a local economic development planner in the fields of urban poverty reduction, income generation, urban social policies and social development and local economic development strategies. Ms. Zwanenburg has long and short-term experience in Bolivia, Costa Rica, Nicaragua, Panama, El Salvador, Honduras, Guatemala, Cuba, Argentina, Croatia, Ukraine, Romania, Albania, Djibouti, Zambia, Egypt and The Netherlands.