

Facing One Billion Challenges

A rights-based approach to slum upgrading

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ABSTRACT

There are currently one billion people living in slums today facing poor sanitation, high levels of violence and overcrowding. Forced evictions and slum demolition has been a common practice, despite being deemed a gross violation of human rights. Slum upgrading has increasingly become recognized as an effective urban poverty strategy that can best address the livelihoods of slum dwellers. This research will explore how a rights-based approach (RBA) to slum upgrading can improve outcomes. The first section will discuss definitions and characteristics of slums, illustrating their deep complexities. Following, slum upgrading will be introduced as a theory, practice and the challenges and failures of past initiatives. The third section will present slums as a human rights problem and how a RBA can best respond to it. By utilizing international discourse- mainly through conventions and agreement- the right to adequate housing, women's rights and the right to participation, can provide a solid foundation for a RBA to slum upgrading. Finally, the two selected case studies will reveal how attention to the aforementioned rights, especially participation, can lead to positive and sustainable outcomes.

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1. Introduction: One Billion Challenges

In the lead up to the 2014 World Cup, dedicated football fans scrambled to buy their last minute tickets to Brazil. With such short notice, hotel accommodations became extremely scarce. And then the ads appeared: “Favela experience, for a taste of authentic Brazilian slum living.”¹ With a variety of names to choose from, *favelas*, *baladi*, *bidonvilles*, *chawls*, *barrios populares*, informal settlements or simply “slums” are plagued with poor sanitation, overcrowding and high levels of violence. Fortunately for the guests of Brazil’s favela experience, they were cushioned with access to heat, running water, and even wireless Internet.

The bigger picture of the world’s slum crisis could not be painted more clearly than through the astonishing numbers. In some cities, 80 percent of the population lives in slums. At the regional level, in Africa, over half (61.7 percent) of the urban population live in slums and in Asia, 30 percent of the urban population resides in slums- bearing in mind that this continent is home to half of the urban population of the world.² At the country level, China has the most slum dwellers in the world with 180 million, followed by India with 104 million. Almost the entire urban population of the Central African Republic (96 percent to be exact) is living in slums.³ The pressing nature of finding not only an effective, but also a rights-based approach to managing slums is becoming a more luring challenge since there are presently one billion people existing in slums today,

¹ National Public Radio. (2014). Favela experience, for a taste of authentic Brazilian slum living. Retrieved May 20, 2015, from <http://www.npr.org/2014/06/01/317843714/favela-experience-for-that-authentic-brazilian-slum-experience>

² UN-Habitat. (N.d). Background paper on slums. United Nations Human Settlements Programme. Retrieved online on June 10, 2015 from <http://unhabitat.org/wp-content/uploads/2014/07/WHD-2014-Background-Paper.pdf>

³ Ibid.

and this number is expected to triple by 2030.⁴ Articulatedly expressed by Khan and Petrasek in the *The Unheard Truth: Poverty and Human Rights*, “If poverty is the world’s worst human right crisis, then slums are its ‘ground zero’, where the magnitude of the calamity is plain for all to see.”⁵

The factors contributing to slum formation are often the result of one or a combination of the following: poor governance, institutional and legal failures, population growth, insufficient urban planning, internal or international armed conflict and natural disasters. Rapid urbanization has produced migratory trends, moving from rural to urban areas in order to attain better access to services and jobs- and more than 90 percent of this urban growth is taking place in the developing world.⁶

An unprecedented demographic revolution took place after the Second World War when bursting populations and low housing stocks were met with a delayed from governments who were convinced that “the world would return to the ‘happy state of pre-war normality’”.⁷ After a long overdue response in the post-War decades up until the 1970s, governments began to address the housing crisis through subsidized public housing initiatives, mass production and prefabrication. These initiatives fell short of defeating the housing deficit, leaving the poor to resort to squatting.

The physical presence of slums, crooked roofing and overflowing with garbage, lying in plain view in or on the outskirts of a city is a constant reminder of failed governance. It is no secret that since the beginning of the crisis in the 1950s, a common

⁴ UN-Habitat. (N.d.). Housing and Slum Upgrading. Retrieved May 20, 2015, from <http://unhabitat.org/urban-themes/housing-slum-upgrading/>

⁵ Irene Khan and David Petrasek. (2009). *The Unheard Truth: Poverty and Human Rights*. New York, USA: W.W. Norton & Company. p.148.

⁶ Cities Alliances. (N.d.) About slum upgrading. Retrieved June 5, 2015 from http://www.citiesalliance.org/About-slum-upgrading#What_are_slums

⁷ Otto Koenisberger. (1986). Third World Housing Policies since the 1950s. *Habitat International*, 10(3), pp.27-32. p.28.

policy and practice used by governments to address the eyesore of slums is demolition and sometimes, resettlement.⁸ What Amnesty International has called a gross violation on human rights, forced evictions as response to slums is still used today, most notably in China.⁹ In fact, in just seven countries- Bangladesh, China, India, Indonesia, Nigeria, South Africa, and Zimbabwe- there have been more than 10.2 million people who faced forced evictions between 1995 and 2005.¹⁰ For the sake of “beautification” projects or preparation for international mega events such as the World Cup or Olympics, mass forced evictions are often violent and displace millions of peoples. As UN-Habitat notes, “it is always the poor who are evicted- wealthier population groups virtually never face forced eviction, and never mass eviction”.¹¹

In response to our “one billion challenges”, slum upgrading has become widely recognized as an effective alternative to eviction and demolition. Like most models for development, slum upgrading as a universal formula is imperfect and runs the risk of making matters worst for slum dwellers, or failing as a project altogether. However, it is the mission of this research to show how attention to human rights, or a rights-based approach, can produce positive outcomes in slum upgrading initiatives.

The first section of this paper will briefly explore definitional understandings of slums and their complexities. Moving away from pitfall assumptions about informal settlements and those who occupy them is integral to understanding their existence and

⁸ Ibid., p.31.

⁹ Amnesty International reported that from 2009 to 2012 there were over 40 cases of forced evictions in China, nine of which resulted in deaths via self-immolations. BBC News. (2012). Amnesty: China forced evictions in ‘significant rise’. Retrieved on May 3 2015 from <http://www.bbc.com/news/world-asia-china-19894292>

¹⁰ Khan and Petrsek. (2009). p.153.

¹¹ UN-Habitat. (2003). *The Challenge of Slums: Global Report on Human Settlements*. London, UK: Author. p.124.

the limitations in defining them. The following section will then introduce the development of slum upgrading, its key components, and the common challenges and failures of past projects. It will be revealed that a lack of focus on human rights is often the impediment of upgrading.

Once a foundational understanding of slums and slum upgrading is grounded, this research will move into the rights-based approach (RBA) to slum upgrading. The first step in establishing a RBA framework is recognizing slums as a human rights issue, with dwellers facing deprivation, insecurity, exclusion, and voicelessness. There are several rights that can be the focus of a slum upgrading initiative, however I will focus on three sets of specific rights: the right to adequate housing, in particular the seven conditions set by the Committee on Economic, Social and Cultural Rights in General Comment No. 4; women's rights; and the right to participation.

Finally, the last section will examine two case studies, PRIMED in Medellin and the OPP in Karachi. The results will illustrate how attention paid to the aforementioned rights via program objectives and activities can yield exceptional outcomes in slum upgrading initiatives. Most notably, fostering the right to participation can provide a gateway to the expansion of other rights.

2. Slums: Definitions, Characteristics and Limits

Slums are not homogenous; they are different across regions, countries and cities. Similarly, those who reside in slums, slum dwellers, are diverse with differentiating backgrounds, interests, and means, and suffer under less or more deprivations. One problem in the assessment of slums is the lack of one agreed definition. UN-Habitat suggests that slums are “a contiguous settlement where the inhabitants are characterized

as having inadequate housing and basic services [and] is often not recognized and addressed by the public authorities as an integral or equal part of the city.”¹²

Affordable Housing Institute (AHI), a consultancy firm specialized in global South housing policies, recognizes the obscurity of defining slums. As a result, the firm uses up to twelve definitions, “all of them incomplete and all of them true”.¹³ AHI’s definitions provide a wider perspective through contemporary considerations such as informal settlements being the result of self-built organization, as well as their self-repairing and entrepreneurial nature. Table 2.0 provides all twelve definitions AHI utilizes.

| Table 2.0 Affordable Housing Institute: Twelve Definitions of Slums¹ |
|---|
| 1. Slums do not always emerge from once-formal settlements. They are usually self-built and organized by informal residents themselves. |
| 2. Slums have high-density populations, low-rise buildings, and substandard and unhealthy living conditions. |
| 3. Slums are dangerous places to live and work, especially for women. |
| 4. Slums are a self-built spontaneous community. |
| 5. Slums are where private investment has outrun public infrastructure. |
| 6. Slums extract wealth from their dwellers. |
| 7. Slums are where physical reality and legal documentation are wildly at odds. |
| 8. Slums have a power structure that may flow through organized crime, gangs, ethnic groups, etc. |
| 9. Slums are hives of entrepreneurs. |
| 10. Slums are a self-organizing and self-repairing ecosystem. |
| 11. Slums are an expression of market forces responding to rapid urbanization. |
| 12. Every rapidly urbanizing city goes through a period of slum proliferation. |

Importantly, they move past common pitfall assumptions about slums being infested with poor communities that are unwilling to work in the formal sectors of society. Treating slums as a disease that requires eradication is misleading when in fact the existence of slums have unintended benefits such as providing: low cost affordable housing to new migrants; the city with a work

¹² UN-Habitat. (2003). *The Challenge of Slums: Global Report on Human Settlements*. p.10.

¹³ David A. Smith. (2013). What is a slum? Twelve definitions. *Affordable Housing Innovations*. Issue 06. Retrieved June 25, 2015 from <https://www.citiesalliance.org/sites/citiesalliance.org/files/AHIInnovations06-what-is-a%20slum-130225.pdf>

force; and an environment where the “mixing of different cultures often produces new forms of artistic expression.”¹⁴ Caution should be taken to not idealize slum life, though recognizing the benefits of the existence of low-cost housing, informal or otherwise, should still be taken into account.

While AHI’s definitions can provide a qualitative depiction, measuring slums in quantitative terms is a more challenging task. There is no prescriptive size requirement for a slum as they vary in population drastically, from a few hundred people to “megaslums” of over two million people.¹⁵ Efforts to propose a more quantitative definition have been underway in order to address the diverging opinions as to which key determinants should be measured. However, because of their multi-dimensional nature—their complexity, relativity, local variations, quick evolving, and spatial aggregation—measuring slums is problematic even with well-defined indicators.¹⁶

UN-Habitat has an established set of criteria for defining and assessing slums according to existing deprivations. Thus, a slum household is “a group of individuals living under the same roof in an urban area who lack *one or more* of the following”¹⁷:

| Table 2.1: The Five Conditions ¹⁸ |
|--|
| 1. Durable, permanent housing that protects against extreme climate conditions. |
| 2. Sufficient living space, i.e. not more than three people sharing the same room. |
| 3. Easy and affordable access to safe water in sufficient amounts. |
| 4. Access to adequate sanitation, i.e. private or public toilet shared by a reasonable amount of people. |

¹⁴ Rasna Warah. (2003). Slums and housing in Africa in UN Chronicle Issue 4. Retrieved June 21, 2015 from <http://www.un.org/Pubs/Chronicle/2003/issue4/0403p19.asp>

¹⁵ Mike Davis. (2006). *Planet of Slums*. London: Verso. p.28.

