

ENHANCING PRODUCTIVITY IN THE URBAN INFORMAL ECONOMY



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Cover Photo: Eduardo Vila is a food vendor at the Mercado San José in Lima, Peru. He is a member of an organization affiliated to the National Federation of Market Workers (Federación Nacional de Trabajadores de Mercado, FENATM).

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FOREWORD



Urbanisation is one of the 21st century's most transformative trends. In parallel the urban informal economy has assumed increased prominence, providing jobs for millions of urban residents and contributing to the economies of fast growing cities. Yet policy and practice has been slow to catch up in harnessing the potential and energy of informal economy enterprises and workers. This report demonstrates how urban informal workers make a key contribution to the vision of urban equity and economic prosperity for all.

The launch of *Enhancing Productivity in the Urban Informal Economy at Habitat III*, the United Nations Conference on Housing and Sustainable Urban Development, in October 2016, is thus timely. *Habitat III* and its outcome document, the *New Urban Agenda*, set out a new vision of urban futures, anchored in the concept of cities for all, where all inhabitants, present and future, can inhabit and produce just, safe, healthy, accessible, resilient and sustainable cities and human settlements. *Habitat III* is convened in accordance with UN Resolution 666/207 to reinvigorate the global commitment to sustainable urbanisation, building on the *Habitat Agenda* of Istanbul in 1996, and the *2030 Agenda for Sustainable Development*, to explore new ways to implement the urban vision.

This report proposes a fresh approach to support economic inclusion and pathways out of poverty for informal workers, making a major contribution to the UN-Habitat and ILO agendas of full and productive employment and decent work for all, with special focus on the needs of women, young people and disadvantaged groups. The report demonstrates how recognition of the contribution of informal workers can lead to innovations in urban planning and design, and the creation of a legal and policy framework that supports the working poor. The report breaks new ground in providing examples of partnership and good practice where local governments and informal workers have worked in partnership to implement a shared vision of economic inclusion for all. The report makes a welcome contribution to innovative urban practice.

Dr. Joan Clos
Executive Director of UN-Habitat

Foreword	v
1. Introduction	1
2. Governance and the Informal Economy	3
2.1. Size, Composition and Contributions of Urban Informal Employment	4
2.2. Local Economic Development	7
2.3. Urban Governance	8
2A. Case Study: Establishing Street Vending Legislation in India	9
2B. Case Study: Trader Organizations Negotiating Space, Dakar, Sénégal	11
3. Urban Planning and Design	13
3.1 Mapping the Informal Economy	14
3.2 Public Space as a Place of Work	15
3.3 The Home as a Place of Work	16
3.4 Informal Settlements and Livelihoods	17
3.5 Infrastructure and Urban Livelihoods	18
3A. Case Study: Participatory Urban Design in Durban, South Africa	19
3B. Case Study: Innovative Housing Solutions, Ahmedabad, India	20
4. Urban Law	22
4.1 Regulatory Frameworks Affecting Informal Workers	24
4.2 Sector-specific Issues	26
4A. Case Study: Inclusive Policy for Solid Waste Management, Brazil	27
4B. Case Study: Pro-Poor Street Vending Ordinance in Lima, Peru	28
4C. Case Study: Street Trading and the Law in Dar es Salaam, Tanzania	30
5. Rights and Representation	32
5A. Case Study: Enhancing Market Safety in Accra, Ghana	35
5B. Case Study: Policy Dialogue for Urban Transport in Bangkok, Thailand	36
5C. Case Study: Gender, Representation and Waste, Belo Horizonte, Brazil	37
6. Formal-informal linkages	39
6A. Case Study: Waste Pickers' Integration in Pune, India	41
6B. Case Study: Livelihoods and Global Supply Chains, New Delhi, India	42
6C. Case Study: Accessing the Ghana National Health Insurance System	43
Key Messages	45
Urban Planning and Design	46
Legal and Regulatory Framework	47
Rights and Representation	47
Formal-informal Linkages	48
References	49

1



INTRODUCTION

The informal economy is the lifeblood of many cities today. It provides jobs for many, in some cities the majority of urban workers, provides flexible services to many urban residents, and makes significant contributions to urban economies. The informal economy demonstrates vibrancy, flexibility and entrepreneurship, and supports local supply chains and global exchange. However, diversity makes the informal economy hard to capture in conventional urban policy processes.

This report argues for a radical and new policy paradigm, to promote inclusion of informal workers in urban dialogues, and mainstream the informal economy in urban policies and strategies. Over the last 20 years knowledge has grown – of the potential of informal employment to provide households with pathways out of poverty, communities with accessible and affordable goods and services, and cities with vibrant sites of economic and social exchange – and of the ways in which cities can help make informal employment more secure.

The document distills the hard-won insights of informal workers, without whom innovative, sustainable and inclusive urban development is impossible, on how to encourage recognition of their economic, environmental, and social contributions; to promote the inclusion of informal workers in urban policy and planning; and to protect and enhance their livelihoods. The case studies demonstrate vividly how

micro-innovations transform working lives and create significant ‘urban practices’ that are central to living and thriving in the city.

The report is designed for all urban stakeholders, particularly local and central governments, urban professionals, and worker organisations, and demonstrates ways in which innovative urban management and social inclusion objectives have enhanced the economic contribution of informal workers while reducing their vulnerability. While formalisation efforts that aim to reduce vulnerability are welcome, the ubiquity of the informal economy suggests that it will persist in cities for many years, making policy inclusion an urgent imperative.

The report stems from UN-Habitat’s Governing Council Resolution 24/11 that seeks to strengthen the United Nations Human Settlements Programme’s knowledge base by documenting and disseminating good practices and tools on urban small-scale and informal economies. The document draws on 20 years of advocacy and grassroots-led research by WIEGO (Women in Informal Employment: Globalizing and Organizing), and more than a decade of academic and policy research by the Informal Economy Research Observatory at Cardiff University. The findings were refined through an Expert Group Meeting in Surabaya, Indonesia, in July 2016. Our thanks to all those who have contributed ideas and vision to this document.

The report is structured around five key themes:

- i. Governance and the informal economy;
- ii. Urban planning and design;
- iii. Legal regulatory frameworks;
- iv. Rights and representation; and
- v. Formal-informal linkages.



Choral Mauladia sells vegetables in the streets of Ahmedabad, India. She is a member of the Self Employed Women's Association (SEWA), a trade union that works to secure the rights of informal workers. © Juan Arredondo/Getty Images Reportage

2



GOVERNANCE AND THE INFORMAL ECONOMY

In many cities across the world, the informal economy is the backbone of city economies, and represents the majority of urban jobs. Thus, city governments face an urgent challenge: to create the conditions under which more and better employment can offer greater economic inclusion to create pathways out of poverty. A central component of that challenge is to make informal livelihoods more secure and productive. As the International Labour Organization (ILO, 2013:1) notes, “*informal activities, enterprises and jobs have not only persisted, but have also emerged in new guises and unexpected places*”.

Chapter 2 briefly examines definitions of the informal economy and emerging knowledge on its size and economic contribution, before considering its potential in local economic development, and urban governance issues, with case studies in India and Sénégal.

2.1. Size, Composition and Contributions of Urban Informal Employment

Although there is no universally accepted definition of the *informal economy*, the international statistical community has made great strides in the past two decades in establishing a common conceptual framework that is now widely used in many regions. This framework consists of three interrelated terms:

- The *informal sector* refers to employment and production that takes place in unincorporated, unregistered or small enterprises.
- *Informal employment* refers to employment without social protection, and is defined as: own-account workers and employers employed in their own informal sector enterprises; all contributing family workers; employees holding informal jobs, i.e. not covered by legal protection or social security; members of informal producers’ cooperatives; and own-account workers producing goods exclusively for own final use by their household (ILO 2013: 42).
- The *informal economy* refers to all units, activities and workers so defined and the output from them.

Although the earnings of informal workers are on average low, their activities contribute substantially to national Gross Domestic Product (GDP). Table 1 presents estimates of the contribution of informal sector enterprises (rather than informal employment) showing these activities are a central, not marginal, part of the economy in many countries.

Table 1. Contribution of the Informal Sector (excluding agriculture) to GDP in Select Developing Countries

Sub-Saharan Africa		Middle East and North Africa		Asia	
Benin (2000)	61.8%	Algeria (2003)	30.4%	India	46.3%
Burkina Faso (2000)	36.2%	Egypt (2008)	16.9%	Latin America	
Cameroon (2003)	46.3%	Iran (2007)	31.1%	Colombia (2006)	32.2%
Niger (2009)	51.5%	Tunisia (2004)	34.1%	Guatemala (2006)	34.0%
Senegal (2000)	48.8%	Palestine (2007)	33.4%	Honduras (2006)	18.1%
Togo (2000)	56.4%			Venezuela (2006)	16.3%

Source: Adapted from ILO, 2013a:22

National estimates: National statistics demonstrate the significant contribution of informal employment to total non-agricultural employment. The most recently available national official labour force statistics show that informal employment (as defined above) comprises more than half of non-agricultural employment in most regions of the developing world: 82 per cent in South Asia, 66 per cent in Sub-Sahara Africa, 65 per cent in East and Southeast Asia and 51 per cent in Latin America. In the Middle East and North Africa informal employment is 45 per cent of non-agricultural employment. Estimates for six cities in China show that 33 per cent of non-agricultural employment is informal. However, the regional estimates hide great diversity within regions: for example, informal employment ranges from 33 to 82 per cent among Sub-Saharan African countries, and from 42 to 73 per cent among East and Southeast Asian countries (Vanek *et al.* 2014).

