

KEY MESSAGES



Theatres of Development

Cities have been called 'theatres of agglomeration' where people accumulate in untidy masses. Cities have also been called 'theatres of indulgence,' morality-free zones where individuals anonymously satisfy suppressed cravings. As 'theatres of change,' cities are often depicted by traditionalists as destroyers of old ways and customs or, in other words, as evil and immoral.

In a rapidly urbanizing world there remains, without doubt, an anti-urban bias or at least a longing for old values and landscapes. When cities first begin to take off, as in 19th century America or 20th century sub-Saharan Africa, this prejudice is strongest because national economies and livelihoods - and therefore politics - are still largely agrarian. With a moral righteousness politicians extol the virtues of village life and rural values. In the most urbanized regions of the world, however, where they have evolved from centres of trade into expressions of culture, cities have become objects of national respect, pride and even affection.

There is nothing inherently evil about the city - the most complex and potentially rewarding of human artifacts. The city is, in the first place, an economic venue where anything may be made, bought and sold. But in the process of bringing people together for trade and industry, the city becomes a social habitat where a youngster takes on odd jobs for a disabled neighbour, where friends gather over tea and strangers haggle over the counter, where lovers walk and children play, where young women and men build and their elders reminisce.

The city may be taken over by corruption, vice and all forms of poverty, but only if the people in control allow it. In any proper system of governance, those in control are not just government officials but also citizens themselves. Most people would choose to create safe and healthy cities for themselves and their families. But if that power to choose is neglected, stolen, given away or never granted in the first place, cities and everything in them are in danger of becoming commodities, as there is no sustainable counterforce to hold back the corrupting influences and eventual exploitation by social predators and economic scavengers. Providing the opportunity for citizens to participate in making the choices that affect their lives is the first principle of good urban governance. Joining in the rampant selling-off of local assets is the strongest sign of bad governance.

Destruction of Creative Capital

The world has entered a phase of globalization that promotes liberalized trade - taking down the barriers to commerce. There are some barriers, however, including local environmental regulations and zoning laws, that are designed to provide stability and to protect local resources, local customs and communities - to improve the quality of local life. These should not be removed.

In this neo-liberal economic age, where national and international forces erode local ability to create a stable and livable environment, the city is in danger of becoming the traditionalists' nightmare. To reap the benefits of liberalized trade as international winners,

A country's global success rests on local shoulders

cities are advised to become competitive in ways that often resemble prostitution. The urban revenue base, the labour force and natural resources are literally sold to the highest bidder in a global auction of assets.

These assets - that include the accumulated human, natural, social and physical capital - are the warp and weft of a regenerative, sustainable city. In myriad combinations throughout the world, they provide the grounds for expression of individuality and diversity in both people and place. And it is this individuality and diversity that will help the human race not only survive but thrive as it takes up residence as *homo urbanus*.

Wrest control from local hands, deregulate, and ignore the everyday needs of people and, ironically, cities become bad investments as well as bad places to live. There are proven advantages in joining the global economy, but national governments must decide how to participate without allowing local assets to be given away or sold off. How do nations reap the benefits of globalization without assigning their populations to the economically vulnerable monoculture of liberalized cities around the world and creating more hardship for their poorest citizens? After a recent series of economic shocks, one fact stands out - the poor suffer first and worst when a globalized economy turns sour. And the urban poor without traditional livelihoods to fall back on, are the most vulnerable.

ÔFilling inÔ of the State

It is often said that because of its increasing inability to control the international flow of money - once a main function of national government - the state is 'hollowing out,' or losing its grip on the levers of governance. That may be true if a national government continues to wield power through relatively blunt macro-instruments that only indirectly address local problems. Perhaps because of its size and the breadth of its responsibilities, central government, by itself, can never effectively apprehend the immediate micro-realities and needs of citizens within national borders. Moreover, it can respond neither fast nor flexibly to local issues and crises. As an instrument for development, the state relies on overarching economic theory expressed in policy and on a hierarchy of agents to carry out that policy. Any inadvertent side-effects imposed on particularly vulnerable citizens by its policies are excused as 'transitional adjustments.'