¹⁶ UN-Habitat. (2003). *The Challenge of Slums: Global Report on Human Settlements*. p.11.

¹⁷ UN-Habitat. (2007). Slums: Some Definitions. Retrieved May 9, 2015, from <http://ww2.unhabitat.org/mediacentre/documents/sowcr2006/SOWCR%205.pdf>

¹⁸ Ibid. Information from Table 2.1 retrieved from source cited above.

5. Security of tenure that protects against forced evictions.

The degree of deprivation is dependent on how many of the five conditions are predominant in a slum household. UN-Habitat uses measurement to determine the proportion of slum households in developing regions according to the number of shelter deprivations. However, only the first four definitions can be accounted for because while security of tenure is a prominent feature in most slums, it is not directly related to the assessment of “shelter conditions”.¹⁹ On the other hand, it is argued that security of tenure in fact does directly affect the condition of the shelter. Most notably, Peruvian economist Hernando de Soto has written extensively on the question of property rights and development, arguing that security of legal tenure through titling encourages investment in housing improvements.²⁰

There is something to be said here about the limitations in UN-Habitat’s definition: four out of five of them are focused on measuring the physical expression of slum conditions. Granted, they offer clear and measurable indicators that can be easily understood and adapted by governments and non-governmental organization. In other words, it is information that can be retrieved by using household-level data that is collected on a regular basis.²¹ Factors such as security of tenure lacks a monitoring mechanism since household-level data on property entitlement, evictions, ownership and other related indicators are not available through mainstream data collection via censuses and household surveys.²² As a result, measurable indicators are focused on ailments that

¹⁹ Ibid.

²⁰ Hernando de Soto. (2001). *The Mystery of Capital*. London, UK: Bantam Press. p.55.

²¹ United Nations Statistics Division. (N.d.). Millennium Development Goals Indicators. Retrieved May 23, 2015, from <http://mdgs.un.org/unsd/mdg/Metadata.aspx?IndicatorId=0&SeriesId=711>

²² Ibid.

surround slum life, casting poverty as an attribute of the environment. Is poverty a feature of slums, or are slums a feature of poverty? UN-Habitat's indicators seem to assume the former. Despite the correlation between poverty and slums, it is important to recognize that not all of the urban poor live in slums and not all slum-dwellers are poor.²³ Moreover, slum assessment must go beyond physical attributes and take into account the social realities of slum dwellers like facing rampant levels of violence and discrimination.

3. Slum Upgrading

Slum or urban upgrading has become widely acknowledged as one of the more effective urban poverty strategies. Rather than ostracizing informal settlements from the rest of the city and marginalizing slum dwellers, upgrading provides a process “through which informal areas are gradually improved, formalized and incorporated into the city itself”.²⁴ According to Cities Alliance, improvements can manifest through “physical, social, economic, organizational or environmental” means with cooperative alliances between the dwellers themselves, non-profit organizations, community groups and local government.²⁵

The first generation of the World Bank's slum upgrading projects during the 1970s and 1980s²⁶ were primarily influenced by the theorist John F. C. Turner, particularly his 1972 book, *Freedom to Build*.²⁷ Turner argued that governments should avoid solving the housing problem itself and instead focus efforts on improving the

²³ Davis. (2006). p.23.

²⁴ Cities Alliance. (N.d.) About Slum Upgrading Factsheet. Retrieved May 15, 2015 from https://www.citiesalliance.org/sites/citiesalliance.org/files/CA_Images/SUFactsheet_English_0.pdf

²⁵ Ibid.

²⁶ Between 1972 and 1990, the Bank finances a total of 116 upgrading initiatives in 55 nations. From Davis. (2006). p.70.

²⁷ Herbert Werlin. (1999). The Slum Upgrading Myth. *Urban Studies*, 36(9), pp.1523-1534. p.1523.

conditions surrounding slums such as unsanitary waste disposal and inadequate access to or polluted water.²⁸ Already skilled in organisational land management, slum dwellers can maintain infrastructure provided and gradually improve their own homes. Turner recognized the importance of secured tenure and access to credit, though he was mainly a proponent for minimal government intervention and was against top-down, hierarchical approaches.²⁹ Others, such as Rod Burgess, argued Turner’s policies “could only be implemented alongside rather than instead of, existing State policies, and never on the scale and in the manner considered critical to their success.”³⁰ Herbert Werlin also contended in his 1999 piece “The Slum Upgrading Myth” that the “minimal state” approach Turner supports does not pay proper attention to what he considers to be the most important foundational principle of sustainable upgrading efforts, secured land tenure.³¹

The Centre on Housing Rights and Evictions (COHRE), a Geneva-based international non-governmental organization whose mission was to ensure the full enjoyment of the human right to adequate housing for all, promoted slum upgrading as an effective rights-based approach to supporting slum dwellers.³² Recognizing the complexity of slums -as we have seen in the previous section- once a careful analysis of local conditions is assessed, urban improvements can take the form of one or several approaches. Table 3.0 illustrates the most common issues addressed via upgrading programs according to COHRE:

²⁸ Werlin. (1999). p.1524.

²⁹ Ibid.

³⁰ Rod Burgess. (1978). Petty Commodity Housing or Dweller Control? A Critique of John Turner’s Views on Housing Policy. *World Development*, 6(9/10), pp.1105-1133. p.1106.

³¹ Werlin. (1999). p.1523.

³² Unfortunately, the organization has been silent since 2012 without explanation.

| Table 3.0 Categories of Slum Upgrading Programs³³ |
|---|
| A) Legalization of tenure status |
| B) Provisions or improvement of technical services |
| C) Provision or improvements of social infrastructure |
| D) Physical improvement of the built environment |
| E) Construction of new housing units |
| F) Design of urban development plans. |
| G) Changes in regulatory framework |
| H) Densification/De-densification |

The first category deals with legalization of tenure status for sites and houses, and regularization of rental agreements to ensure improved tenure. This category is understood to be one of the

most important principles in slum upgrading; at the same time it is also the most difficult category to achieve with a host of accompanying problems. The subsequent section (3.1) will explore these challenges further.

Provisions of technical services can include a variety of improvements on water, water and waste management, sanitation, electricity, road pavement, street lighting, etc. Upgrading social infrastructure, for example schools, clinics, community centres, playgrounds, or public spaces, can entail creating new ones or rehabilitating old ones.

The category most associated with slum upgrading is in-situ physical improvement of the built environment, including the improvement of existing housing stocks. Construction of new housing is not typically seen as part of the upgrading scheme since rehabilitating existing stock tends to be more sensible and cost effective. However in instances where houses are located in perilous environments, it may be necessary to build new housing in securer conditions.

Adjusting the design of urban development plans can create a more cohesive city layout that encourages the growth and strength of community networks. While it is

³³ Information adapted from: Centre on Housing Rights and Evictions. (2005). *Human Rights and Slum-Upgrading*. Geneva, Switzerland: Author.

generally less disruptive to work with existing patterns, a slum upgrading initiative can attempt to rearrange sites and street patterns according to infrastructure needs. Upgrading initiatives can also work to produce changes in regulatory frameworks in order to better suit the needs and opportunities available to the poor, keeping to existing settlement patterns as much as possible.

The last category addressed by COHRE is densification or de-densification. In cases where residents want to protect a fertile land from being informally occupied, an improvement initiative can be building additional stories to existing houses, or building new multi-level houses. Oppositely, when more land becomes available for resettlement, creating new housing can be considered a de-densification measure.

The successes of slum upgrading programs cannot be denied, as it promotes better livelihoods for residents. For example, in an upgrading initiative in the area of El Mezquital, Guatemala, infant mortality rates fell by 90% and crimes by 43%.³⁴ Significant attention must be paid to human rights in upgrading schemes in order to produce sustainable outcomes (as will be further explored in Section 4) and to better illustrate this, the common challenges and failures challenges must be first be discussed. Recognition of these issues in urban upgrading can contribute to more thoughtful implementation and lead to more successful long-term outcomes.

3.1 Failures and Challenges

While viewed as an alternative to the less-favorable tactic of eviction and resettlement, upgrading has nonetheless been challenged as an effective approach.

³⁴ World Bank Group. (N.d.) What is Urban Upgrading: History. Retrieved May 20, 2015, from <http://web.mit.edu/urbanupgrading/upgrading/whatis/what-is.html#Anchor-What-41312>

In his book *Planet of Slums*, Davis discusses upgrading as a form of *soft imperialism*, where large international organizations such as the World Bank, the United Nations Development Program and other aid institutions, have “increasingly bypassed or short-circuited governments to work directly with regional and local NGOs.”³⁵ There are currently tens of thousands of NGOs working in Third World cities, many of which are dependent on international lender-donor relationships. Large global institutions work by providing “expertise” to local NGOs and advertise their system of coordination as one that is founded on empowerment and participation.³⁶ In reality, NGOs become captive to the agendas of international donors. Knowledge, expertise and decision-making becomes a monopolized, political machine controlled by NGOs and by true extension, the international donor supporting them.³⁷ For example, Lea Jellinek, an anthropologist studying urban poverty in Jakarta for 30 years, describes how one reputable NGO focused on neighborhood microbanking began as a “small grassroots project driven by needs and capacities of local women” and eventually developed into a “large, complex, top-down, technically oriented bureaucracy”.³⁸ Despite being better funded, the NGO became “less accountable to and supportive of low-income groups”.³⁹

Once an urban improvement program becomes impossible for residents to participate in, which is crucial in upgrading schemes (refer to Section 4.3), positive impacts for slum dwellers become less apparent. The donor-lender approach to slum upgrading- that is, the relationship between regional NGOs and international

³⁵ Davis. (2006). p.75.

³⁶ Ibid.

³⁷ Ibid., p.77.

³⁸ Lea Jellinek. (2003). Collapsing under the weight of success: an NGO in Jakarta. *Environment & Urbanization*. 15(1). Pp. 171-180. p. 171.

³⁹ Ibid.

organizations- can produce local success stories and hail organizations as “slum saviors”. However, ignoring the value of participatory community involvement and concentrating expertise and decision-making power into a small group, leaves behind the majority of the urban poor.⁴⁰

Gita Verma’s controversial 2002 book *Slumming India* warns that “saving the slum” and exercising “the right to stay [...] does little beyond [changing] the label from ‘problem’ to ‘solution’ with some creative jargon”.⁴¹ Slum upgrading, she argues, accepts slums as an eternal reality and may result in no actual improvement in living standards.⁴² Verma debunks two of the most celebrated upgrading projects in India whose success, she reveals, was exaggerated and fabricated. The UK-sponsored Indore project won multiple awards from the 1996 Istanbul Habitat II conference and the Aga Khan foundation in 1998 for providing the city’s slum residents with individual water and sewer networks. While the neighborhood now had a sewer system, residents’ barely had enough water to drink, much less to flush. As a result, the sewers backed up onto the streets and into homes, making death and disease from contaminated water rife.⁴³ Had the Indore project consulted with local groups first, it would have been obvious that there was a stronger priority for securing access to safe and affordable water, than there was for a sewage system. Developing an upgrading scheme without paying attention to dwellers’ right to participation is simply nonsensical.