Informal employment is a key source of jobs for women (Box 1) and for young people in most developing countries. Based on averages across ten countries, as many as eight out of ten young workers are employed informally. In many urban areas, the majority of new jobs available to young people are in the informal economy (ILO 2013a). It should also be recognised that the lives of many informal workers straddle urban and rural areas, because of social links between cities and their hinterlands, inward commuting or peri-urban development.

BOX 1: Informal employment – a key source of jobs for women

In three out of six regions, informal employment is a greater source of non-agricultural employment for women than for men: South Asia – 83 per cent of women workers and 82 per cent of men workers; Sub-Saharan Africa – 74 per cent and 61 per cent; Latin America and the Caribbean – 54 per cent and 48 per cent; plus urban China – 36 per cent and 30 per cent. In East and Southeast Asia (excluding China) the percentage is roughly the same (64 per cent of women workers and 65 per cent of men workers). Only in the Middle East and North Africa is informal employment a greater source of employment for men than for women (47 per cent of men workers and 35 per cent of women workers) (Vanek *et al.* 2014). However, because labour force participation rates are higher among men than women in most countries, the absolute number of men in informal employment generally exceeds the number of women.

Also important for the urban employment agenda is the prevalence of self-employment relative to wage employment in the Global South. In all five regions with data plus urban China, self-employment outweighs wage employment as a source of non-agricultural informal employment. Self-employment is particularly dominant in sub-Saharan Africa (Vanek *et al.* 2014). In sum, the present-day reality is that most existing jobs are now informal, and most of those are in self-employment.

Self-employment is comprised of employers, own account workers, and contributing family workers. Across the regions, own account workers are by far the largest category of non-agricultural informal employment, comprising from 53 per cent of informal employment in Sub-Saharan Africa to 33 per cent in East and Southeast Asia (excluding China). The second largest category is contributing family workers, who comprise from 5 per cent in Central Asia to 12 per cent in South Asia. Very few informal workers are employers, only 2 per cent in Sub-Saharan Africa and South Asia and 9 per cent in East and Southeast Asia (excluding China) (Vanek *et al.* 2014).

Informal employment is a substantial source of employment and output in developed as well as developing countries. Direct comparisons between developed and developing countries using official data are not possible because the statistical concepts used are slightly different. In developed countries, non-standard employment usually includes own-account self-employment, temporary or fixed-term employment, on-call workers, and some part-time workers. Own-account

self-employment as a share of total employment has been estimated at 20 per cent (Greece and Tukey); temporary work at 27 per cent of wage and salary employment (Poland); and part-time employment at 37 per cent in the Netherlands (ILO 2013b: 23-24).

City estimates: At city level, estimates are hard to come by, but are important to underpin economic inclusion. The French institute DIAL produced estimates for 11 cities using 1-2-3 survey methods (Herrera *et al.* 2012). The 1-2-3 Survey is specially designed to study the informal sector, involving three sequential surveys: a light labour force survey using standard ILO indicators; interviews with a sample of informal enterprises; and an expenditure survey.

WIEGO has commissioned estimates for six cities in India, based on the *2011-12 Survey of Employment and Unemployment* conducted by the National Sample Survey Office of India and on the International Conference of Labour Statisticians definitions of informal employment and employment in the informal sector. Due to the relatively small sample size, the city level data was weighted by national averages. Informal employment as a per cent of total employment varied from 56 per cent in Pune to 85 per cent in Ahmedabad.

However, reliable city-level estimates are usually hard to acquire because the sample sizes produced through labour force surveys in individual cities are too small. Where they do exist, they do not indicate the spatial distribution of informal workers across city territory.

In the absence of official labour force statistics at city and sub-city level, of course, some local governments (and some worker organisations) undertake their own census or enumeration projects. Street trader censuses, for example, may be undertaken in specific areas, but must be done very carefully and in consultation with traders and their organisations in order to produce defensible results (Roever 2011). The approach of Shack/Slum Dwellers International (SDI) to informal settlement profiling and community enumeration holds useful lessons for mapping informal livelihoods (Patel *et al.* 2012).

2.2. Local Economic Development

Local governments give high priority to Local Economic Development in order to enhance city economies, provide jobs for growing city populations, and augment municipal budgets. With a large segment of the urban population living in informal

settlements and working in informal employment, local governments need ways to strengthen the productive capacity of all inhabitants by integrating urban planning with measures that provide greater security for a wider cross-section of the population. It is thus essential for local governments to understand the potential of informal employment to contribute to wider development objectives. To do so, they need more and better data on working conditions and sources of insecurity and risk in the informal economy.

Within informal employment, there is considerable diversity in terms of occupational groups and activities. The urban informal workforce is comprised primarily of construction workers, domestic workers, home-based producers, street vendors, transport workers, waste pickers, and informal employees, some of whom work in sweatshops or other hazardous work environments. Those workers have in common a lack of adequate labour protections and access to social protection schemes. Earnings are, on average, low and unstable. Many also live in informal settlements with inadequate basic services, so their exposure to risk is high.

Cities must both encourage the creation of new jobs, and support the livelihoods that already exist. A critical problem is how to eliminate key constraints to security and productivity, for example to enable informal enterprises to get recognition, secure licenses, obtain secure trading space, and improve working conditions.

Recent research has begun to build a picture of the role of local government in shaping working conditions for the informally employed, for example in avoiding displacement of livelihoods, recognising how public space and its regulation affects different economic groups, and understanding the needs of informal workers for urban infrastructure and good access to urban transport.

2.3. Urban Governance

Although there is growing recognition of the potential of participatory practices in urban governance, there is little documentation of efforts to institutionalise representation of the urban working poor from below. Yet examples of good practice in institutionalising participatory governance are now starting to emerge, for example India's 2014 street vendors' law, which requires cities to establish Town Vending Committees to regulate street vending, with at least 40 per cent representation of vendors on the committee (Case Study 2A).

In the absence of data and appropriate policies, city governments tend to approach the informal economy with a mix of regulation, relocation, and sometimes outright repression. Efforts by the urban poor to influence urban governance through protests, mobilisations, and various forms of resistance are now widely documented (e.g., Bromley 2000, Brown 2006, Bhowmik 2010, Scheinberg 2012, Samson 2010, Sudarshan and Sinha 2011).

Several factors contribute to the prevalence of urban governance approaches that have negative impacts on informal livelihoods. One is the role of the corporate private sector, including property developers, formal retailers, and waste management companies, among others, whose relative power grants them access to decision-makers and whose interests are served by commercial property development and approaches that exclude the urban poor (Harvey 2012). Another is the “World Class Cities” discourse, which encourages city officials to compete for domestic and foreign investment and world class city status, such that “*substantial limitations on imagining or planning the futures of cities*” are created (Robinson 2002). Third, the urban planning discipline is poorly equipped to incorporate everyday survival activities (Roy 2009, Kamete 2012).

Where dialogue is established, negotiated outcomes can create space and improved management in city environments, as the case study in Dakar demonstrates (Case Study 2B).



2A. Establishing Street Vending Legislation in India

Background: Following a decades-long campaign by street vendors’ associations, including the National Association of Street Vendors of India (NASVI) and the Self-Employed Women’s Association (SEWA), India’s Parliament passed the *Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014* (GoI 2014). The act aims to protect the rights of street vendors and to set up a mechanism for regulating street vending in which vendors can take part.

India is one of the few countries to have developed a national framework for street vending. The legislation follows four decades of struggle at national and local level. The total number of street vendors in India is estimated at

around 10 million. Some studies estimate that street vendors constitute around 2 per cent of the population of a city – Mumbai has around 250,000 street vendors and Kolkata has around 200,000. Street vending in India is a long-established profession, with businesses often inherited over generations. However, street vendors have poor social protection and their working conditions are insecure.

The Response: The *National Policy on Urban Street Vendors*, published by the Ministry of Housing and Urban Poverty Alleviation (MoHUPA) in 2004 and updated in 2009, was developed in response to campaigns by NASVI and SEWA. NASVI was founded in 2003 to articulate street vendors' issues and demands at national level, and has a membership of 540 street vendor organisations, representing around 3.5 million vendors. However, many states did not adopt the guidelines. In *Gainda Ram v. MCD*, a case brought by a hawker in October 2010, the Supreme Court affirmed that street hawking is a fundamental right under the Indian Constitution and mandated Parliament enact national legislation to ensure that right no later than June 30, 2011.