Nonetheless, national government is central to sustainable urban development in a globalized economy and is still the fittest agent of worthwhile economic and social change. Certainly, governments negotiate the rules of international engagement that may influence any city's economic future. But governments - provincial as well as national - also pass the legislation that determines who has control over local assets. And, governments are the watchdogs that can ensure that environmental standards are being met and ecosystems are not being dismantled, that local services are not arbitrarily withheld from the poor, that citizens have the opportunity to participate in decisions that affect them, that safety nets are in place in case of emergency and that norms of integrity are properly upheld by local officials.

As implied by these supporting, facilitating and monitoring functions, government has the sovereign ability to delegate and distribute responsibility, authority, revenue and resources indirectly to its citizens through participatory structures of local governance. Devolution of this sort can provide the legal, financial and capacity-building means to increase both the speed and accuracy of local response mechanisms and build local capital assets. It also offers the state a more direct, broad-band pipeline for obtaining policy inputs from its own citizens. The evidence arrayed in this report argues that the state as paternal provider must give way to a state that is a true helpmate to its cities.

Combining both devolution and oversight in a unified national development strategy, countries can become more self-aware, self-confident, more representative and more disciplined in taking a place at the global table. This will come from a recognition that cities are the future of the country and that paying attention to them - all of them - pays off. In this way, there can be a 'filling in of the state' as we come to see local authorities not as the political competitors but as pre-eminent partners. Cities, after all, are the part of a state that increasingly contain the social, economic and environmental details of a country. Cities are arenas for more intimate forms of politics in which the poor and excluded too can engage in different forms of dialogue. Cities localize democratic processes in ways global and national institutions cannot. They augment national political processes, deepen democracy and make it more accessible and equitable. City mayors and councilors, moreover, are always on the front line in any emergency and are immediately and continuously answerable to their constituents. If they can strengthen their own democratic processes and eventually share more of the state's power and responsibility, that can only enrich the country, making it more vibrant and robust.

KEY MESSAGES

CITY + STATE



Bernad Decker

The Key to National Development

In today's world, national development is linked to city development. The evidence - qualitative as well as quantitative - supports the argument that cities are the key to countries' overall social advancement, environmental sustainability and economic viability. Most significantly, urbanization is highly correlated with national human development. Accordingly, a nation must attend to the basic needs of its urban population to ensure a constantly improving quality of life country-wide.

The evidence in this report is arrayed in a way that reflects the workings of the city itself, starting with the city as a provider of shelter and services to individuals and households. These basic human units aggregate into communities that form an active urban matrix with a variety of educational, health, security and other social goals. The primary reason people come together in cities is to work, the nature

of which depends upon the urban economic base, including linkages to primary and secondary production in the hinterlands. As a collection of consumers and producers, urbanites impact the environment in many ways and, in turn, are affected by environmental degradation and pollution.

The function, or dysfunction, of the city can be described and measured through the collection and interpretation of urban indicators. It is the task of urban government to ensure well-functioning cities, reducing as much as possible frictions that would naturally occur without its planning, organizing and problem-solving mechanisms.

In the developed world, making cities work is a matter of setting the effective priorities for resource expenditure. In view of the bewildering array of human settlements issues, however, it cannot reason-



ably be expected that many developing countries will address all urban issues on their own. The establishment of national strategies is imperative, where each city is encouraged to capitalize on its comparative advantages (natural, social, physical, and/or human capital assets) and is supported by a government that establishes fair rules for all cities.

Governments have a primary responsibility to ensure the safety, health and general welfare of their citizens. They do not necessarily have to finance or implement actions themselves. There are myriad ways in which other societal actors, including local authorities, NGOs, employers and financial institutions can be involved. Governments, however, must establish a policy framework for: fiscal discipline; fair and transparent resource allocation; effective and predictable monitoring and regulation; fiduciary responsibility; strategic planning; independent and just conflict resolution; participation and civic engagement; open information flows and ethical behavior. Each of these is necessary to ensure that government itself is responsive and responsible to civil society.

Monitoring and Assessment

Policy change should be reinforced and informed through regular assessments and reports on progress toward the objectives of sustainable urban development. New analytical tools and methods are also needed, including systems performance indicators. All key ministries should report annually on the extent to which their activities are contributing to alleviating urban poverty. These reports should form an integral part of budget submissions and economic development plans. If any activities have had an adverse impact on the urban poor, they should include specific proposals for correcting and avoiding such impacts in the future.