The Cingapura program in Sao Paulo, Brazil is another infamous slum upgrading failure story. In 1993, the conservative municipal government intervened in selected

⁴⁰ Davis. (2006). p.79.

⁴¹ Gita Verma. (2002). *Slumming India: A Chronicle of Slums and Their Saviors*. New Dehli: Penguin Books India. Pp. 150-152.

⁴² Ibid.

⁴³ Davis. (2006). p.79.

favelas that were visible from the city's highways by (without consultation) moving residents to temporary wooden housing units while they demolished and constructed high-rise flats.⁴⁴ Even though the temporary relocation site was nearby, the disruptive intervention destroyed local enterprises and intricate social relations in the neighborhood, and forced residents to live in strictly controlled temporary housing for many more months than promised.⁴⁵ It was later realized that many residents did not want to move into modern housing and would have opted for in-situ upgrading had they been asked. The project made a very minimal impact on the favelas in Sao Paulo and had a zero cost recovery because of the wide scale corruption within the project management.⁴⁶ Today, the decaying flats are a reminder of the failures of a corrupted upgrading scheme. The intervention was designed primarily to benefit the construction industry and build political capital rather than benefiting the residents themselves.

The disastrous Cingapura project leads us to one of the greatest questions for slum upgrading: who is benefiting from the intervention? One possibility involves land acquisition. In many cases, slums are located in hazardous areas such as ravines, hillsides, or floodplains, making it arduous and expensive to upgrade. Two-thirds of slum dwellers in Rio de Janeiro occupy the steep slopes that surround the city, an area, which is subject to extreme flooding and landslides. During the late 1980s, the city spent nearly one billion dollars to help those affected by that year's heavy rainfall.⁴⁷ In other cases, housing in informal settlements is often a chaotic bricolage of houses built on top of one another, pipes crossing in incomprehensible directions, and ambiguous borderlines. As a

⁴⁴ Centre on Housing Rights and Evictions. (2005). p.16.

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Herbert Werlin. (1999). The Slum Upgrading Myth. *Urban Studies*, 36(9), Pp.1523-1534. p.1526.

result, slum upgrading may sometimes require governments to purchase land for upgrading and resettlement purposes, which is not only expensive but may also benefit already wealthy landowners.⁴⁸

The status of land tenure gives rise to multiple challenges for upgrading and its beneficiaries. While secured land tenure is often cited as the most crucial factor for producing sustainable upgrades, it is not always possible nor is it always the best solution. Following de Soto's acclaimed theories regarding property rights, he believed that by "waving the magic wand of land titling", vast pools of capital can come out of slums.⁴⁹ According to de Soto, the urban poor have capital that they are unable to access or turn it into liquid capital because of the lack of formal paperwork and property titles.⁵⁰

Unfortunately, land tenure is a double-edged sword that could exacerbate the problems confronting slum dwellers. Firstly, there exists a structural bias against rental housing where in many developing countries, the poor slum dwellers are renters.⁵¹ Davis notes that tenure rights do nothing to help renters, who are often "the most invisible and powerless of slum dwellers".⁵² For the owners of slum properties, incorporation into the formal city can drastically increase their assets, and at the same time push renters out of their homes because they are unable to afford the increased rent that usually follows regularization. Within this biased structure, titling can do nothing to aid renters who

⁴⁸ Ibid.

⁴⁹ Davis. (2006). p.80.

⁵⁰ de Soto. (2001). p.57.

⁵¹ Khan & Petrsek. (2009). p.163.

⁵² Davis. (2006). p.44.

make up the majority of the urban poor in many cities- for example in Kibera, Nairobi, 80 percent of slum dwellers are renters.⁵³

Geoffrey Payne warns, “Upgrading schemes that provide full title at nominal cost can encourage households to sell their newly acquired asset and move to squat elsewhere”.⁵⁴ This could lead to an increase in informal settlements rather than the desired decrease. Rather than legalization of land tenure- as is suggested by COHRE’s first category of slum upgrading discussed in the previous section- greater attention must be paid to security of tenure, i.e. security from arbitrary eviction and from hazards such as fire and natural disasters.

The challenges facing slum upgrading is not reason enough to cease initiatives. The first half of this section discussed the issue of expertise and decision-making becoming centralized as a result of lender-donor relationships between local NGOs and international organizations. As a result, the program coordinators and its recipients can interpret the “successes” of a program differently. Verma’s example of the Indore projects perfectly illustrates the need community participation. Focusing on slum dwellers’ right to participation- making them active partners and stakeholders, rather than passive beneficiaries- can provide great insight into community priorities.

Further reinforcing the importance of community participation is the Cingapura program. Had the municipal government consulted the favela communities, it would have been known that residents preferred in-situ improvements to their existing homes rather

⁵³ Amnesty International. (2009). The Unseen Majority: Nairobi’s Two Million Slum-Dwellers. Retrieved June 29, 2015 from http://www.amnesty.nl/sites/default/files/public/rap_kenia_the_unseen_majority.pdf

⁵⁴ Geoffrey Payne. (2005). Upgrading slums and preventing new ones: lessons from Cambodia. Retrieved June 29, 2015 from <http://www.eldis.org/id21ext/u2gp1g4.html>

than moving into new multi-level flats. This outcome would have been unlikely since the program's management was clearly engineered as a profiting game for wealthy construction business owners and politicians. Perhaps then, the lack of consultation with the communities receiving the intervention is an indicator for self-interested objectives.

The second problem facing slum upgrading is the question of secured tenure. While a solution for this challenge is much more complex, the first and foremost step would be to end forced evictions all together as they are a gross violation of human rights. As we have seen, there can be multiple unintended consequences of secured tenure, which is why there is no "one size fits all" solution. Key decision-makers and stakeholders, including slum dwellers, must confer together to decide how to best protect the right to secure tenure. Again, the right to participation is central here. Deciding which provisions should be adopted- whether it be "individual titles, occupancy certificates, protection for tenants, or communal land ownership"⁵⁵- must be inspired from a local and inclusive context that takes into account all actors affected.

4. A Rights-Based Approach (RBA) to Slum Upgrading

Human rights are the most dominant normative conception in the contemporary globalized world. The elimination of discrimination, class-based and labor empowerment, democratic inclusion, struggles for self-determination, gender and marriage equality, all use rights discourse notwithstanding having different derivations and political orientations. Development too, utilizes human rights discourse.

⁵⁵ Khan and Petrusek. (2009). p.166.

From the 1950-1970s, development was primarily understood in terms of economic output, and later was concerned with poverty from around 1970-1990.⁵⁶ Despite its web of complexities, poverty is traditionally understood in terms of income levels. According to the World Bank, those earning less than \$1.25 a day are living in “extreme poverty”, and those below \$2 a day are poor. By this measure, there are 1.2 billion people living in extreme poverty and another 2 billion who are poor.⁵⁷ Defining poverty in economic terms can have the advantage of making the data easy to collect and comprehend, but it has major fallbacks. Mainly, “it leads to the conclusion that the only solution to poverty is to raise income levels” via substantially raising the economic growth for poor countries.⁵⁸ Experiences of poverty do not always fit this measure.

Ciudad Juárez for example, is a Mexican city host to multiple assembly plants set up by international companies who intend to take advantage of the cheap labour available. Trying to escape rural poverty, many women have migrated to Ciudad Juárez for better economic opportunity. Yet, over the last ten years, hundreds of women and young girls “have been abducted, raped and brutally murdered” while walking home from work or school.⁵⁹ In economic terms, the women improved their fortune at the expense of their security. Mild alleviation of financial woes does not mean the women of Ciudad Juárez escaped poverty altogether.

Taken alone, economic analyses cannot capture the full picture of poverty, nor can economic-based solutions lessen the ailments of poverty. Khan and Petrusek suggest “looking beyond economics- at deprivation, insecurity, exclusion, and voicelessness- and

⁵⁶ Varun Gauri and Siri Gloppen. (2012). Human Rights-Based Approaches to Development: Concepts, Evidence and Policy. *Polity*. 44(4). pp.485-503. p. 486.

⁵⁷ Khan and Petrusek. (2009). p.4

⁵⁸ Ibid.

⁵⁹ Ibid.

to recognize these issues for what they are: human rights problems.”⁶⁰ Figure 4.0⁶¹ illustrates how these matters are interlinked to form a vicious circle that works to keep the poor impoverished.

Figure 4.0: Factors of Poverty



Living in poverty means facing deprivation, that is, the lack of food, housing, adequate water and sanitation, etc. It also includes being deprived from the opportunities to better one’s life via education, secured employment, and protection of assets. Deprivation also affects the security of a person, which is

further exacerbated for those living in poverty. Insecurity can be physical, such as criminal violence, conflict violence, or violence against the most marginalized groups, such as women. Livelihood insecurity can be the lack of security of land and tenure, or identity. For example, a UN-sponsored commission found that tens of millions of people, including 70 per cent of children born in the least developed countries, lack legal identity.⁶² Without acknowledgement of their existence and by extension the power to exercise one’s rights, this leads not only the inability to fight deprivation, but also to

⁶⁰ Ibid.

⁶¹ Interpreted from Khan and Petrusek. (2009). pp.8-21

⁶² Ibid. p. 9

exclusion. What is central to exclusion is discrimination; the poorest members of society are usually part of minority or marginalized groups, or the mere reality of your poverty is an invitation for discrimination. Lastly, as a result of the exclusion that is perpetuated by insecurity and deprivation, poverty leads to voicelessness. The poor are directly or indirectly denied a say and patterns of consultation become reserved to middle and upper class communities.

When deprivation, insecurity, exclusion and voicelessness are added together, the result is *powerlessness*- the lack of power to obtain what is needed to live a dignified life.⁶³ The combination of these four factors and the subsequent powerlessness is representative of slum dwellers' lives. Firstly, their living existence in slums is within itself proof of their deprivation. Next, living in a slum is to live in constant insecurity; the fear of being forcibly evicted, of being robbed, beaten or raped, or of natural disasters destroying ones home and livelihood. Thirdly, inhabitants of slums are excluded from access to many basic services, and by virtue of their poverty face discriminatory effects. For example, in Kibera, Kenya, informal settlements were excluded from the city's planning and budgeting for water pipes, forcing residents to buy water from entrepreneurs who charged three to 30 times more than the normal cost.⁶⁴ Lastly, "people living in slums are frequently prevented from participating in the processes and decisions that affect their lives."⁶⁵ Their voices are ignored and often in slum upgrading processes, they are treated as passive beneficiaries rather than stakeholders/partners.