Results: The legislation is exceptional in its enabling approach, as it seeks to support livelihoods and establish mechanisms to resolve the conflicts that street vending creates. The 2014 Act sets out procedures for regulating street vending, including establishing a survey and issuing a certificate of vending to existing vendors in each city, establishing the rights and obligations of street vendors, drawing up a plan for street vending, and setting up a Town Vending Committee including the Municipal Commissioner or Chief Executive Officer as chair, officials and at least 40 per cent representation from street vendors. Although local governments have limited resources for enumerating street vendors, as required in the legislation, a critical platform for dialogue has been created.

What made it work: Critical to the achievement of the 2014 Act, was the sustained organisation of street vendors over more than four decades, the support of representative organisations, such as NASVI and SEWA, and the advice of *pro bono* advocates. Street vendors from Delhi have used the law to defend their rights; for example vendors now get 30 days' notice of relocation, and have successfully negotiated with city officials to save a 20-year old book bazaar.

Sources: Mahadevia et al. (2012); WIEGO (2015); Gol (2014); Supreme Court of India (2010)



2B. Trader Organizations Negotiating Space, Dakar, Sénégal

Background: Street trading in Sénégal has been a way of life for generations. For many years traders were marginalised in municipal policy, but now stronger workers' organisations, linked to a global advocacy network are proving effective in negotiating trading space in the city.

Sénégal has a long tradition of democratic elections and political debate. In 1989 government attempts to extend sales tax to traders resulted in trader protests, and a new association was formed – UNACOIS (*Union Nationale des Commerçants et Industriels du Sénégal*) which supported formal and informal business interests, and successfully challenged the proposed tax increases. After the 2000 election, street traders caught the new president's eye by slowing his car as he arrived from the airport, resulting in an agreement that traders should not be evicted. This led to a rapid increase in street trade and roadside kiosks. As one trader said, *"The image of traders has improved and everyone wants to become a trader. Stability in the sector has increased and traders are more secure"*. Traders were paying daily fees to Ville de Dakar (the city council).

However, in November 2007 a new initiative to 'tidy' the city streets threatened widespread clearances of street traders in the city centre. Riots broke out, as traders were outraged at the loss of their livelihoods, which closed the city centre for three days. The president intervened suggesting that if traders organised, the government would negotiate.

Negotiations and Results: Over the next 18 months, several new trader organisations were formed. Four umbrella groups were particularly influential:

- FAMATS (Fédération des Associations des Marchands Ambulants et Tabliers du Sénégal)
- SYMAD (Synergie des Marchands dits "Ambulants" pour le Développement)
- GNJMD (Groupement National des Jeunes Marchands de Dakar)
- SUDEMS (Syndicat Unique et Démocratique du Mareyeurs du Sénégal)

FAMATS and SUDEMS registered to join the global advocacy network,

StreetNet International, for solidarity and guidance on effective lobbying. A census of street traders was held, and weekly meetings started with the Ville de Dakar. In consultation with the traders, the *Mairie* improved management practices in the city centre, and purchased an off-street site at rue Félix Eboué for a new 4-storey trading mall, which opened in March 2016.

What Made It Work? The trader syndicates started to work together to clarify their needs, calling for a review of legislation to allow for the economic contribution of trading to be recognised. They also called for a national policy in street trading; better management of public space; capacity-building for associations; registration of street traders; establishment of better facilities, and creation of a social security fund.

Source: Brown (2015)



Liberia Mapesmoawe (left) and Justina Mokoena (right) are waste pickers on the Boitshepi landfill in South Africa and members of the growing Majakathatha Cooperative. They sort through what the municipal and private trucks dump there, looking for valuable recyclables which they sell to a middleman. © Jonathan Torgovnik

3



URBAN PLANNING AND DESIGN

Urban planning and design are key processes in addressing problems of exclusion and urban poverty, and in mediating conflicting demands on urban space. Yet, the space needs of informal workers are rarely acknowledged in urban plans or spatial strategies, both because the informal economy does not fit ‘modernist’ visions of city strategists and because it is difficult to enumerate and map. Nevertheless, urban planning is a core mechanism for identifying and protecting the space and infrastructure needs of informal workers. This section proposes an enabling approach to meet that challenge.

Urban planning is a largely government-led process but its operation depends on local traditions of land ownership (i.e. state-owned or private), political processes, the capacity of municipal governments. It has two core functions, to shape *strategic growth* of human settlements, and to provide for day-to-day *development management*. It also contributes to the provision of urban infrastructure and services, and is now seen as a key mechanism for promoting sustainable development and resilience to climate change (Brown, 2015a).

The modern discipline of urban planning is poorly equipped to deal with the urban challenge in many developing country cities – the rate of urban growth, scale of informal settlements, and the reality of urban livelihoods. For example, zoning-based systems discourage mixed land use, and land used for small-scale enterprise is rarely mapped. This section identifies five areas where innovative urban planning can support informal economies.

3.1 Mapping the Informal Economy

One starting point for economic inclusion is to understand the spatial distribution and characteristics of informal jobs in defined urban locations; workers’ organisations need accurate data in order to represent their interests to local government effectively, and local governments need accurate data on informal employment in order to formulate appropriate and effective urban planning policies. The location of informal enterprises is often critically important to their success, and profit margins are so small that relocation often makes informal enterprises unviable.

Top-down data collection efforts are rarely informed by first-hand knowledge of the logic of informal livelihoods. New approaches, such as community-led enumeration conducted by Shack/Slum Dwellers International (SDI) (Patel *et al.* 2012), may offer a useful way forward.

3.2 Public Space as a Place of Work

The character of a city is defined by its streets and public spaces – streets, sidewalks, parks, and spaces between buildings – and forms the setting for a panoply of activities – the ceremonies of the multi-cultural city, trade of the commercial city, the movements of the connected city, and a setting for community life (UN-Habitat 2016). Public space is also a key place of work for the urban poor. For example:

- *Street vendors and market traders* play an integral role in creating vibrant public spaces, provide for convenient shopping, and create diversity in the local economy. Some street vendors (and many market traders) pay taxes, licensing and permit fees to central and local government, providing a key source of revenue. Yet street traders are often the subject of frequent harassment, fines and evictions by municipal authorities.
- *Home-based workers* who live in informal settlements use public space for production, lacking adequate space for livelihood activities inside their homes.
- *Waste pickers* provide a useful public service that contributes to a healthy city. In many cities they need access to public space to collect, sort and recycle waste.

Consultation and participatory design on the use of public space to resolve conflicts is key, as the public spaces used for work are often those where there is acute competition for space, such as city centres.

Once the legitimacy of working in public space is recognised, innovative urban planning can harness the potential of streets as a place of work. For example, Indian policy and legislation defines the concept of *natural markets* as areas where buyers and sellers traditionally congregate because of accessibility to customers (GoI, 2014). Resolving conflicts at natural markets can thus be given priority. Other informal workers also need access to public space, e.g. service workers, waste pickers, small-scale manufacturers or construction workers.

Imaginative urban design can transform city space, resolving conflicts and creating dedicated trading space. Some of the best examples are found at Warwick Junction in Durban, South Africa, where eThekweni City Council worked closely with informal workers to create inclusive spaces as part of wider urban planning projects (Case Study 3A). Spaces used for livelihoods can include streets, squares or underused or derelict land. If public space is considered as a developmental asset, its use can be transformed and conflicts over space resolved. City governments have a key role in

this transformation. However, where the critical role of space needs for livelihoods is not understood, often government response is eviction or relocation. Evictions should always be a strategy of last resort, as they are always harmful for informal workers.

3.3 The Home as a Place of Work

Home-based work is a global phenomenon found in rich and poor countries (WEIGO 2016a). Home-based workers produce for domestic and global value chains across many industries. They may work in the new economy (assembling micro-electronics) or the old (weaving carpets), or in services (child-minding or hair-cutting). Home-based work represents a significant share of total employment in some countries, especially in Asia, particularly for women, but home-based workers are invisible, which makes all aspects of work protection and lobbying difficult, despite the ILO's 1996 *Home Work Convention* (No. 177).

There are two basic types of home-based workers.

- *Self-employed home-based workers* buy their own raw materials and equipment, and pay utility and transport costs. They sell finished goods, mainly to local customers and markets but sometimes to international markets. Most do not hire others but many have unpaid family members work with them. They assume all the risk of independent work, and may not be able to afford decent working space.
- *Sub-contracted home-based workers* (called homeworkers) are contracted by an entrepreneur or a firm, often through a broker. They are usually given the raw materials and paid per piece. They typically do not sell the finished goods. They cover many costs of production: workplace, equipment, supplies, utilities, and transport, and may also have problems in affording decent workspace.

The home is also an extension of other forms of informal work, for example street vendors store goods at home, and waste pickers often store sorted materials (Sinha 2013).

Home-based work is a form of mixed-use development (with housing and jobs in close proximity), which is now widely seen as beneficial as it reduces the need to travel. There are many other benefits to home-based work, for example in enabling women to work, raise children and fulfil their care responsibilities. Improving services

in informal settlements is crucial to improving living and working conditions, as the Parivartan project in Ahmedabad demonstrated (Case Study 3B). However, urban planning has not always caught up.