The Key Message

A country's global success rests on local shoulders. For the good of all citizens, city and state must become political partners rather than competitors. If accommodation requires new political arrangements, institutional structures or constitutional amendments, it is never too early nor too late to begin making changes. The nature of those changes can best be determined through empirical observation, analysis of information and dialogue on both the condition of a nation's cities and a national strategy to improve that condition. Each country should, indeed, prepare and publish, periodically, a report on the state of its cities, focusing especially on national and local policies and how they affect cities and their citizens. Gathering of evidence by putting in place proper information systems and diagnostic tools is a practical first step. Good information will provide the common platform for dialogue among stakeholders - an essential part of the process - as they approach a vision for the future and set priorities for conservation and change. The main goal is to make the structures of governance more responsive to individuals, households and communities so that both national and local authorities can better serve civil society through separate but complementary instruments.

Towards a National Urban Policy

In a globalizing world, one of the most urgent tasks facing governments, particularly in developing countries, is the formulation of a national urban policy and related policy instruments that will:

1. Strengthen national regulatory oversight, standards setting, capacity-building, dispute resolution and policy-making functions;
2. Institute open, participatory and transparent national planning and budgeting processes that reflect local level priorities;
3. Integrate physical with economic planning and recognize urban regions and eco-systems as geographic planning modules;
4. Devolve service provision, revenue raising and other governmental functions sufficient for local authorities to effectively serve civil society;
5. Provide for rapid and continuous development of local capacity to take on new functions;
6. Enable local authorities to:
 - Bring all stakeholders, especially women and vulnerable persons, into local planning, programming, budgeting and monitoring processes;
 - Identify and protect the commons (i.e., heritage buildings, fragile environments, open space, etc.);
 - Establish, through community consultations, codes of conduct for leaders and representatives;
 - Empower sub-city communities to engage in environmental management, public safety and provision of infrastructure and basic services;
 - Insure security of tenure for all citizens;
 - Realize de jure and de facto gender equality;
 - Establish effective metropolitan-wide planning and management;
 - Assure citizens of open, transparent and accountable governance with proper sanctions and enforcement;
 - Monitor urban conditions and feed back information for timely assessment by national and local authorities and civil society.

National Actions that Help Cities

Africa Acts to Guarantee Women's Property Rights

Out of 29 selected countries in Africa it was found that 16 had no legislation guaranteeing women property rights. While six of those 16 countries had strong women's movements, eight others have taken no action, either by government or civil society, towards obtaining property rights for women. In Botswana, government is currently drafting legislation to safeguard women's rights to property. In Kenya due to conflicting legislation, women have limited access to land and property. In the remaining 13 countries studied, legislation exists to guarantee women's property rights. Although this is a positive phenomena, there remains need for continued efforts at social education as, even with legislation, laws are often interpreted in favour of men.