The challenges slum dwellers face is without question a human rights problem. Therefore, the most effective way to produce better outcomes in slum upgrading is

⁶³ Ibid. p.12

⁶⁴ Ibid. p.158

⁶⁵ Ibid.

through a respect for human rights, a rights-based approach (RBA). A RBA focuses on the realization of the rights of those who are the most marginalized, excluded or violated against. It requires “an analysis of gender norms, different forms of discrimination and power imbalances” to ensure that interventions are reaching the most disregarded segments of the population.⁶⁶ The OHCHR offers two main rationales for adopting a RBA. The *intrinsic* rationale is morally and legally grounded; simply put, it is the right thing to do. The *instrumental* rationale on the other hand, suggests that a RBA leads to better and more sustainable human development outcomes. With this in mind, focusing slum upgrading initiatives with a RBA framework can better respond to the deprivation, insecurity, exclusion and voicelessness that is experienced by slum dwellers and ultimately produce better and more sustainable outcomes.

RBA can be interpreted as “the plans, policies and processes of development [that] are anchored in a system of rights and corresponding obligations established by international law.”⁶⁷ There is no universal recipe for a RBA, as organizations appear to understand the term differently and adopt differing approaches. That said, there are a few core principles of RBA that are widely agreed upon: participation, accountability, equality and non-discrimination, transparency, and empowerment.⁶⁸

UN agencies have established a number of essential attributes of RBA, which I will briefly summarize into three pillars. First, development policies and programs must be formulated with the main objective of fulfilling human rights. Second, RBA identifies

⁶⁶ United Nations. (2006). Frequently asked question on a human rights-based approach to development cooperation. Office of the United Nations High Commissioner for Human Rights. Retrieved June 25, 2015 from <http://www.ohchr.org/Documents/Publications/FAQen.pdf>

⁶⁷ Ibid

⁶⁸ Paul Gready. (2008). Rights-based approaches to development: what is the value-added? *Development in Practice*. 18(6), pp.735-747. p.736.

rights-holders and their entitlements, and corresponding *duty-bearers* and their obligation. RBA should then, increase the capacity of rights-holders to stake their claims and of duty-bearers to meet their obligations. Lastly, the principles and standards⁶⁹ derived from international human rights treaties should guide all development cooperation and programming in all sectors and in all phases of the program's process.⁷⁰ Universal human rights instruments, conventions and other internationally agreed goals, targets, norms or standards can all be employed in an upgrading initiatives' objectives and activities.

A vast range of rights can be protected through slum upgrading including the right to work, health, social security, citizenship, privacy and education. However, in the following subsections, I will explore just three sets of rights that are protected by international conventions and agreements: the right to adequate housing, women's rights and the right to participation. Beyond their global support, utilizing these rights in a RBA framework to slum upgrading can generate more prosperous outcomes, as will be further emphasized by the selected case studies in Section 5.

4.1 The Right to Adequate Housing

Housing is the basis of stability and security for individuals and families; at the heart are social, cultural, emotional and possibly economic networks. Though housing has increasingly become viewed as a commodity, it is most importantly a human right.

⁶⁹ Such as being universal, indivisible, inalienable, interdependent, etc.

⁷⁰ The three pillars to RBA discussed were adapted from Annex II of: United Nations. (2006). Frequently asked question on a human rights-based approach to development cooperation. Office of the United Nations High Commissioner for Human Rights. Retrieved June 25, 2015 from <http://www.ohchr.org/Documents/Publications/FAQen.pdf>

Adequate housing is essential to one’s perception of dignity, safety, inclusion and the capacity to contribute to the fabric of the surrounding society.

International human rights law recognizes everyone’s right to adequate housing as part of the right to an adequate standard of living. The 1948 Universal Declaration of Human Rights (UDHR) first referenced the right to an adequate standard of living in article 25(1), including “housing and medical care and necessary social services”.⁷¹

Multiple international human rights treaties include the right to adequate housing in different ways (please see table 4.1.1 below), however the International Covenant of Economic, Social and Cultural Rights (ICESCR) is widely considered as the central instrument for the protection of the right to adequate housing. Article 11.1 refers to “the right of everyone to an adequate standard of living [...] including adequate food, clothing and housing, and to the continuous improvement of living conditions.”⁷² This article is significant in several ways. Not only does it guarantee the right to “everyone”, without distinction, but it also ensures the progressive continuation of “improving living conditions”. Additionally, it requires states to “take appropriate steps to ensure the realization of this right”.⁷³

| Table 4.1.1: International human rights treaties that recognize the right to adequate housing⁷⁴ | | |
|---|-------------|--|
| Treaty | Year | Specific article relating to adequate housing |
| Convention Relating to the Status of Refugees | 1951 | Article 21 |
| International Convention of the Elimination of All Forms of | 1965 | Article 5(e)(iii) |

⁷¹ United Nations. (1948). The Universal Declaration of Human Rights. Article 25(1). Retrieved May 1, 2015 from <http://www.un.org/en/documents/udhr/index.shtml#a25>

⁷² United Nations. (1966). International Covenant on Economic, Social and Cultural Rights. Article 11.1. Retrieved May 1, 2015 from <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

⁷³ Ibid.

⁷⁴ Information adapted from:

United Nations. (N.d). International standards for the right to adequate housing. Office of the High Commissioner for Human Rights. Retrieved May 1, 2015 from <http://www.ohchr.org/EN/Issues/Housing/Pages/InternationalStandards.aspx>

| Racial Discrimination | | |
|---|------|--|
| International Covenant on Civil and Political Rights | 1966 | Article 17 |
| Convention on the Elimination of All forms of Discrimination Against Women | 1979 | Articles 14.2 & 15.2 |
| Convention on the Rights of the Child | 1989 | Article 16.1 |
| International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families | 1990 | Article 43.1 |
| Declaration on the Rights of Indigenous Peoples | 2007 | Article 10, 21.1, 23, 26, 27, 28, 32. |
| Convention on the Rights of Persons with Disabilities | 2008 | Article 2, 5.3, 9.1(a), 19(a), 22.1, 28.1, 28.2(d) |

The Committee on Economic, Social and Cultural Rights (CESCR) established in General Comment No. 4 (1991), that the right to housing should “not be interpreted in a narrow or restrictive sense” and must go beyond four walls and a roof.⁷⁵ Since the concept of adequacy can involve numerous factors, the Committee created seven conditions (illustrated in Table 4.1.2 below), all of which can be directly supported by slum upgrading plans.

| Table 4.1.2: Seven elements of adequate housing related to slum upgrading ⁷⁶ | |
|---|--|
| (a) Legal security of tenure | Notwithstanding the type of tenure (rental, lease, informal occupation), all persons should possess a degree of security of tenure that protects them from arbitrary forced eviction or harassment. The practice of forced |
| (b) Availability of services, material, facilities and infrastructure | |
| (d) Habitability | |
| (c) Affordability | |
| (e) Accessibility | |
| (f) Location | |
| (g) Cultural adequacy | |

removals has been condemned as a gross violation of human rights under international law. Specifically, a 2004 UN Commission on Human Rights resolution on the “Prohibition of forced evictions” reaffirms “that the practice of forced eviction is contrary

⁷⁵ Committee on Economic, Social and Cultural Rights. (1991). General Comment 4 on the right to adequate housing (Art.11(1) of the Covenant). Retrieved May 1, 2015 from <http://www.unhcr.ch/tbs/doc.nsf/%28Symbol%29/469f4d91a9378221c12563ed0053547e?Opendocument>

⁷⁶ Information adapted from: Ibid.

to laws that are in conformity with international human rights standards [and] constitutes a gross violation of a broad range of human rights, in particular the right to housing”.⁷⁷ The lack of secured tenure in informal settlements prevents dwellers from investing money, time or effort into their homes. Providing security of tenure is thus a cornerstone for successful slum upgrading strategies and more importantly requires a focus on supporting local community organizations in negotiating better deals with land landlords and city authorities.

An adequate house must include the certain provisions to facilitate caring for one’s health, security, comfort and nutrition, as well as access to resources to sustain these activities. Moreover, the habitability of housing must include adequate protection from structural or environmental hazards. The physical condition of slum households is directly addressed through in-situ infrastructure improvement, one of the several slum upgrading tools.

As discussed in section 3.1, one of the challenges facing slum upgrading programs is ensuring that improvements do not lead to unaffordable housing costs for slum dwellers, which could cause displacement and the creation of new slums. While the Committee asserts that State parties should ensure proportional levels of housing costs with incomes, slum upgrading does not necessarily require the State to provide free services as many projects rely on dweller’s resources.⁷⁸

⁷⁷ Commission on Human Rights Resolution: 2004/28. Prohibition of forced evictions. E/CN.4/2004/28. (16 April 2004). Available at ap.ohchr.org/documents/E/CHR/resolutions/E-CN_4-RES-2004-28.doc.

⁷⁸ For example, Slum Dweller International (SDI) is a network of community-based organizations of the urban poor whose main strategy in slum upgrading program is the creation of savings groups and federations. Community members (specifically women) gather small change from neighbors in order to collectively address shared struggles. As a result, they can manage their own community finances and pursue upgrading projects of their choosing. <http://www.sdinet.org/>

The accessibility element proposed by the Committee endorses housing law and policy that safeguards the needs of the most vulnerable groups such as the elderly, women and children. However, where housing policy fails to ensure the protection of vulnerable populations, slum upgrading programs can be used to improve the urban environment that they call home. Location of adequate housing must also be situated in environmentally suitable areas that also allow for access to employment, health-care services, schools and other social facilities. Strong social networks play a role in alleviating the deficit of social facilities in low-income settlements.⁷⁹ In-situ urban improvements ensure that social networks are maintained as opposed to relocation, which deteriorates community linkages.

Finally, the Committee maintains that the way housing is constructed and the building materials used must “enable the expression of cultural identity and diversity”.⁸⁰ Slum upgrading activities must consult with the target groups prior to improvement or development actions; otherwise the project will run the risk of not being accepted by the community due to cultural inadequacy. Cultural dimensions should be embraced, rather than sacrificed.

In order to satisfy the seven conditions prescribed by the Committee there must be a satisfactory level of participation from the residents receiving the upgrading. Already mentioned was the need for consultation and negotiation between tenants and landlords when reaching some form of secured tenure agreement. Availability, habitability, affordability, accessibility, location and cultural adequacy, all require input from slum

⁷⁹ Centre on Housing Rights and Evictions. (2005). *Human Rights and Slum-Upgrading*. Geneva, Switzerland: Author. p.7.

⁸⁰ Committee on Economic, Social and Cultural Rights. (1991). General Comment 4 on the right to adequate housing (Art.11(1) of the Covenant).

dwellers. Residents' priorities must be determined before embarking on a project aimed at fulfilling one or more of these conditions. Which services are needed? What in-situ improvements would be most useful? Is there a stronger need for a school or a hospital? Program coordinators and others who are not living in the slum cannot make these decisions- it must come from the involved participation of the dwellers.

4.2 Women's Rights

New trends have shown an increasing number of women migrating to urban areas on their own as opposed to past assumptions of accompanying or joining family members. A variety of reasons can explain the movement and can be categorized into "push" and "pull" factors. Push factors are those that can be characterized as conditions "which serve to deteriorate standards of living or otherwise make life in one's original home less manageable or stable".⁸¹ These factors can include but are not limited to armed conflict, forced evictions, domestic abuse, disinheritance, or the downfall of rural economies. On the other hand, pull factors are those that encourage and attract migration to urban areas, and for those with little to no resources and skills to slums.⁸² Examples include real or perceived economic opportunity and better access to health services or education.