Embracing home-based work as a legitimate urban activity may affect urban form (e.g. by creating shared storage spaces for raw materials, public space with workplaces, or a local shop for finished items). New, apartment-style housing may need to be modified to provide more flexible space for livelihoods. Zoning regulations may need to change to allow (and not restrict) mixed-use activities. Housing policy is also important as it is essential to consider the livelihoods of residents in relocation plans. Relocation to peripheral areas deprives workers of transport and access to markets, and *in situ* upgrading is often preferred by home-based enterprises. As the HomeNet Indonesia representative at the Expert Group Meeting said,

The reason why women work at home is poverty and the lack of opportunity. The city responses should not just be recognition, but the base where they work should be recognized by the city. Better housing conditions also have a huge impact on the workers' livelihoods.

3.4 Informal Settlements and Livelihoods

Many slums and informally-built settlements are dynamic centres of economic activity. They form vibrant, mixed-use areas where housing and businesses coexist, but their role in providing jobs and contributing to the wider urban economy needs to be better understood. Access to shelter is an important livelihood asset – homes are used for home-based work or room rental. Streets in informal settlements house shops and local businesses, and many slums have specialist economies serving the wider city, e.g. furniture-making in Manzese, Dar es Salaam, and waste recycling in Dharavi, Mumbai (Brown and Smith 2016).

Slums and informal settlements are a global phenomenon. Rapid urban growth over the last 60 years has led to increasing informality in many aspects of urban life, as governments lack capacity and legitimacy, and regulation fails to keep pace with fast-paced urban change. The term *slum* is widely used to describe old or decrepit areas (UN-Habitat 2003 defines *slum households*), while *informal settlements* are those built without secure land tenure or property rights: e.g. the French/African *bidonvilles*; Mexican *colonias populares*, or Brazilian *favelas* (Brown 2015). In many

cities informally-built settlements have now been granted land titles, so are no longer technically 'informal', but research suggests that many other processes, e.g. water provision, policing and livelihoods remain informal (Ahmed 2016).

Urban planning proposals often call for demolition and rebuilding of slums and informal settlements, with pressure from local governments and property developers to maximise land values, but this approach ignores the value of these areas for jobs and local economies. Here again, bottom-up processes are key to match the livelihoods patterns of slums and informal settlements with urban plans. Communities are best placed to enumerate the jobs in their neighbourhoods, and to shape area improvement schemes in partnership with local government planners.

3.5 Infrastructure and Urban Livelihoods

Infrastructure is critical for all urban activities, including informal employment. Urban infrastructure is often designed with local economic development in mind, but is often targeted toward middle- and high-income users – and thus may be too expensive, inconvenient, or inappropriate for use by the working poor.

Yet, informal livelihoods, like formal ones, require infrastructure, and city governments have a central role in enabling access to infrastructure for enterprises and workers – including toilets, water, waste collection, electricity, storage or security guards. Where there is a lack of adequate infrastructure, the toll on productivity is often high. Where paving and drainage in markets is lacking, or shelter from rain, sun, dust or wind is inadequate, workers' health is compromised and goods get damaged. For workers, relying on public conveniences or buying 'bag' water in tiny plastic sachets is expensive. Although both enterprises and workers demonstrate considerable ingenuity in fabricating workspace, storage or display space, surrounding conditions are often poor and insecure. Small-scale changes can bring dramatic improvements, as the Warwick Junction project in Durban demonstrated. Here improvements were delivered through a partnership between the city council, traders and an adjoining landowner (Case Study 3A).

Informal workers often contribute to improved urban service provision through their work. For example cooperatives of market traders are well placed to manage markets, and where waste pickers are organised they can work in partnership with city governments, both contributing to municipal waste-collection services, and gaining improved working conditions. Where local authorities are privatising waste-collection services it is critical that tender documents are written to allow waste picker organisations to apply (Dias 2011).



3A. Participatory Urban Design in Durban, South Africa

Background: Nearly half a million pedestrians, along with thousands of buses, cars, and public transport passengers, go through Warwick Junction in central Durban, South Africa, every day. This vibrant natural market area is home to eight smaller markets where several thousand traders sell fresh produce, traditional medicine, garments, music, cooked food and other basic necessities. But in the mid-1990s, the area was poorly planned, racially and economically divided, overly congested, and rife with crime. Over a three-year period, the Warwick Junction Urban Renewal Project turned the area around. The work is well documented in the eBook, *Working in Warwick* (Dobson, *et al.* 2009). At the outset of the project, local government officials had initiated an effort to work with, rather than against, the interests of street traders in the area. Street trader organisations had formed and begun to build trust among the thousands of traders at Warwick Junction, meaning that Project staff had negotiating partners with whom to work.

The Project: The project's aim was to improve the quality of the urban environment in the Warwick Junction area in terms of safety, security, cleanliness, functionality and economic opportunity, with a particular focus on the needs of the urban poor. With a flexible operating structure that allowed for interdepartmental coordination and ways to address unforeseen issues as they arose, the project drew officials into three core teams that worked together in a collaborative and consultative manner. The project centre was located at the junction, so that city council officials working on the project were accessible to street traders who wished to raise any concerns. It also provided a space in which street traders' organisations could meet on their own to discuss their concerns independent of council interference – a crucial part of the infrastructure necessary to make the project run smoothly.

The project involved an initial clean-up campaign; a communications campaign to improve the junction's image; and the planning, design and completion of eight market areas and supporting facilities, all informed by intensive and constant collaboration with existing traders' organisations. Its design solutions offered creative ways of addressing traders' needs for trading sites, shelter, more and better pedestrian walkways, pavement, storage, water, and appropriate infrastructure for cooked food traders. These solutions were designed with the traders' needs in mind.

Results: The project transformed Warwick Junction into a leading global example of inclusive urban planning and design. It reduced crime, eased congestion, improved storage options, enhanced the safety of both traders and their customers, and delivered more appropriate workspaces with more appropriate infrastructure to a wide variety of traders. Most significantly, it enabled city officials and street traders to work together in an incremental, pragmatic way to improve conditions for everyone.

What Made It Work? The project's flexible design and collaborative approach enabled it to combine the expertise of city officials with that of the street traders themselves. This collaboration is an element missing from many urban renewal projects, particularly those involving the displacement of existing livelihood activities. Said one project official of the Warwick Project, *"you have to be humble enough to learn from the traders and from the logic of existing activities there"*. Most significantly, the project assumed that street traders would always be a part of the city, given the significant economic and social roles they play.

Source: Dobson et al. (2009)



3B. Innovative Housing Solutions, Ahmedabad, India

Background: The existence of a continuum from fully formal housing to fully informal housing is now well recognized in international development communities (Nohn and Bhatt 2014). In India, the population living in slums rose from 27.9 million in 1981 to over 60 million in 2001, and 200 million live in chronically poor housing conditions or on the street (Rusling 2010). The Mahila Housing Trust (MHT), a sister organisation of India's Self-Employed Women's Association (SEWA), has developed innovative ways to address two key issues related to decent housing deficits, both of which contribute to more secure and productive informal livelihoods: basic service delivery and housing finance.

The Projects: To improve basic service delivery to informal settlements where SEWA members live, MHT developed the Parivartan project in partnership with community-based organisations, the Ahmedabad

Municipal Corporation (AMC), local NGOs and private sector organisations. The project includes a package of basic infrastructure services, including household water connections, sewerage and toilets for individual houses, storm water drainage, road paving, landscaping, solid waste management and street lighting. These services are delivered on a cost-sharing basis in which the AMC bears the cost of taking services to the slum entrance and each of the other partners pays one-third of the on-site capital cost of service provision. Neighbourhood groups and community savings support the project, as do the provision of education, health, skills training and day care centres via partner NGOs.

To address limitations on housing finance, MHT developed methods for establishing collateralised housing loans for semi-formal properties with high tenure security. Specifically, MHT developed a new mechanism for screening the security of tenure of properties outside of the conventional housing finance space, going beyond state-accepted tenure. Under this approach, MHT investigates potential urban planning conflicts

Results: Surveys of Parivartan participants administered in 2005, 2007 and 2008 indicate that the delivery of water and sanitation has improved residents' quality of life; saved them time, inconvenience and embarrassment; improved community relations; and improved health and reduced disease. The time saved and improved health, in turn, brought greater productivity and security to residents' livelihood activities. Residents reported that they are able to work more hours because they are now spending less time queuing for water, and that the facilities help them work more quickly. The housing finance scheme has provided a way for households to avoid blacklisting and systematic exclusion from financial markets that prevent housing upgrades. Once households can borrow for home improvements, those improvements can in turn support the productivity of home-based work.

What Made It Work? The approach taken by MHT to mobilize communities and train community based organisation leaders as part of its projects has helped with implementation and sustainability. The project design contributed to greater civic engagement and a sense of legitimacy among residents of programme areas.

Source: Nohn and Bhatt (2014); Rusling (2010)



Sofia Bravo is a food vendor in the streets surrounding Lima, Peru's old wholesale market, known as La Parada. Her organization forms part of RENATTA, the National Network of Self-Employed Workers of Peru (Red Nacional de Trabajadoras y Trabajadores Autoempleados). © Juan Arredondo/Getty Images Reportage

4



URBAN LAW

Urban law encompasses the policies, legislation, decisions and practices that govern the functioning of cities and human settlements – covering governance, land and housing, the environment, and citizens' rights in urban areas. Law is essential for improving lives and livelihoods, but many cities have an historic legacy of law that fails to cater for modern cities and forms a barrier to innovation (UN-Habitat 2016a).