| Country | Instrument | Description | Action | Intended Result |
|---------------------|---|--|----------|---|
| Burkina Faso | Presidential Decree No. 97-054/PRES/PM/MEF | Recognizes equal access to land and property. | Passed | Ensure equal access to property. |
| Cameroon | Women's movement | Lobbying for women's right to and ownership of property. | | |
| Eritrea | The Eritrean Constitution of 1996 | The constitution guarantees all citizens to acquire, own and dispose of property. | Adopted | To ensure equal right to and ownership of property. |
| Ethiopia | The Ethiopian Constitution of 1994 | Recognizes equal rights to own land. | Adopted | To ensure equal rights to property. |
| Gambia | Women's movement | Lobbying for women's right to and ownership of property. | | |
| Ghana | Interstate Succession Law of 1985 | Women's movement exists. | Passed | To challenge customary notions of inheritance. |
| Liberia | Women's movement | Enactment of women's right to and ownership of property. | | |
| Malawi | Draft National Land Policy of 2000 | Incorporate equal rights to land. | Amended | To ensure equal rights to land. |
| Mozambique | The Mozambique land Law of 1997 | Equal rights to own land and property. | Passed | To ensure laws are enforced. |
| Namibia | The National Constitution A Draft Law on Inheritance | Equal rights and affirmative action to redress imbalances. | Signed | Equal rights and affirmative action to redress imbalances. |
| Niger | The Rural Code of 1999 | | Signed | |
| Nigeria | Women's movement | Lobbying for women's right to and ownership of property. | | |
| Rwanda | The Matrimonial Regimes, Liberties and Succession Act of 2000 | Empowers women to inherit and own property. | Passed | To empower women to inherit property. |
| Senegal | Women's movement | Lobbying for women's right to and ownership of property. | | |
| Sudan | The National Constitution of 1998 | Equal rights to ownership of assets. | Amended | To ensure equal rights to property and land. |
| South Africa | The Draft Bill of Rights of 1993 | Guarantees women's property rights | Proposed | To protects women's property rights. |
| Togo | Women's movement | Lobbying for women's right to and ownership of property. | | |
| Uganda | The Ugandan Constitution of 1995 and the Land Act of 1998 | Equal rights to ownership of assets. | Amended | To ensure equal rights to property and land. |
| Zimbabwe | The Deeds Registries Act | Facilitated equal rights in regard to acquiring immovable property including land. | Signed | Equal rights to property and to contravene Supreme Council ruling recognizing supremacy of Customary Law. |

A sample of policy actions taken by national governments since Habitat II (1996)

| COUNTRY | INSTRUMENT | DESCRIPTION | ACTION | INTENDED RESULT |
|-----------------------|--------------------------------|--|---|---|
| SHELTER | | | | |
| India | Central Laws | The Urban Land Act, 1976, was a major bottleneck. | Repealed | Nearly 200,000 ha. urban land to become available for housing. |
| | Stamp Act | Wide-ranging amendments are in the process in the Indian Stamp Act in many States. | In process | Reduce the burden of Stamp Duty on property transactions. |
| | Registration Act | Modifications to the Registration Act have been recommended. | Modifications | Easier procedures for registration of property and mortgages. |
| | Land Tax | Stiff vacant land tax. | Proposed | Promote construction activity by discouraging land hoarding. |
| | Land Acquisition Act | Amendments to the Land Acquisition Act to facilitate litigation-free acquisition of land for public purposes. | Under consideration | Development of housing on private lands by expediting land acquisition. |
| Turkey | Construction Regulations | A new building and construction supervision system has been | Created | Ensure safety of construction works and buildings throughout the country. |
| Bolivia | Agreement (March 1999) | "Women and Land Security" agreement signed. | Signed | Ensure women's right to legal security of tenure. |
| South Africa | Land Rights | The Urban Development Framework to implement the Habitat Agenda. Interim protection of informal Land Rights Act, Security of Tenure Act, Land Reform Labour Tenants Act and Prevention of Illegal Evictions and Unlawful Occupation of Land Act. | Gazetted | The prevention of illegal evictions from, and unlawful occupation of land. |
| Jordan | Owner and Rental Law (2000) | The law amendment compulsory sets contracts as the legal basis for rental agreements, with no rental increases until 2010 for houses rented prior to 31/8/2000. | Amended | The amendment stipulates that the contract is the legal basis to which the parties to the contract shall refer. |
| SOCIETY | | | | |
| Czech Republic | Social Allowance Act | Under the Social Allowance Act the government began paying separate allowances to legally defined beneficiaries. | Allowances | Offset increasing energy prices and a rental allowance as state social payments for a temporary period of three years. |
| Netherlands | Policy | The Dutch government, in its Urban Regeneration policy document, sets an approach to improving urban living and working environments, whereby authorities at all levels work with all parties involved. | Statutory changes to be implemented in autumn, 2000 | To consolidate all new housing projects, the environment, soil cleanup, spatial planning and landscaping. Relationship mobility - social structure is emphasized. |
| Namibia | Act | The Affirmative Action Act ensures equal employment opportunities in all levels of employment. | Affirmative action | Equal employment opportunities. |
| ENVIRONMENT | | | | |
| China | Construction Legislature | Protection Law of Solid Waste Pollution, Urban Road Administration Regulation, Provisions of Quality Control over Urban Water Supply | Promulgated | Pollution control, good water quality. |
| Finland | Acts | Environmental Protection Acts on compensation for environmental damage, Act on the Assessment of Environmental Damage, Waste Act, Forest Act, Nature Conservation Act and Extractable Land Resources Act. | Enacted | Promotion of a good living environment and sustainable development in communities. |
| Jamaica | Regulations (1997) | Regulations requiring Environmental Impact Assessments for all significant new developments. | Effectuated | Reduction of pollution in urban centres. |
| Botswana | Act | Waste Management Act and waste management regulations. | | |
| ECONOMY | | | | |
| Philippines | Policies | Policies to promote private investment: The Special Economic Zone Act; Medium Term Development Plan for Housing; and the Invest Tourism Drive. | Initiated | Provide economic opportunities for private investment. |
| Sweden | Measures | Programme to simplify and improve conditions for small and medium sized companies. | Presented | Encouraging women and men to start up business and promoting the growth of smaller companies. |
| Peru | Law | Law on promotion of private investments in public infrastructure and utilities. | Passed | Promotion of private investment in public infrastructure and utilities. |
| Nigeria | Fiscal policies | Include retention of percentage of company taxes, holidays, withholding taxes and preferential import and excise duties. | Introduced | |
| GOVERNANCE | | | | |
| Sri-Lanka | Commission of Inquiry | A Commission of Inquiry reviews the structure of local government to identify deficiencies, and recommend reform. | Recommend necessary legal reforms | The recommendations are now being reviewed by the GOSL for action. |
| Bulgaria | Public Transparency Access Act | Transparency of municipal administration through compulsory announcement of council decisions and their intentions, and reporting on activities. | Compulsory announcement of council decisions | Use of information to concretize the activities and decisions of the local authorities. |
| Tanzania | Act | Supporting the local government reform agenda. | | |
| Namibia | Bill | The Decentralization Enabling Bill 2000. | | |
| Malawi | Local Government Act | The Chieftainship Act Review aligning traditional institutions with proposed local government structures. | Reviewed | Harmonize traditional institutions with local government structures. |
| Jamaica | Legislation | New policy direction on local government, decentralizing administration to achieve good governance. Local government reform programme initiated. | Enacted | More local autonomy in local rates, fees and user charges, and making by-laws/regulations within local jurisdiction. |