The ailments of slum life affect all dwellers in regards to housing and living conditions. Unfortunately, for women the problems are especially magnified because of discriminatory norms, customary laws, and cultural practices. The CESCR recognizes in General Comment No. 7 on the right to adequate housing that women are especially

⁸¹ Centre on Housing Rights and Evictions. (2008). *Women, Slums and Urbanisation: Examining the causes and consequences*. Geneva, Switzerland: Author. p. 29.

⁸² Ibid.

vulnerable “given the extent [...] of discrimination which often apply in relation to property rights or rights of access to property or accommodation”.⁸³ Housing has been largely recognized as a women’s issue because women are primarily responsible for sustaining and maintaining the home and family.⁸⁴ Since women have limited rights to adequate housing and insufficient security, several gender-specific challenges arise.

To start, women are regularly paid less than men, work in an informal economy or work without pay, i.e. taking care of the household. The lack of economic power further impoverishes women and hinders their ability to gain equal access to credit and finance, and thus cannot ensure their own property and land rights. Many women are only able to access resources through their family members or husband and the increasing value of real estate in urban areas has affected women’s rights to inheritance of land, property and housing.⁸⁵

Women who are rendered homeless as a result of widowhood, divorce, escaping domestic violence, or being thrown out by her husband or family members, experience heightened risks of violence, sexual abuse or being forcefully sold as a sex worker. In the case of domestic violence, if the marital property is only in the man’s name, the woman and often the children will lose their home if she chooses to defend herself by leaving. When a woman is dispossessed, she is left destitute.

The widespread use of forced evictions in slums also disproportionately affects women for several reasons. As oppose to most men, women face the threat of forced

⁸³ UN Committee on Economic, Social and Cultural Rights. (1997). General Comment 7 on the right to adequate housing (Art. 11 (1) of the Covenant): Forced Evictions. Retrieved May 19, 2015 from <http://www.refworld.org/docid/47a70799d.html>

⁸⁴ UN-Habitat. (2012). Gender Issue Guide: Housing and Slum Upgrading. Retrieved May 25, 2015 from unhabitat.org/?wpdmact=process&did=MTgxLmhvdGxpbnms=. p.9

⁸⁵ United Nations. (2012). Women and the Right to Adequate Housing. Office of the High Commissioner for Human Rights. Retrieved May 29, 2015 from www.ohchr.org/Documents/.../WomenHousing_HR.PUB.11.2.pdf. p.55

evictions by not only local authorities, but also by family members and community leaders.⁸⁶ In instances where government authorities are carrying out evictions, which are often fueled with violence, women tend to be the primary target because they are more likely to be at home.

Women-headed households are increasingly representing higher proportions of the poorest people living in slums worldwide. In Kenya, 70 percent of all squatter settlements have women heads of households.⁸⁷ 26 percent of the population of Brazil and 20 percent in Bosnia and Herzegovina are women-headed households who reside in inadequate housing.⁸⁸ Scarce access to water, sanitation, electricity, public transportation, health and education services have a greater impact on the daily lives of women and girls. Without meaningful advancement of women's rights in informal settlements, the cycle of gender-based challenges in slums will continue for generations.

According to the Convention on the Elimination of All Forms of Discrimination against Women article 4.1, the adoption of special temporary measures aimed at accelerating de facto equality between men and women should not be regarded as discrimination.⁸⁹ Measures that are necessary and appropriate to correct past and current policies and effects of discrimination against women should be given priority. Maintaining a special focus on women in slum upgrading is not meant to belittle the agonizing experiences of all other slum dwellers. However, since women are

⁸⁶ Ibid. p.63.

⁸⁷ UN-Habitat. (2004). Housing rights and secured tenure: a prerequisite for housing the poor?. Retrieved May 29, 2015 from <http://waterfund.go.ke/watersource/Downloads/001.Housing%20Rights%20and%20Secure%20Tenure.pdf>

⁸⁸ UN-Habitat. (2012). Gender and Housing and Slum Upgrading. p.9

⁸⁹ Committee on the Elimination of Discrimination Against Women. (2004) General recommendation No. 25 on temporary special measures. Retrieved June 3, 2015 from <http://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20%28English%29.pdf>

disproportionately affected by inadequate housing, a certain level of attention must be paid.

In order to mitigate the challenges posed to women's rights in the context of slum living, gender equality must be at the forefront of slum upgrading projects. However, equality discourses tend to erase the differences among men and women, thus gender mainstreaming as an integrated framework in urban upgrading schemes can provide more inclusive benefits. In her work *The Gender Politics of Development*, Shirin Rai offers a comprehensive definition of gender mainstreaming: "the process of assessing the implication for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels."⁹⁰ By equally weighting both men and women's concerns and experiences as slum dwellers in the design, implementation, monitoring and evaluation of urban upgrading programs, it is more likely that they will enjoy the benefits equally and possibly transform the existing structures of inequality.

As we will see in the subsequent section, community participation is a crucial component of slum upgrading. Often being the head of household, the ones who save money, and care for other vulnerable groups such as children and the elderly, women's participation is essential. The skills women acquire through their multiple roles in society such as maintaining a household can be applied on a community-wide scale, such as running a savings scheme or managing a community construction project.⁹¹ In fact,

⁹⁰ Shirin Rai. (2008) *The Gender Politics of Development*. London: Zed Books. p.15.

⁹¹ Cities Alliances. (N.d.) About slum upgrading. Retrieved June 5, 2015 from http://www.citiesalliance.org/About-slum-upgrading#What_are_slums

community savings groups have shown to be more effective where women are in the majority as savers and savings group managers.⁹²

UN-Habitat promotes the use of gender-specific strategies in urban improvement programs that work on addressing the discrimination and exclusion experienced by women and to better empower women's rights. They suggest conducting a thorough gender analysis, increasing gender-based data collection, and applying gender mainstreaming across the program's design, implementation, monitoring and evaluation.⁹³ Beyond program planning, UN-Habitat also suggests encouraging grassroots women's participation and empowerment, and engaging men and boys to advocate for women's rights and gender equality.⁹⁴

Gender mainstreaming integrates a gender perspective into development activities. A RBA integrates international human rights standards and principles into development activities- including women's rights. Therefore, gender mainstreaming and RBA are complementary and mutually reinforcing frameworks that can, if successfully implemented, improve outcomes in slum upgrading initiatives.

4.3 The Right to Participation

As we have seen, participation plays a role in the advancement of other rights. The seven conditions suggested by the CESCR for the right to adequate housing and women's rights both require participation in order to be sustainably employed. Participation is arguably one of the most powerful ideas and trends currently shaping the world of international development and practice.

⁹² Celine D'Cruz and Patience Mudimu. (2013). Community savings that mobilize federations, build women's leadership and support slum upgrading. *Environment & Urbanization*, 25(1). pp. 31-35. p. 31.

⁹³ UN-Habitat. (2012). Gender Issue Guide: Housing and Slum Upgrading. p.18

⁹⁴ Ibid.

Between 1991 and 1994, the World Bank in alliance with the Swedish International Development Agency, commissioned 45 studies to investigate participatory projects. Overall, they concluded that participation improves project performance and increases project impact and sustainability.⁹⁵ Additionally, several empirical studies (Hentschel 1994, Schmidt 1996, Reitbergen-McCracken 1996) were undertaken independently of the Bank's initiative. It was established that apart from improved project performance, participation leads to strengthened capacity of community-level groups and empowerment of beneficiaries.⁹⁶

Slum growth has been met with a growing global emphasis on poverty reduction, especially by the Millennium Development Goals (MDGs)⁹⁷. Over the last 15 years, the progression of low-income settlement has continued, leading to a growing debate on how to best approach in-situ upgrading. In the past, urban improvement programs were often technical, expert-driven, and used official data while excluding the opinions of slum residents. The results were “plans that were unrelated to the local government’s capacity to implement them, that did not reflect the ground realities and for which the local population felt no ownership.”⁹⁸ Today, many recognize that responsible slum upgrading programs cannot be implemented via a top-down approach. Rather, the “three key societal sectors- public, private and civil- can all play a role” in properly addressing the

⁹⁵ Ivo Imperato and Jeff Ruster. (2003) Slum Upgrading and Participation: Lessons from Latin America. *The World Bank*. Washington, D.C. pp. 18.

⁹⁶ Ibid.

⁹⁷ The MDGs were eight international development goals established by UN State Parties. While slum upgrading was not included, under Goal 7 (ensuring environmental sustainability), Target 7.D was to improve the lives of 100 million slum dwellers by 2020.

⁹⁸ Khatibullah Sheikh and Rao Shrinivas. Participatory City Planning in Chhattisgarh: a civil society initiative. *Environment and Urbanization* 19. pp. 563-581. p. 564.

urgent challenges facing slum dwellers.⁹⁹ Table 4.3.1 offers a list of the key actors that are needed in the promotion of public participation.

| Table 4.3.1: Key actors for promoting public participation¹⁰⁰ | |
|---|--|
| The Government | Local and national government must take a proactive role in ensuring that opportunity for public involvement exists. It also involves a commitment to transparency. |
| Civil Society Organizations | Civil society acts not only as a watchdog, but also works to mobilize public opinion on government policies and practices. They build a culture of participation by ensuring the formation of citizen advisory groups and facilitate their activities. |
| The Private Sector | The private sector plays a large role in civic affairs. They can enhance public participation by extending support to media campaigns and participate on Advisory boards. |

Development literature proposes several definitions for participation. Imparato and Ruster (2003) offer a comprehensive definition of participation in their book *Slum Upgrading and Participation: Lessons from Latin American*. Participation is articulated as:

“a process in which people, and especially disadvantaged people, influence resource allocation and policy and program formulation and implementation, and are involved at different levels and degrees of intensity in [...] [all] stages of development projects.”¹⁰¹

Citizen participation in community decision-making can be traced as far back as Plato’s Republic and is a pillar of democracy. Its importance is undeniable. Whether there exists a right to participation, however, is a much more convoluted debate. While

⁹⁹ Michael Majale. (2008). Employment creation through participatory urban planning and slum upgrading: The case of Kitale, Kenya. *Habitat International*. 32. pp. 270-282. p.271.

¹⁰⁰ Information adapted from: UN-Habitat. (N.d). Toolkit on Participatory Urban Decision Making. Retrieved June 18, 2015 from http://ww2.unhabitat.org/cdrom/TRANSPARENCY/html/2b_8.html

¹⁰¹ Ivo Imparato and Jeff Ruster. (2003) *Slum Upgrading and Participation: Lessons from Latin America*. The World Bank. Washington, D.C. pp. 18.

this paper will not dwell on such discussions, participation has been recognized time and time again as a cornerstone of international best practice strategies in addressing the features of poverty.