Legal and regulatory frameworks are often designed for the formal economy, and fail to support informal workers, and instead criminalise the working poor (Brown 2017). Urban law affecting the informal economy is poorly documented and erratically applied. It is often framed at national level and implemented by municipalities, but rarely fully understood by informal workers. Bylaws regulating cart-pushers, kiosk owners, hawkers, and businesses licenses, are often outdated, and prohibitive costs and lengthy procedures put business registration out of reach. Laws that regulate other activities may adversely affect informal workers. For example in India, street vendors are affected by town planning legislation, motor vehicles acts, police acts etc. (Mahadevia 2012).

Many informal workers do not choose to avoid or evade the law: they are simply trying to earn a living. When regulation is inappropriate, or too cumbersome, informal workers may operate in contradiction to certain regulations. However, those who work in informal enterprises are often unprotected but *not* outside the reach of government regulation and, as they are perceived to be illegal, are often subjected to punitive actions by government and police (Bonner 2017).

Informal workers – like *all* workers – require a regulatory framework that protects their rights in the workplace, balances the needs of all stakeholders, and promotes a climate of stability and security. An appropriate legal framework can encourage economic development, allowing informal workers to achieve their full potential as workers and as micro-entrepreneurs. Thus, for many informal workers, a key focus of their struggle for rights and economic legitimacy is defending themselves against legal exclusion – by *challenging and changing* existing laws, and ensuring the *fair implementation* of supportive regulations.

Rights-based approaches can provide progressive and normative frameworks through which to promote inclusion of informal workers in urban policies and practice, for example the coalition of *human rights cities* launched by the city government of Gwangju in South Korea. Another approach is the *Right to the City*, a concept enshrined in legislation in Brazil and in the constitution of Ecuador, which seeks to strengthen the rights of all citizens to access the 'common good' of cities

as the basis for a full and decent life (GPR2C 2016). The ILO promotes *international normative instruments*, as a basis for advocacy and improving local practice.

Two approaches are key, often won through the struggle of informal workers: recognition of the rights of informal workers, and legal and regulatory reform that increases their security and social protection, for example, federal legislation which established ‘waste picker’ as a profession in Brazil (Case Study 4A).

4.1 Regulatory Frameworks Affecting Informal Workers

The Informal Economy Research Observatory at Cardiff University has led collaborative research that analysed frameworks of urban law and their effect on the working conditions, livelihoods and productivity of informal workers. The research argues that a rights-based framework for urban work should underpin legal inclusion of the informal economy (Brown 2016). A starting point is for informal worker organisations and local governments to work in partnership to analyse existing legislation and the potential for reform. Key areas for review include the following.

International norms and conventions: Many international covenants and conventions establish rights to work and to decent working conditions, e.g. *Universal Declaration of Human Rights* (Article 23) grants everyone the right to work and free choice of employment, which is elaborated in various UN covenants and conventions. Of particular importance are the ILO instruments, for example on decent work, home work, domestic workers, social protection and the elimination of child labour which should be used to raise awareness, strengthen motivation and for local advocacy. These need to be applied in national policy and law.

Constitutional rights: Constitutions often recognize the right to work, providing a benchmark to assess legislation that affects informal work. Some constitutions grant ‘programmatic’ or ‘weak’ rights which are not justiciable and must be implemented through legislation (Watts and Fitzpatrick 2017). Workers have sometimes used constitutional rights, particularly the ‘right to life’, to claim a ‘right to a livelihood’. In 2016, a street trader in Durban successfully argued in court that the city’s Street Trading Bylaws that authorized confiscations of his goods were conflict with his constitutional rights (Skinner 2016).

Land laws: A *safe place of work*, and *protection from evictions*, is crucial to improving the productivity of informal workers. Land rights are determined by

laws governing the use of land and rights of occupancy, transfer, inheritance, sale and development, but rarely apply to informal workers. Urban policy has focused on regularizing tenure in informal settlements, and although secure tenure for livelihoods is equally important it is rarely addressed. Workers often adopt complex, collective systems of use rights based on customary tradition, which can be a basis for managing informal businesses e.g. trader associations are sometimes well-placed to manage markets (Brown 2015).

Highway regulations: Although many spaces within highway land can accommodate small-scale businesses, regulations often prohibit structures or activities that obstruct vehicle or traffic movement. Some jurisdictions permit the use of highways' land for hawking, but this is rare. Although traffic safety is crucial, many road reserves can accommodate other uses, e.g. roadside trading or urban plant nurseries. Transport termini – bus termini, metro stops and train stations – attract considerable pedestrian flows and are also opportunities for street trading.

Licensing and business regulation: In many cities few small and micro-businesses are licensed, but there is growing pressure from governments and international agencies to maximise government revenue and promote formalisation. Contrary to popular view, many street traders pay extensively to use street space in daily fees or bribes to city officials or gatekeepers, but achieve little security. Incremental approaches to formalisation, with simplified license procedures for small businesses, can increase workers' security and local government revenue, but workers need to see benefit for their payments.

Urban bylaws: Informal workers are directly affected by local regulations and bylaws. Local governments have responsibilities to maintain law and order and powers of policing, but these are often used as the legal basis for evictions rather than enabling livelihoods. Sector specific bylaws may cover issues such as working sites, cooked food, waste disposal etc. For example bylaws in Nairobi affecting street trading include: licenses; snack bars; ice-cream sale; hawking; *matatu* termini; parking; and *hamali* carts etc. (NCG 2016). Bylaws can be complex and difficult for informal workers to comply with. However where new bylaws seek to enable livelihoods, they can help resolve conflicts and support the most vulnerable, as in Lima, Peru (Case Study 4B). Even in an unsupportive solid trader organisations can help overcome legal barriers (Case Study 4C).

4.2 Sector-specific Issues

WIEGO's work on *Law and Informality* started in 2007 in partnership with member-based organisations of informal workers to understand their legal challenges, and to advocate for strengthened workers' rights. The results of the project led to the creation of a law programme, which launched in 2016. There are extensive resources covering different sectors on the WIEGO website [Law and Informality](#) (WIEGO 2016b). A core finding is the variety of legislation affecting different professions. Legal reform must be specific to different informal occupational groups.

Domestic workers: The legal environment for domestic workers in most countries provides incomplete workplace protection. For example, they are often excluded from social security and collective bargaining schemes. Even where laws protecting domestic workers' rights exist, domestic work is hidden in the employer's home so is difficult to monitor. Domestic workers' hours are often poorly defined, many lack the right to live outside their place of work, and it is difficult for them to form associations. Migrant domestic workers are particularly vulnerable as their immigration status may be tied to their employment.

Home-based workers: Home-based workers are also vulnerable. In many countries, the self-employed are not recognized as independent operators, and the sub-contracted are not recognized as dependent workers so they are not covered by social protection regulations. It is common for their home to lack secure tenure, making their work vulnerable. Also, it may be unclear whether commercial activities are allowed in the areas where they live, as zoning regulations may restrict business activities in some areas.

Street vendors: In many cities, the legal and regulatory environments governing street traders cover the management of public space but often impede their work. Street traders may work from a fixed location – a kiosk or sidewalk table – or may be mobile. Each type of work involves different regulatory challenges. Zoning ordinances often restrict street vendors to areas that are inconvenient to both vendors and their customers. Vending and hawking bylaws should start from the principle of enabling livelihoods, and management practices should be jointly agreed by local government and vending representatives.

Waste pickers: Significant legal and regulatory challenges face waste pickers. In many cities, waste pickers lack formal recognition. The services that waste pickers provide, and the support they require to provide those services, is often not accounted for in municipal planning. Like other occupational groups, waste pickers

are generally excluded from social protection schemes and occupational health and safety legislation, which is problematic because of the health and safety risks that they face.

Other sectors: The informal economy includes many other occupational groups, including garment workers, fish workers, construction workers, and transport workers, who each face different challenges. These workers support the world's growing economies in the same ways as workers in formal jobs, but they often live with economic insecurity and are excluded from social and labour protections, which have historically been governed through the employer-employee relationship.



4A. Inclusive Policy for Solid Waste Management, Brazil

Background: Over the past two decades, Brazil has become one of the most progressive countries worldwide in its development of inclusive policies for waste pickers. Although waste pickers are not one of the larger occupational groups in the informal economy, they work in the most challenging conditions collecting, sorting and recycling waste. Cooperatives of waste pickers began to establish partnerships with municipal recycling programmes in the early 1990s in the cities of Belo Horizonte and Porto Alegre, where local level norms recognized the role of informal waste pickers, and eventually saw inclusive legal norms emerge at local, state and national levels.

The Reform: In the early 2000s, state and federal legislation followed early municipal efforts by recognizing the role of informal recyclers and establishing ways of including them in municipal solid waste management systems. Importantly, federal legislation established 'waste picker' as a profession in the Brazilian Occupation Classification for official statistics (2001), enabled municipalities to directly hire waste pickers' membership-based organisations (MBOs), and required materials generated in source segregation schemes at federal public buildings to be delivered to waste picker organisations, guaranteeing them access to recyclable materials.