The CESCR recognizes in General Comment No. 4 that the full realization of the right to adequate housing will vary from one State party to another. Regardless, the Covenant requires that each State party take the appropriate and necessary steps to fulfill said realization. Most importantly, under paragraph 12 the Committee writes:

“Both for reasons of relevance and effectiveness, as well as in order to ensure respect for other human rights, such a strategy should reflect extensive genuine consultation with, and participation by, all of those affected, including the homeless, the inadequately housed and their representatives.”¹⁰²

Well-developed strategies for public participation builds networks of trust, promotes accountability by all actors, limits the potential for corruption, and strengthens the relationships and commitments between stakeholders. Moreover, through participation in slum upgrading, residents of informal settlements can achieve several goals. It allows community members of slums to be the designers of the units to be constructed, and to be the implementers, monitors and evaluators of the projects.¹⁰³ Such involvement can prevent further slum mushrooming, forceful evictions, and ensure that the residents benefiting from the upgrading own the process.

UN-Habitat actively promotes the participation of residents and other stakeholders in urban development initiatives. For example, the Participatory Slum

¹⁰² Committee on Economic, Social and Cultural Rights. (1991). General Comment 4 on the right to adequate housing (Art.11(1) of the Covenant): Forced evictions.

¹⁰³ Information retrieved and adapted from:
Humphrey Otieno. (2011) Community Voices in Sustainable Slum-Upgrading Processes: The Nairobi People Settlement Network. *Les Cahiers de l'Afrique de l'Est*, 44, pp.65-74.

Upgrading Program (PSUP) launched in 2008 was based on the approach of coordinated efforts by all stakeholders using rights-based and gender sensitive strategies. The foundation of PSUP focused on inclusive and empowered participation with special attention made to communities of slum dwellers. There are multiple cost-effective tools that may be utilized in order to successfully promote public participation in slum upgrading such as study circles, citizen advisory boards, public hearings, and public watchdog groups. Table 4.3.3 below summarizes how each of these participatory tools can contribute to urban decision-making.

| Table 4.3.3: Tools to promote public participation¹⁰⁴ | |
|---|---|
| Study Circles | Channelling discussion on specific views of issues, ideas and long-term goals between a diverse group of individuals. |
| Citizen Advisory Boards | Volunteer residents receive the opportunity to play a meaningful role within the government structure by providing local authorities with information and recommendation to local issues. |
| Public Hearings | Public hearings afford citizens an avenue to address policy makers on important local issues, budgetary concerns and freedom to express ones comments and expertise on certain issues. |
| Public Watchdog Groups | Watchdogs are community-based organizations whose key role is disseminating information pertaining to government’s urban initiatives. |

Upgrading must be tailored to a particular community’s needs and priorities, which can only be determined through the involved participation of the community. Often, “participation is not treated with the seriousness it deserves” and “like so many other things on the ‘to do’ list of projects, it gets squeezed by time, budget and logistical

¹⁰⁴ Information adapted from: UN-Habitat’s Toolkit on Participatory Urban Decision Making. http://ww2.unhabitat.org/cdrom/TRANSPARENCY/html/2b_8.html

constraints.”¹⁰⁵ However, it seems incompetent for a program to focus on building a community school, if the slum’s children are unable to attend in the first place because of sickness caused by poor sanitation. Failure derived from a lack of public participation, recalling the previous discussion in section 3.1, produces results that are not in sync with slum dwellers priorities. Rather than understanding participation as an aspect of good project design, it must be viewed as an empowering tool that promotes the rights of the beneficiaries.

5. Case Studies

Up until this point, four arguments have been established: slums are complex and difficult to measure; slum upgrading can be an effective alternative to demolition, however a lack of focus on human rights can exasperate the trials facing slum dwellers; because slums are human rights problem, slum upgrading must be framed with a RBA; and finally, the right to adequate housing, women’s rights and the right to participation can provide a primary foundation for a RBA framework in slum upgrading. With this footing, it is time to assess how attention paid to human rights can produce successful outcomes in slum upgrading initiatives. The two cases selected, one in South America and one in Asia, have been chosen because of their widespread popularity and achievements. The success realized through the upgrading projects in Medellin, Colombia, and Orangi, Pakistan, can be accredited to the respect and attention to rights within the programs’ objectives and activities.

¹⁰⁵ Khan and Petrusek. (2009). p.28.

5.1 Medellin, Colombia: PRIMED

By the end of the 20th century, Latin America was the most urbanized region in the developing world with over 70 percent of the population living in urban areas.¹⁰⁶ Founded in 1616, Medellin was the second city of Colombia and the capital of Antioquia. The gold mines and coffee production that flourished in Antioquia was the major industrialization drive in the country, making Medellin a haven for jobs and education. The extreme concentration of opportunities, combined with a civil war fought mostly in the countryside during the late 1940s and 1950s, caused a mass migration to the city. Migration was also intensified in the 1980s when guerilla and paramilitary activity terrorized the countryside, causing hundreds of thousands of refugees to flee to urban centers. The population of Medellin grew from 138,266 people in 1938 to 2.4 million today, or more than 18 times the 1938 figure.¹⁰⁷

Losing its industrial advantage in the 1950s (as did most cities in the world using a “Ford model” industry) coupled with an economic crisis that occurred for three decades, drove unemployment up along with poverty rates. The situation was worsened throughout the 1980s and into the 1990s, when the infamous drug cartel and subsequent guerilla and criminal activities resulted in Medellin becoming the murder capital of the world.¹⁰⁸ While homicides per 100,000 people has decreased from 380 in 1991 to 110 in 2009, Medellin still remains one of the most dangerous cities in the world.¹⁰⁹

¹⁰⁶ John J. Bentacur. (2007). Approaches to the regularization of informal settlements: The case of PRIMED in Medellin, Colombia. *Global Urban Development*. 3(1). p.1.

¹⁰⁷ Ibid.

¹⁰⁸ Camilo Calderon. (2012). “Social Urbanism- Participatory urban upgrading in Medellin, Colombia” in Lawrence, Yildiz & Kellett (ed.) *Requalifying the Built Environment: Challenges and Responses*. Hogrefe Publishing, Göttingen. pp.2.

¹⁰⁹ Ibid.

The process of urbanization in Medellin was wrapped in a culture of informality since the 1950s where much of the city was developed via self-built housing. Two thirds of the population lives in *barrios*, unregulated settlements with high density and no street systems.¹¹⁰ The Integrated Slum Upgrading Program of Medellin (*Programa Integral de Mejoramiento de Barrios Subnormales en Medellin: PRIMED*) started in 1993 as a pilot program mandating the “integration of subnormal settlements to the formal city”. PRIMED’s major objective was to improve the quality of life for 200,000 people living in the barrios through urban improvements.

PRIMED’s approach differed radically from past approaches of slum clearance, isolated paternalistic interventions, repression of informal settlements, clientelism and exclusion. After conducting a study to better understanding the dynamics of the settlements, PRIMED developed their own approach based on the diagnostic that the low quality and marginalization of the settlements were reflected in “insecurity and violence, lack of infrastructure and services, deficits in communal facilities, high risk mud slides and flooding, overcrowding, low housing quality and the absence of the proper land tenure”.¹¹¹

Planning the program was carefully completed with input from multiple participants such as university researchers, people with experience living the barrios, and local and national authorities. It was established that PRIMED would focus on supporting citizen participation, *barrios* improvement, home improvement and relocation, legalization of tenure, and finally, mitigating geological and environmental risks. In fact,

¹¹⁰ John J. Bentacur. (2007). p.3.

¹¹¹ PRIMED. (1996). Integral Program of Subnormal District Improvement in Medellin. UNESCO. Retrieved June 25, 2015 from <http://unesdoc.unesco.org/images/0012/001297/129776eo.pdf>. p. 65.

each stage of the project’s design and planning involved a participatory process for residents, which enhanced community building and social capital.¹¹²

PRIMED recognized the challenge of barrios in Medellin as a human rights issue. Importantly, a closer examination of the program’s objectives and activities reveals that despite this program dating back over twenty years, a RBA prevails. Table 5.1.1 below provides a comprehensive summary of the rights that were employed within PRIMED’s objectives and activities.

| Table 5.1.1: Major objectives, activities and rights supported in PRIMED¹¹³ | | |
|---|---|--|
| Rights-Based Approach: <i>Which rights are being utilized in the program objectives and corresponding activities?</i> | Objectives: <i>What are the objectives PRIMED wants to achieve?</i> | Activities: <i>What are the activities aimed at accomplishing the corresponding objective?</i> |
| <p>Participation</p> <ul style="list-style-type: none"> Fostering inclusive participation in all levels of project planning and development <p>Women’s Rights</p> <ul style="list-style-type: none"> Encouraging women’s participation | Promote citizen participation | <ul style="list-style-type: none"> Strengthen NGOs and community organizations Identify leaders to facilitate citizen participation Increase women’s participation Negotiate with the community legalization of tenure and home relocations Involve the community in project development, subcontracting, administration and evaluation |
| <p>Adequate housing</p> <ul style="list-style-type: none"> Improving the availability of services, material, facilities and infrastructure <p>Participation</p> <ul style="list-style-type: none"> Engaging community to determine priorities | Slum Improvement | <ul style="list-style-type: none"> Determine and prioritize needs with the community Negotiate projects related to open public spaces, street layout, and community facilities Provision of communal facilities |
| Adequate housing | Home | <ul style="list-style-type: none"> Identify housing in need of |

¹¹² Camilo Calderon. (2012). pp.4

¹¹³ Information on objectives and activities adapted from: PRIMED. (1996) and Bentacur. (2007). Column on RBA is my own assessment and contribution.

| | | |
|--|--------------------------------|---|
| <ul style="list-style-type: none"> Improving habitability of dwelling | improvement | <ul style="list-style-type: none"> rehabilitation Promote home improvements and provide the proper credit Train participating subcontractors |
| <p>Adequate housing:</p> <ul style="list-style-type: none"> Securing tenure <p>Participation:</p> <ul style="list-style-type: none"> Ensuring participation of landowners and community are a part of negotiating an agreement | Legalization of tenure | <ul style="list-style-type: none"> Negotiate with landowners and the community Apply housing subsidies to the process Work with the proper offices to expedite the process Issue titles |
| <p>Adequate housing:</p> <ul style="list-style-type: none"> Ensuring location of homes is in safe areas | Mitigation of geological risks | <ul style="list-style-type: none"> Determine the areas of high risk Develop an infrastructure of stabilization and environmental control Home relocation if necessary |

Perceptibly, the objective of promoting citizen participation directly relates to fostering slum dwellers right to participation in slum upgrading processes. More importantly, it aims at increasing women’s participation, which is supportive of women’s rights in the upgrading process. Slum improvement advances two sets of rights; the right to adequate housing, particularly the availability of services, material, facilities and infrastructure; and the right to participation. Consulting and negotiating with community members in order to determine the prioritization of in-situ improvements gives the residents of informal housing a voice in the development of their community.

Home improvement also supports the right to adequate housing by ensuring the habitability of residents’ homes. Legalization of tenure correlates with the right to adequate housing, and in PRIMED’s case, participation as well since it was achieved by including negotiation mechanisms between landlords and community participants. Lastly, mitigating geological risks by ensuring homes are located in safe environments,

stabilizing the environments or relocating some residents if necessary, correlated with the right to adequate housing, specifically location.