Results: Brazil now has not only an extensive body of legislation that protects and promotes the role of waste pickers – one of the most vulnerable occupations within the informal economy – but also one of the

leading movements of waste pickers in the world. Government officials at local, state and national level, particularly in the state of Minas Gerais, have been active in ensuring the implementation of this body of legislation. Despite remaining challenges, a recent comparative study shows that waste pickers in Belo Horizonte enjoy better remuneration and more secure working conditions than waste pickers in other Latin American and African cities (Dias and Samson 2016).

What Made It Work? Inclusive legislation for waste pickers resulted from their successful mobilisation, their ability to identify and work with sympathetic government officials, their strategy of combining public protest with strategic activism and advocacy, and strategic openings in the political system. The development of stakeholder forums, such as the Minas Gerais Waste and Citizenship Forum and the Observatory for Inclusive Recycling, have encouraged on-going consultation.

Source: Dias (2011 and 2011a)



4B. Pro-Poor Street Vending Ordinance in Lima, Peru

Background: Peru's capital city has been home to street trade since pre-Hispanic times, and now hosts around 300,000 vendors who sell goods and services in public space. A 1985 metropolitan ordinance resulting from vendors' campaigns established a normative framework for district municipalities to govern street trade, but was rarely and unevenly enforced, causing conflict and confusion among vendors in different districts. In 2000, vending organisations regrouped and after more than a decade, managed to work with city officials to pass a new ordinance that would simplify administrative procedures and give priority to those who need licenses the most.

The Reform: Ordinance 1787, issued in May 2014, recognizes street vendors as workers, and defines a role for street vendors' representative organisations. It simplifies administrative procedures for accessing licenses, granting priority to women, mothers of young children, elderly vendors, and persons with disabilities. In conjunction with the license, vendors are

expected to enrol in formalisation programmes and take part in capacity building workshops aimed at enhancing vendors' business skills. The aim is to define a way for vendors to eventually leave the streets for off-street commercial locations. To that end, the ordinance makes local government responsible for offering group savings schemes and ensure that vendors can access financial services. Tripartite commissions are defined to improve vendors' public image and facilitate social dialogue with a range of stakeholders. As the representative of the National Self-Employed Workers' Union of Peru (RENATTA) at the Expert Group Meeting said, *"We now have the unions, city government and citizens at one table discussing local issues"*.

Results: Since the passage of the ordinance, local district municipalities have drafted similar ordinances to define licensing regimes and tripartite commissions for resolving problems between vendors, store owners and neighbours, with the aim of regularizing street vending so that vendors have more certain working conditions. The process of developing the ordinance also enhanced the visibility of street vendors' organisations and their efforts to have a voice in policy making.

What Made It Work: To define the contents of the new ordinance, the city government department responsible for local economic development held consultations with approximately 150 street vendors' organisations to hear recommendations from street vendors themselves. Those who backed the ordinance worked over the course of two years to find the right political moment to pass it. Both sides accommodated the political realities in Lima, which required the text to acknowledge the temporary nature of street vending licenses and the responsibilities of vendors to save and work towards a more permanent workplace.

Source: Abizaid (2014)



4C. Street Trading and the Law in Dar es Salaam, Tanzania

Background: Traders in Tanzania have demonstrated that well-organised associations, with the support of local authorities, have the capacity to manage urban space, even though the legal regime affecting street traders is largely negative. A recent study has argued that legislation affecting street vending is contrary to the constitution and infringes traders' human rights and needs reform (Ackson 2014/15).

The 1977 Constitution of Tanzania provides several forms of protection for street traders. Under its Fundamental Principles it includes a requirement that every person able to work should do so (Article 9e) (effectively a right to a livelihood), and under the Bill of Rights grants a right to life (Article 14), a right to work (Article 22) and protection of property rights (Article 24). However, the Fundamental Principles are not justiciable in a court of law, and are thus a statement of principle rather than a legal protection.

Various other laws affect street trade. For example, the 2007 planning acts aim to facilitate employment creation and eradicate poverty, but land use plans do not consider street trade as category which needs to be accommodated. The 1969 highways act prohibits encroachment onto the highway, and the obstruction of free passage by exposing goods and merchandise. Local government acts give local authorities powers of law and order. Evictions can be carried out under all these acts, but contravene several basic constitutional rights including the right to life, right to work, right to own property.

Municipal councils may draw up their own bylaws, for example covering fees and charges, environmental management, waste and refuse collection, market levies, or traffic control. Many bylaws may be used to authorise street trader evictions, which in Dar es Salaam have been on-going since major clearances in 2006/07, and for infrastructure projects such as the DART, Dar es Salaam's bus rapid transit scheme.

The Response: Mchikichini, a new and second-hand clothing market on Uhuru Street, was created in 2006 when traders were relocated from Kariakoo in central Dar es Salaam. It is off street and well-established.

Although at city level traders are not well-organized, some excellent local associations are found. Mchikichini is a large market accommodating about 10,000 market traders, where MCHIMACO (Mchikichini Marketing Cooperative) is an umbrella for seven sectors associations including those selling: *mitumba* (second hand clothes), *vioki* (kiosks), *mama ntile* (street food), home utensils and tailoring, the *Kanga, Vitenge & Market Cooperative* (KAVIMCO, for sellers of African cloth), and the Mchikichini SACCOS (Savings and Credit Cooperative Society).

Results: MCHIMACO was awarded a management contract with Kinondoni Municipal Council (one of three municipal councils in Dar es Salaam), and proved highly effective at running the market.

What Made It Work: Strong networks within the market associations, and local oversight provided an effective basis for managing the market.

Source: Ackson (2016), Brown (2015)



Thipphanan Singthong, a member of HomeNet Thailand, sews garments at a unique workers'-owned factory on the outskirts of Bangkok. Their main income is from sub-contracted work. © Paula Bronstein/Getty Images Reportage

5



RIGHTS AND REPRESENTATION

One important challenge for local governments is to balance the needs of those working in the informal economy with the needs of different interest groups, including formal businesses, residents, and commuters -while managing demands on urban space and limited budgets. Yet because they have less institutionalised access to the political process, informal workers' priorities are less visible to city officials. Informal workers' membership-based organisations have therefore developed innovative methods of representation in a variety of local settings, including policy dialogues, negotiating platforms, coordination bodies, and spaces for common interests to be identified (Case Study 5A). These methods, designed to engage local governments in mutually supportive relationships, are supplemented by day-to-day interactions with local government officials on the ground (Case Study 5B, 5C).

At the same time, institutionalized bargaining forums are difficult to establish and maintain over time. *Ad hoc* negotiations between informal workers' organisations and government officials are more common than established negotiating forums. Exceptions include statutory negotiation *fora* for street vendors in India and Peru, called town vending committees and mixed technical commissions, respectively (Roever 2016). Even where they are defined by statute, though, these *fora* are a challenge to maintain. Regional and global networks of worker organisations for home-based workers, street vendors and waste pickers provide support.

Productive dialogue depends in part on access to reliable information on a particular occupational sector, area of the city, and issue area or problem. Along with participatory forms of research, techniques like hazard mapping (Alfers *et al.* 2015) have helped overcome data deficits at the local level.

BOX 2: Inclusion of waste pickers in Quito – Interview

“I will talk about our struggles and achievements. We started in 2006 with the help of others (including Avina). In 2008 we were eight organisations, and now we are 40 nationwide. We represent 1,500 families, and 20,000 recyclers nationally. We work for those that are, and those that are not organised. We function as an umbrella organisation that includes many others.

We go to ministers and municipalities and demand to be included in political discussions about recycling; we are often excluded from these discussions. We have to empower ourselves, and particularly women. There is a lot of machismo in my country. We try to empower women leaders, because many women are waste-pickers. In our movement 75 per cent are women, three of the four leaders are women.

One of our challenges was the 10 Year Master recycling plan, which was drafted without consultation with the communities. As a response we organized and told the government that we are the recyclers and therefore must be included. Eventually the environmental ministry listened and started considering our demands. What we wanted to show the government is that if we are not included they cannot improve our lives. We told them how we wanted to work and how we work. We didn't let them dictate how we work.

Being organized is the most important thing, only then governments listen. One of the biggest achievements was when President Correa joined on the 18 May, our national waste pickers' day. We are not politicians, but we have to work with politicians. We cannot achieve everything by ourselves; we need the support and exchange of other organisations. We need the support of organizations such as WIEGO to increase capacity building and learn, but also to share knowledge”.