Results of PRIMED

Bentacur (2007) has argued that while PRIMED achieved many of its specific objectives, the project fell short in its overall effort to increase the general low quality of life of slum dwellers in Medellin.¹¹⁴ The lack of available data during the program’s process, resistance from illegal groups, and too optimistic expectations, according to Bentacur, were the major shortcomings of PRIMED.¹¹⁵

Despite said weaknesses, PRIMED is nonetheless considered a model for effective slum upgrading approaches and is referenced in several international publications such as the UN-Habitat’s 2003 Global Report on Human Settlements. By maintaining a focus on human rights, PRIMED has had incredible success. In order to best illustrate how a focus on rights improved outcomes in PRIMED, the following table offers a diagnostic on which rights were targeted (according to the program’s objectives and activities outlined in Table 5.1.1) and their corresponding successes. It should be read from left to right, starting with “a focus on”, followed by “led to”. Note that the right to adequate housing is subdivided into four of the seven principles outlined by the CESCR’s General Comment No. 4 (discussed in section 4.1).

| Table 5.1.2 PRIMED’s Success and Corresponding Rights | |
|--|---|
| A focus on: | Led to ¹¹⁶: |
| The right to participation | <ul style="list-style-type: none"> • Slum residents appointed a committee to represent them in the decision- |

¹¹⁴ Bentacur. (2007). p.7.

¹¹⁵ Ibid.

¹¹⁶ Outcomes of PRIMED were gathered from: Bentacur (2007), PRIMED (1997) and Imperato and Ruster (2003).

| | | |
|-------------------------------|---|---|
| | | <ul style="list-style-type: none"> making process and planning Inclusion of community members at all levels of PRIMED Establishment of a watchdog committee composed of citizens |
| Women's rights | | <ul style="list-style-type: none"> Increase in female leadership in the organizing, planning and implementation of PRIMED Women benefited from the improved options of health care and educational facilities for their children. |
| The right to adequate housing | Secured tenure | <ul style="list-style-type: none"> Identification of issues and requirements for legalization under existing conditions of land tenure Legalization of more than 2,100 households Establishment of a process that is guiding legalization in other areas of the city |
| | Availability of services, material, facilities and infrastructure | <ul style="list-style-type: none"> Improved pedestrian infrastructure from a coverage of 40% to 60% Established multiple health centers Provided 2,800 meters in parks and open spaces Built multiple secondary education establishments Increased water pipes coverage to 95% of all households Built community centers and communal restaurants |
| | Habitability | <ul style="list-style-type: none"> Improvements in over 3,500 dwellings Worked with local organizations to increase the use of subsidies and loans for improvements of thousands more |
| | Location | <ul style="list-style-type: none"> Stabilized nearly 70% of areas classified as high risk Relocated dwellings where environment could not be stabilized. |

One of the most important features of PRIMED was its independent and decentralized structure that allowed for cooperation and participation of several local, national and international actors. Participation in the program is extremely intertwined

with many of the other successes. It provided residents a platform to vocalize which changes they wanted to see in other areas of activities such as the addition of more health facilities and playgrounds. Inclusive participation also created opportunities for women's leadership and involvement in PRIMED's planning, development and execution. Women also reap the benefits the most from the addition of services to their communities. For example, 80% of those who use the health stations are women and their children. PRIMED's attention to activities relating to the right to participation and women's rights produced outcomes whose benefits were enjoyed by all.

The activities relating to the right to adequate housing are considered to be the most successful features of PRIMED. The upgrading of slum communities, home improvements and environmental risk assessment -availability, habitability, and location-carried with them the most visible outcome in terms of physical improvements, and the peaceful coordination between local, municipal, national and international stakeholders. Security of tenure was the most complex aspect of the program and faced many challenges. Yet PRIMED managed to establish a process that can guide secure tenure initiatives in other areas.

5.2 Karachi, Pakistan: Orangi Pilot Project

Karachi, Pakistan is a port city and commercial center of Pakistan with 60 percent of the total population of 15 million living in *katchi abadis*- "poor people's housing". Of those living in *abadis*, 89 percent live below the poverty line and 54 percent are considered chronically poor.¹¹⁷ Orangi is the largest of Karachi's 362 *abadis* and has a

¹¹⁷ Arif Hasan. (2010). *Participatory Development: The story of the Orangi Pilot Project-Research and Training Institute and the Urban Resource Centre, Karachi, Pakistan*. Oxford: University Press. p.21

population, according to government records, of 700,000 inhabitants.¹¹⁸ Other unofficial records report a population between 1 and 2.5 million.

Historically, Karachi was once the largest grain exporting port of the British Empire. It was also for a brief period the capital of Pakistan when independence was achieved in 1947. With classical and colonial style architecture, Karachi became a bustling metropolitan city. However, during the movement leading up to independence, Karachi suffered widespread violence between the majority Muslims and minority wealthy Hindus. Eventually, Karachi's Hindus migrated to India and were replaced with hundreds of thousands of Muslim refugees from India.¹¹⁹ The massive change in demographics and extreme rise in population led to the Government's decision to change the capital city to Islamabad.¹²⁰

Orangi's settlement began in 1965 and was designed and constructed through self-built housing on unserviced land.¹²¹ Like most of the *abadis* in Karachi, Orangi's infrastructure was not linked up with city level infrastructures such as sewage systems, adequate water sources, or roads. Most households in Orangi have two income earners, together matching up to the country's official minimum wage.¹²² Often it is only enough to feed a family with nothing leftover for housing, transportation to work or other essentials. The lack of sewage disposal, poorly laid drains and lack of rainwater drainage created a dangerously unsanitary atmosphere in Orangi, with social conflict, poor health, disease and mortality being standard.

¹¹⁸ A Pakistani news service wrote that there are 2.5 million inhabitants. The Orangi Pilot Program estimates the population at 1.5 million. Arif Hasan (2010) wrote that the population is 1 million (p.34).

¹¹⁹ Arif Hasan. (2010). 16

¹²⁰ Ibid. 18.

¹²¹ John Turner. (1988). Orangi Pilot Project, Karachi, Pakistan. A low-cost sewer system by low-income Pakistanis. In *Building Community: a third world case book*. Ed. Bertha Turner. Building Community Books, UK: London. p. 83.

¹²² Ibid.

The Orangi Pilot Project (OPP) was established in 1980 as a result of an understanding between a Pakistani charity, the chairman of a bank and credit foundation, and Dr. Khan, a renowned Pakistani social scientist. The purpose of the OPP was to develop models of community participation and local resource mobilization that could overcome the problems government programs faced in upgrading poor settlements and in poverty alleviation.¹²³ Dr. Khan identified four main human rights issues that needed to be tackled and developed models around them. These issues were sanitation, health, education and employment. Established as a community-owned and community-managed program, the OPP is now known as one of the most successful slum upgrading initiatives in the world. The OPP has helped over one million people by improving sanitation drastically while at the same time minimizing external support. With the success of its five basic programs of low cost sanitation, housing, health, education and credit for micro enterprise, the OPP was upgraded in 1988 into three autonomous institutions to manage the multiple programs.¹²⁴

Similarly to the case of PRIMED in Medellin, the OPP treated the challenges facing *abadis* dwellers as a human rights issue. Moreover, a closer examination of the program's objectives and activities exposes a RBA. Table 5.2.1 below provides a comprehensive summary of the rights that were employed within OPP's objectives and activities.

¹²³ Arif Hasan. (2010). 34

¹²⁴ OPP-Research and Training Institute (OPP-RTI) manages the low cost sanitation and housing program, education program, water program, and women's saving program.
OPP-Orangi Charitable Trust (OPP-OCT) manages the micro credit program.
OPP-Karachi Health and Social Development Association (OPP-KHASDA) manages the health program.

Table 5.2.1: Major objectives, activities and rights supported in OPP¹²⁵

| Rights-Based Approach: <i>Which rights are being utilized in the program objectives and corresponding activities?</i> | Objectives: <i>What are the objectives OPP wants to achieve?</i> | Activities: <i>What are the activities aimed at accomplishing the corresponding objective?</i> |
|--|--|---|
| Adequate housing: <ul style="list-style-type: none"> Ensuring the availability of services required for ones health, comfort and dignity | Improve sanitation | <ul style="list-style-type: none"> The creation of a low-cost sanitation program Enable low-income households to construct and maintain modern sanitation with their own funds and under their own management. |
| *Participation | | |
| Adequate housing: <ul style="list-style-type: none"> Improving habitability of dwelling | Improve housing | <ul style="list-style-type: none"> The creation of a low cost hosing program to upgrade areas Introducing stronger man-made materials such as tile roofing and battens Upgrade the skills of local workers by introducing proper construction techniques Educating house-owners on planning and low-cost technology |
| *Participation | | |
| Women's Rights: <ul style="list-style-type: none"> Ensuring women's health | Improve health | <ul style="list-style-type: none"> The creation of a basic health and family-planning program for segregated and illiterate/semi-illiterate low-income women. Teaching women causes and methods of preventing common diseases, information on contraception methods, and which provides immunization and family planning services. |
| Adequate housing: <ul style="list-style-type: none"> Improving access to services | | |
| *Participation | | |
| Adequate housing: <ul style="list-style-type: none"> Improving access to services Improving location | Improve education | <ul style="list-style-type: none"> The creation of a school program Upgrading the physical structure of schools and also the academic standards. |
| *Participation | | |
| Women's rights <ul style="list-style-type: none"> Empowering women's | Empower women's | <ul style="list-style-type: none"> The creation of a women's work center program |

¹²⁵ Information on objectives and activities summarized from:
Orangi Pilot Project. (1995). NGO Profile. *Environment And Urbanization*. 7(2), pp.227-236.

| | | |
|--------------------------------|-----------------------|--|
| employment | employment and skills | • Assist in teaching managerial skills and cooperative action. |
| Adequate housing: | | |
| • Improving access to services | | |
| *Participation | | |

Participation is identified in every objective and corresponding activity. This is due to the fact that community organization and participation was at the core of the design and management of the program. The OPP appropriated and adapted technology that allowed people to carry out the work themselves, which in turn maximized the use of local resources and at the same time improved the manual and managerial skills of dwellers.¹²⁶ The OPP's RBA approach to participation increased people's dignity as their environments (and property values) improved and encouraged neighborliness and gainful participation amongst dwellers.¹²⁷

One example of the participatory measures adopted by the OPP was separating groups by "street" lanes, with about 20-30 households each. This ensured that most people knew each other and had some degree of mutual trust. Each lane would have public meetings where they would meet an OPP representative who would explain programs and their benefits. The lane group would decide together whether they wanted to partake or not. Once decided, the neighbors elect their own lane leader who then makes a formal request to the OPP for assistance. The OPP would formalize a plan and the lane groups would take over. The elected lane leaders (most of who were women) would collect residents' contributions and organize the work. The OPP would supervise

¹²⁶ John Turner. (1988). p.85.