Laura Guanaluiza, Gestores Ambientales de Distrito Metropolitano de Quito and Federacion de Recicladoras de Ecuador (RENAREC), Quito, Ecuador



5A. Enhancing Market Safety in Accra, Ghana

Background: Accra's central markets are home to thousands of street vendors and market traders facing significant occupational health and safety risks. A 2010 study identified poor drainage and waste disposal, frequent fire outbreaks, inadequate lighting, insecure storage facilities, heat, poor ventilation, and physical and psychological harassment as the most pressing hazards. Market traders viewed the source of these hazards as institutional and governance failures, including the misuse of government revenue, patronage, a lack of adequate information among traders about the local government systems and the roles and responsibilities of representatives and city authorities, and a lack of institutionalized channels of communication between local government and traders. Two membership-based organisations, the Ga East Traders Union and the Makola Market Traders Union, recognized the need for mobilisation among traders to overcome these challenges.

Intervention: The organisations disseminated the study findings and participated in a series of workshops organized by WIEGO and the Institute of Local Government Studies (ILGS) on governance, health and safety issues, negotiation skills and other topics to prepare themselves for interacting with government authorities. WIEGO and ILGS, alongside the Ghana Trade Union Congress, then organized dialogue sessions with financial experts, budget and revenue officers, and officers from the metropolitan assembly, among others. The dialogue sessions caught the attention of both worker leaders and government officials who recognized the value of proactive engagement among stakeholders.

Results: Participants reported increases in awareness of safety issues, personal confidence in public speaking, and in their ability to approach authorities. Local authorities became more aware of the traders' unions and their key priorities, and have since involved them in more events. Local government has also benefited from a new level of engagement among traders in local government assembly committees, and from a more amicable and communicative relationship.

What Made It Work? The data collected for the 2010 study enabled the traders' organisations to pinpoint their members' top priorities, and the

partnerships they were able to form — particularly with the ILGS, which trains local government authorities — provided the foundation for positive interactions. Leaders also noted the importance of allowing organisations to grow slowly over time, and of relying on steady, practiced negotiations.

Source: Dzidzinyo Dogbe and Annan (2015)



5B. Policy Dialogue for Urban Transport in Bangkok, Thailand

Background: Nongchok District in Bangkok's outskirts is a sparsely populated district that serves as home to urban poor workers forcibly relocated out of the city centre. Relocations undertaken in the 1990s and 2000s had little regard for the livelihood impact they would have on those relocated out of central city slums. Transport became too expensive and time-consuming for these workers to access their old jobs and markets. Many women took on home-based work as a way to generate income, but still needed public transport to access raw materials and work orders. Yet there is only one public bus that goes to and from Nongchok, and it is unscheduled, irregular, and takes an indirect route, costing these workers time that could otherwise be spent working.

City Dialogue: Since 1992, HomeNet Thailand (HNT) has organized and advocated for home-based workers. To address the lack of adequate public transportation, in 2012 it mobilized both workers and other affected communities to hold two rounds of City Dialogue and one round of community discussion. Twenty-six representatives from Nongchok District participated in the first round, whose result was for relevant authorities to commit improved the communities' access to water supply and health care. In the absence of a similar commitment to improve bus service, 43 participants gathered for a community dialogue to share experiences of poor bus service and agree on specific resolutions to put forward to the authorities in a second round. At that second dialogue, relevant authorities acknowledged the extent of the problems posed by infrequent buses, poor road maintenance and poor lighting, and proposed a way of involving additional government departments to resolve the problems.

Results: The transit authority approved an additional two buses to service the route to Nongchok, improving the regularity of service. This in turn has resulted in shorter waits, which has enabled workers to allocate more time to producing goods. An application for a pedestrian bridge requested at the second round of dialogue also moved forward. More broadly, authorities developed an improved understanding of the challenges facing these communities, and the communities gained confidence in their ability to engage with the authorities.

What Made It Work? The involvement of a range of communities who are all affected by poor public service in Nongchok enabled them to overcome divisions and articulate a common demand for improved service. Importantly, the authorities were willing partners in the dialogue and provided much needed information about the competencies of different government departments so that the communities could pursue their issues.

Source: *Tangworamongkon (2015)*



5C. Gender, Representation and Waste, Belo Horizonte, Brazil

Background: Although informal workers' organisations are gaining ground in organisation and representation, women workers within those movements struggle to make their voices heard and their presence respected. Among women waste pickers in Brazil, a sense of marginalisation both at the workplace and within organisations led to the creation of the Gender and Waste project, co-sponsored by the Federal University of Minas Gerais (NEPEM-UFMG), the National Movement of Waste Pickers (MNCR), a local NGO called INSEA, and WIEGO. The project launched in 2012 with the objective of raising awareness of the need to increase the economic and political empowerment of women waste pickers and to address gender inequalities in the sector.

The Project: Preparatory discussions held with women waste pickers in Minas Gerais state identified their marginalisation within the national movement, and current practices whereby more men participated in negotiations with federal government, as key issues that affect women

waste pickers' ability to represent themselves before authorities. Regional workshops based on participatory methods then provided a space in which women could analyse the main constraints on obtaining equality and recognition, and in the final phase two toolkits — a popular toolkit for waste pickers, and a practitioner's toolkit for academics, government officials and practitioners in the field — were produced in Portuguese, Spanish and English so as to contribute to mainstreaming gender awareness. Additional communications training for women waste pickers brought them additional skills and confidence for bringing their voices into policy settings.

Results: Project participants changed their views of themselves, particularly in contexts of discrimination and violence, so that they gained the courage and confidence to express demands. Male leaders were engaged to support the creation of spaces where sensitive issues could be addressed, and barriers to men's autonomy were also identified. Recognition of the need to patiently develop a process of gender awareness and autonomy, rather than concentrating on one-off events, was developed.

What Made It Work? From the beginning stages, the project was based on principles of popular education and participatory methods. Women were involved in all project phases and were granted the time to develop the project at their own pace, including with the development of safe spaces where they could gain confidence. Multiple partners and areas of expertise were marshalled from academic institutions and the movement.

Source: Dias and Ogando (2016)



Informal Head Porter workers Aisha Adam (left) and Hawa Latif (right) are head porters (called kayayei) in Kantamanto Market, one of Accra, Ghana's largest and busiest markets. © Jonathan Torgovnik

6



FORMAL-INFORMAL LINKAGES

The economic contribution of different informal economy actors can be enhanced through understanding and strengthening value chains. For example, waste pickers can contribute extensively to waste management by collecting and recycling materials such as cardboard, plastics and metals, but their productivity is considerably enhanced if they are integrated into solid waste management systems, can access waste collection points set up by municipal governments, and supply to larger recycling companies. There are several excellent examples of such involvement of waste pickers, including the establishment of the SWaCH cooperative in Pune (Case Study 6A) and the strengthening of waste cooperatives in Belo Horizonte (Case Study 4A).

In another example in Bangalore, the municipal corporation is working closely with waste picker organisations. The corporation is setting up 190 new waste collection points and has signed an MoU with the organisations to manage 33 collection points. The waste pickers recycle about 50 per cent of the total waste deposited at these points, averaging about 1 tonne of recycled material per day at each point. Of the 30,000 waste pickers in the city, 7,500 already have ID cards enabling giving them rights to access health and other services, although migrant waste pickers are not yet included in this service.

Value chains can also be enhanced by the provision of storage and preparation space. SEWA has strengthened linkages between its rural producers and urban street food vendors by establishing a stall at the vegetable wholesale market in Ahmedabad, cutting exploitative middlemen out of the value chain.

Using supply chains to promote decent work is also important, as illustrated in the establishment of Embroidery Centres in Delhi (Case Study 6B). Links between urban informal workers and formal actors can be enhanced through formalisation programmes, expanding access to social protection, microfinance and financial inclusion programmes, and other forms of partnership, as negotiated by the *kayayei* (market head porters) in Accra (Case Study 6C). Without such action, formal-informal linkages that can be more exploitative than supportive (Meagher 2013, Harriss-White 2009).

Improving the terms of economic linkages for the urban working poor requires collective action, a challenge for both self-employed and sub-contracted workers. The cooperative model is one example; it enables informal self-employed workers to rationalise working methods, or access larger markets in the case of producers. Home-based workers who individually would not confront a contractor about unpaid wages or unfair piece rates have done so collectively to improve the terms of their interactions.

Improving linkages between informal workers and the formal institutional environment also requires collective action. Workers' MBOs have played a significant mediating role in extending access to government programmes, registering workers in various state domains, setting up negotiating and bargaining forums, and monitoring implementation.



6A. Waste Pickers' Integration in Pune, India

Background: India's ninth largest city, Pune, generates an estimated 1,400 tonnes of solid waste every day. With about 8,000 registered waste pickers and over 550 waste traders, the city has a robust market for recyclables. But for many years, the remuneration and working conditions among Pune's waste pickers were poor: although their combined labour was estimated to save the municipality US\$316,455 in waste transport costs every month, their earnings were insecure, their working conditions unhealthy, and their position in the market vulnerable to exploitation by middlemen. Waste pickers unionized as *Kagad Kach Patra Kashtakari Panchayat* (KKPKP) in 1993.

Intervention: Taking advantage of an enabling legal and policy framework for which it had advocated over the years, KKPKP formed a worker-owned waste cooperative called SWaCH (*Solid Waste Collection and Handling or Sewa Sahakari Sanstha Maryadit, Pune*) in 2007 and developed an alternative model for recycling that would better recognize local conditions than a standard privatisation model. The new model was based on the principles of direct collection of source segregated waste from domestic and small commercial generators; maintenance of separate waste streams; the integration of existing waste pickers and collectors for materials recovery and processing; diversion of organic waste from landfills and of recyclables into the recycling stream; and opportunities for skills upgrading among informal waste pickers. The municipality was willing to institutionalize the model and signed a memorandum of understanding with SWaCH in 2008 to implement it.

Results: SWaCH has over 2,000 worker members, 78 per cent of whom are women. Together they collect 600 tons of waste daily. Non-recyclable waste is delivered to the municipal transport system, and recyclables are

sorted and sold. Green-colored saris serve as uniforms to identify SWaCH members as workers. With the integration model in place, they have reported being treated more respectfully and earning more through user fees that households and commercial establishments pay them to collect waste. They also now have protective gear and work fewer hours than before.

What Made It Work? Before the integration model was proposed, KKPKP had worked for years to establish itself as a credible organisation. Its efforts involved making strategic representations to government committees and commissions in order to raise the profile of waste pickers and offer practical recommendations based on research. With the help of a consortium of NGOs, it advocated for segregation at source, incentivizing recycling and diverting waste from landfills in a way that involved local government officials, civil society organisations, trade unions and the media.

Source: Chikarmane (2012)



6B. Improving Livelihoods in Global Supply Chains, New Delhi, India

Background: Home-based workers whose livelihoods are embedded in global supply chains work without clear ways of claiming economic rights. In India, there is no national legislation governing home-based work. Legal norms covering minimum wages do not apply to sub-contracted home-based workers, who are paid according to piece rates, and social security schemes are difficult to access. Delhi's embroidery workers are no exception; they are vulnerable to exploitation, live in poor housing conditions, and earn irregular wages. Within this rights vacuum, SEWA Bharat has developed ways to overcome the ambiguous legal environment by reorganizing the supply chain.

The Model: The core of the intervention is the establishment of Embroidery Centres situated close to SEWA members' homes. The centres are used to collect and deposit work orders and to link workers with support services like health training, microfinance and skills training. SEWA sets piece rates in order to raise its members' income, and by legally registering a producer-led company in which workers own shares and are represented on the

board, SEWA eliminates unscrupulous middlemen and links its workers with firms interested in transparent and ethical lines of work. Finally, SEWA helps workers access government benefits where they qualify, so as to help them realize basic rights.

Results: Through the establishment of five embroidery centres in Delhi, 800 embroidery workers have gained access to regular work, and an additional 3,000 have gained access to periodic work, at higher piece rates than are available through middlemen. They have increased their cumulative income by 50 per cent, increase their number of working days, and gained access to government benefits. The Embroidery Centres have increased their scale of operation by linking to 20 brands and 36 suppliers.

What Made It Work? SEWA combines a range of strategies, including not only advocacy for legal reform but also market interventions, such as the embroidery centres, and state linkages that enable their workers to access government benefits to which they are entitled but often excluded. In the ambiguous legal environment that surrounds global supply chains particularly in the garment sector, removing middlemen and establishing transparent payment processes enabled an alternative economic model to form.

Source: Sankrit (2015)



6C. Accessing the Ghana National Health Insurance System

Background: Accra's thriving street markets require a workforce of porters who can carry goods between delivery trucks, individual market stalls, and consumers' vehicles. These workers, called *kayayei*, are young women migrants who work and live in difficult circumstances and have little institutional interface with the Ghanaian state. Ghana launched a National Health Insurance System in 2003 with the aim of extending coverage to previously neglected populations. A 2012 case study showed that many *kayayei* were not registered because they could not afford the premiums, and those who were registered complained that they were mistreated or ignored when they went to use the service.

Intervention: Representatives from the National Health Insurance Authority and the Ministry of Health joined *kayayei* organisations and other civil society representatives in a 2012 policy dialogue on the challenges they face with the health system. According to one observer, the *kayayei* “*amazed the officials present*” with their confidence and ability to pose critical questions. However, organisation takes work, and as the representative of the Informal Hawkers and Vendors’ Association of Ghana at the Expert Group Meeting said, “*We went from market to market, informing workers about their rights, and stressing that we want to speak collectively, not individually. We need a strong voice*”.

Results: The dialogue resulted in two commitments. First, the workers’ organisations negotiated a significant reduction the annual premium for joining the health scheme, and the NHIS held a one-day special registration of 1000 *kayayei* and 500 others. Second, the Ministry of Health committed to addressing the poor quality of care, proposing that clinics and hospitals near where they work would have doctors and nurses charged specifically with looking after their needs.

What Made It Work? Although they still have a long fight ahead to have their health needs fully addressed, the *kayayei* surprised officials with their poise in articulating their problems accessing the health system even when they had saved to buy the NHIS card. The structure of the policy dialogue, which assumed that different interest groups would have different perspectives on the same problem, provided a space in which the power differences between groups could be recognized and the problem at hand could be discussed in a productive way.

Source: Alfors (2012)

7



KEY MESSAGES

In both the developing and developed world, the informal economy is large, and its contribution to city economies and poverty reduction can no longer be ignored. As vividly shown by the innovations represented in this report, city governments and informal economy actors can and do institutionalise inclusion and partnerships that transform the lives of informal workers, and substantially increase their economic output, while contributing positively to urban governance.

Meaningful inclusion requires a radical rethink of urban policy paradigms, to provide a platform for informal workers in urban dialogues, and include the informal economy in urban policies and strategies. Several key messages emerge from this report.

Governance and the Informal Economy

- Information is key, and there is an urgent need for better data at city level on the size and economic contribution of the informal economy. There are gaps in city and sector statistics, and a need for well-designed, locally-based research on the informal economy.
- Local governments are central to enhancing livelihoods in the informal economy, through social dialogue, participatory budgeting, and locally based solutions. The challenge is to institutionalise meaningful participation, ensuring long-term sustainability across political terms.

- Micro-innovations are crucial – such as issuing ID cards, or negotiating working space. Although often specific to a sector or locality these can transform working lives and create significant ‘urban practices’ that are central to living and thriving in the city.
- Rights-based approaches have proved an important framework for strengthening participation of informal workers. Both the *Right to the City* and *human rights cities* hold promise, but do not replace local action on the ground.
- Formalising informal livelihood activities is important if focused on reducing vulnerability – e.g. giving workers ID cards to access health and social benefits – but is not sufficient. The informal economy is so large, fluid and prevalent that formalisation programmes alone will not tap its potential.

Urban Planning and Design

- Urban planning has a central role in making space for livelihoods, but at present takes no account of the informal economy. The dominant paradigm needs to change, to value existing homes and jobs above the current approach of maximising property values.
- Public space is a key place of work for street vendors, waste pickers and other informal workers. Participatory design can resolve conflicts, improve infrastructure and secure space for livelihoods, as experience in Durban has shown.
- The home is a place of work for many people, particularly women. Housing policy should recognise the intersection between housing and employment. Zoning regulations need to recognise home-based work as a form of mixed-use development. Apartment-style housing needs to accommodate home-based work.
- Informal settlements are dynamic centres of economic activity, sometimes supporting specialised economies, but their economic role is rarely considered in upgrading plans. *In situ* upgrading is almost always better for livelihoods than relocation.
- Evictions of workers for major development proposals or planning objectives should always be avoided, or be a strategy of last resort. If relocations are necessary, those should be planned with the participation of those being relocated.

Legal and Regulatory Framework

- The recognition of different informal occupations as legitimate professions, and sector-specific legislation and regulations designed to strengthen livelihoods, are key to reducing vulnerability.
- The legal context affecting informal workers is usually complex and restrictive. Often constitutional rights to work are not carried through in other legislation, and many different and sometime conflicting bodies of law adversely affect informal workers.
- Informal workers in their struggle for rights seek to challenge and change existing laws, and ensure the fair implementation of supportive regulations.
- Enabling legislation that seeks to support livelihoods and resolve the negative impacts of the informal economy are rare. One excellent example of enabling legislation is the national Street Vendors' Law in India.
- International conventions such as those of the ILO are important for raising awareness, advocacy and improving local practice.

Rights and Representation

- Capacity building for workers' organisations is key, to strengthen their confidence and negotiating skills, and allow workers to present collective views. The most vulnerable (e.g. migrants or older women) may not join organisations but should not be left out of policy development.
- Partnerships between worker organisations and local governments are key in institutionalising platforms for dialogue.
- Workers' organisations require support, time and resources to develop as credible partners with which local governments can collaborate.
- Local government officials need consultation and negotiation skills in dealing with those whose workplaces are informal.
- Workers have a key role in developing their organisations and overcoming difference between groups and sectors.

Formal-informal Linkages

- Formal-informal linkages through improving value chains and formalising employer-worker relations can significantly improve the economic contribution of workers.
- Value chains can be enhanced by the provision of storage, or by setting up direct supplies of produce, as food vendors in Ahmedabad achieved.
- The inclusion of waste recyclers in municipal solid waste management strategies gives them better access to raw materials, improves links to recycling companies and provides opportunities for improving working conditions.
- The formation of worker cooperatives can help improve contractual relations for homeworkers and other informal workers.

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