¹²⁷ Ibid.

but would never handle the money of the local people. The residents of the lanes carried out maintenance of the improvements communally and informally.¹²⁸

Beyond participation, the OPP utilizes several other rights through their program objectives and activities. The right to adequate housing in terms of habitability, location and availability of services necessary for ones health and livelihood, can all be unveiled. For example, the objective of improving education via the construction of new schools and rehabilitating old ones enforces not only the availability of services, but also the location. As we learned in section 4.1, adequate housing must go beyond four walls and a roof- being in a location with access to education is equally as important.

One of the prominent sets of rights highlighted in the OPP's objectives and activities is women's rights. Not only did women play an active role in the lane management of projects, the OPP was also dedicated to ensuring health services and employment and career training services. These activities empowered the women of Orangi and have considerably increased their livelihoods (discussed further in Results)

Results of the OPP

The OPP led to a number of successful outcomes including the strengthening of women in the communities by encouraging participation in community affairs. However, the program notes a number of constraints on their webpage, such as the government's inconsistency in response, which often led to ad hoc planning. With the magnitude of success prompting more people to adopt projects in their neighborhoods, OPP institutions over time had a decreased capacity in responding to the large number of requests for

¹²⁸ Ibid. p.86.

support.¹²⁹ The OPP also realized that many people developed a lack of confidence in their initiatives due to psychological barriers of dependency. Meaning, if an OPP institution was unable to support an initiative request at a particular time, little independent effort would be made.¹³⁰

In spite of these minor challenges, the OPP is still known as one of the most successful slum upgrading projects in the world. Following the same model that was used in the previous case of PRIMED in Medellin and in order to best illustrate how a focus on rights improved outcomes in the OPP, the following table offers a diagnostic on which rights were targeted (according to the program's objectives and activities outlined in Table 5.2.1) and their corresponding successes. Note that the right to participation is highlighted across both women's rights and the right to adequate housing. Because the OPP was designed as a community-owned and community-managed program, participation was fostered in all objectives and activities, and hence, supported women's rights and the right to adequate housing.

¹²⁹ Orangi Pilot Project. (N.d). Retrieved June 24, 2015 from <http://www.oppinstitutions.org/>

¹³⁰ Ibid.

| Table 5.2.2 OPP's Success and Corresponding Rights ¹³¹ | | |
|---|-------------------------------|---|
| A focus on: | | Led to: |
| The Right to Participation | Women's rights | <ul style="list-style-type: none"> • The creation of eight Women's Work Centres • The training of women on primary health and immunization • The establishment of partnerships between women entrepreneurs and buyers/exporters • Changes in socioeconomic patterns in Orangi • Increased women's earnings by 30 percent |
| | The right to adequate housing | <ul style="list-style-type: none"> • Availability of services, material, facilities and infrastructure • More than 95,000 houses in Orangi have built and benefited from neighborhood sanitation systems • The creation of multiple health services and training facilities • Decrease in infant mortality |
| | Habitability | <ul style="list-style-type: none"> • The improvement of more than 2,500 houses in Orangi each year • A low-cost roofing system • The creation of a training course for masons to continue in-situ improvements |
| | Location | <ul style="list-style-type: none"> • The support of 588 schools education 79,137 children • The creation of multiple health services and employment training facilities |

The OPP is most known for its sanitation program, and indeed the success of this specific initiative is astonishing. By enabling low-income families to finance, manage and maintain sanitary latrines in their homes as well as underground sewerage lines, the program has evolved from lanes to the entire town. Over 72,000 sanitary latrines and 1.3

¹³¹ Outcomes for Table 5.2.2 were adapted from the OPP's main website (<http://www.oppinstitutions.org/>) and Arif Hasan. (2006). Orangi Pilot Project: the expansion of work beyond Orangi and the mapping of informal settlements and infrastructure. *Environment & Urbanization*. 18(2). pp. 451-480.

million feet of sewer lines have been created.¹³² Moreover, this outcome has drastically improved the overall health of the residents of Orangi who were previously suffering from the unsanitary conditions of prior methods of waste disposal. For example, infant mortality in communities that built sanitation systems between 1983 and 1993 fell from 128 per 1,000 to 37 per 1,000.¹³³

Beyond the sanitation program, the OPP has had an astonishing effect on the socioeconomic fabric of Orangi. A cross-sectional case-control study was conducted comparing the working women employed by the Women's Work Centre with the non-working in the community. The differences in the knowledge, attitude, and practices were amongst the two groups of women were elicited. The working women's families had significantly higher rates of immunization and shorter duration of illness.¹³⁴ It was also found that the women employed at the work centres were more supportive of contraceptives and equal education for sons and daughters.¹³⁵ These women have a certain degree of economic emancipation and household decision making roles that are typically not found in Pakistan.¹³⁶

The participatory model utilized by the OPP fostered an environment where other rights- the right to adequate housing in terms of location, availability and habitability, and women's rights- could be advanced. Today, the OPP has expanded past the neighborhood level problems of Orangi. The development programs under the multiple OPP institution now covers a wider range of issues relating to areas all over Karachi.

¹³² Orangi Pilot Project. (N.d.)

¹³³ Arif Hasan. (2006). p.465.

¹³⁴ K. Mubarak et al. (1990). Health, Attitudes and Beliefs of Working Women. *Social, Science & Medicine*. 31(9). pp. 1029-1033. p.1030.

¹³⁵ Ibid. p.1031.

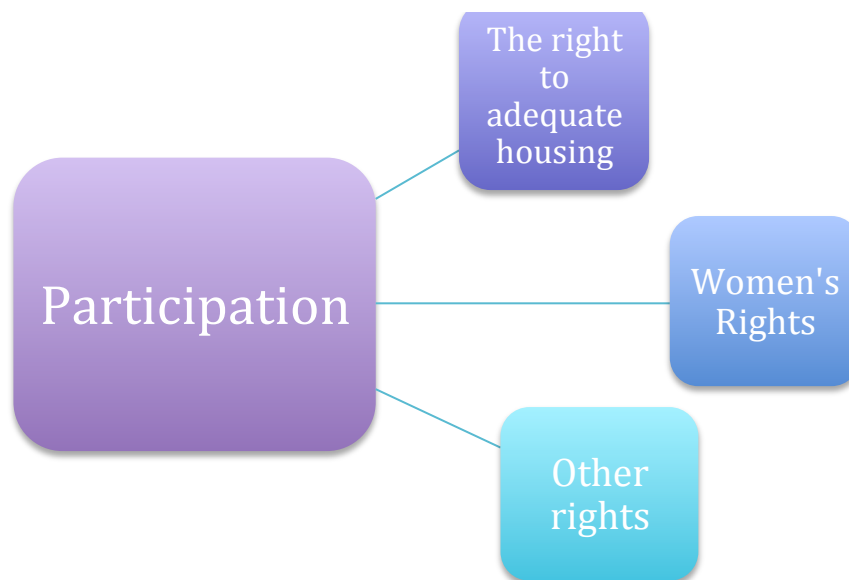
¹³⁶ Ibid. p.1032.

5.3 Conclusion on Case Studies

A common theme has emerged throughout this research and in the case studies: participation is vital. Participation as a starting point in slum upgrading can lead to the expansion and respect for other rights. Implementing participatory tools throughout the upgrading process produces outcomes that better reflect slum dwellers priorities and desires. Recalling the example of the Indore projects discussed in section 3.1, the program was hailed as successful because it had implemented a sewage system. However without consulting the residents' needs, the success was a contrived headline rather than a reality.

While this research focused on the development of the right to adequate housing and women's rights, there is a vast range of other rights that can be supported via participation. Figure 5.3 provides a visual of how participation can lead to promotion of other rights.

Figure 5.3: Participation and rights



We have established that for both PRIMED and the OPP, a RBA to slum upgrading initiatives resulted in successful outcomes. However, how can we be sure that their results would not have been as successful had their objectives and activities not been rights-focused? In the case of Medellin, this question is difficult to answer, as there is no program prior to PRIMED to compare. However, in 1973, the government of Pakistan commissioned a *Katchi Abadi Improvement and Regularization Program*, funded by the World Bank and Asian Development Bank. Despite backing from international and regional institutions, the program has improved and regularized only 1.5 percent of *abadis* per year, and thus has not been a success.¹³⁷ One of the major reasons for the poor performance of the program was the lack of capacity in government institutions to involve communities and to develop innovative procedures for community participation.¹³⁸

In order to better understand how a RBA to slum upgrading can improve outcomes versus a program without a RBA, further comparative research and analysis is required.

6. Conclusion

By 2030, 40 percent of the world's population will be in need of adequate housing and access to basic services and infrastructures such as water and sanitation systems. To meet demand by this estimate, we would have to complete 96,150 housing units per day from now until 2030.¹³⁹ Clearly, a response of this magnitude is doubtful.

¹³⁷ Arif Hasan. (2006). p.455.

¹³⁸ Ibid.

¹³⁹ UN-Habitat. (N.d.). Housing and Slum Upgrading.

Slums must be accepted and incorporated into formal cities- crooked roofing, narrow alleyways and all. When we move past simplistic definitions of informal settlements, as discussed in Section 2 of this paper, our perspective is widened to see slums for what they truly are: bustling hubs of markets, affordable housing, and tight-knit communities. They are complex organic entities that cannot fit into confined definitions or measurements. Local variations make it impossible to find a “one size fits all” solution. Rather than demolition and displacing residents, slums must be embraced and upgraded in order to improve the rights and livelihood of dwellers.

Slum upgrading as an approach to improving the lives of slum dwellers has become the international standard for best practice. Section 3 explored the variety of upgrading tools that can be engaged in programs. However, when upgrading pay little attention to the rights of those receiving the intervention, outcomes become swollen with failure. Section 3.1 explored the challenges and failures of past slum upgrading programs, revealing that the absence of participation, regarding community priorities and negotiations for security of tenure, can have disastrous effects.

Responding to slums cannot be met with economic-based solutions. While poverty can be seen in all slums, with deprivation, insecurity, exclusion and voicelessness lurking in all corners, the problem is not an economic one; it is a human rights one. Therefore, a proper response must be one with a RBA (discussed in Section 4). Since slum upgrading provides an open foundation, one that can truly allow for the development of rights, a RBA and slum upgrading can become mutually reinforcing approaches.

The right to adequate housing, women's rights and the right to participation, were the standards used in a RBA to slum upgrading in this research. Section 4.1, 4.2, and 4.3 explores how these rights manifest in international discourse through conventions and agreements, and how they can be applied into a slum upgrading context. What emerged from this discussion is how participation plays an important role in both women's rights and the right to adequate housing.

The case studies explored in Section 5, PRIMED in Medellin and the OPP in Karachi, revealed a RBA in both programs' objectives and activities. What these two programs had in common aside from being tremendously successful, was having people at the center of their planning, development, and in the OPP's case, implementation. By fostering the right to participation, women's rights and the right to adequate housing were advanced.

The research presented has provided a unique position on slum upgrading. While there exists an expansive range of resources on rights-based approaches and on slum upgrading, there is little literature on the two combined together. This research offers a foundation for assessing slum upgrading and respect for human rights, however further comparative analysis must be compiled in order to better understand how a RBA improves outcomes.

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