Source: Country Reports to the United Nations General Assembly Special Session on progress in implementing the Habitat Agenda (Istanbul+ 5)

New Partnerships in Urban Governance

The Evolution of NGOs

Non-governmental organizations (NGOs) have become essential sources of information on urban conditions and trends and effective interlocutors for vulnerable and 'voiceless' people. NGOs often work directly with the urban poor and other excluded populations in dealing with the micro-realities of the city. Through their networks and linkages, politically effective NGOs are able to incorporate acquired knowledge into advocacy strategies that move their constituents' concerns into the more formal policy arenas of local and national governance.

NGOs often seek to foster and promote participation within and across borders, usually becoming involved in issues out of solidarity and concern for social justice. Worldwide, nearly 300 million people are associated in some way with the 2,773 UN-registered NGOs in the human settlements movement, many of which operate as international umbrella NGOs, coordinating activities at regional, national and local levels. Currently, almost 40 percent of these international NGOs are members of wider regional or global networks that foster collaboration on urban issues, such as adequate shelter, implementation of the *Habitat Agenda*, governance and gender. Presently, one-third of human settlements NGOs worldwide have access to e-mail, and three-quarters of these are members of international electronic caucuses. Information thus circulates within and among cities and through computer networks.

Forty percent of the UN-registered NGOs are in the North, followed by 14 percent in South Asia, with Latin America and Caribbean, and East Africa, with 12 percent each. Eastern Europe, Middle East and Central and Eastern Asia are represented least, with 3.5 and 6 percent, respectively.

Among urban NGOs regularly involved with the United Nations, issues of leadership and gender remain a major challenge. Only 24 percent of these NGOs have female executives and, whilst one would expect that all women's organizations would have female executives, the fact is that 74 women's organizations out of 241 have men leading them. The issue of representation is a complex and sensitive one within the wider debate about participation. Within the NGO community, it is understood that NGOs *reflect* rather than *represent* civil society, but issues of legitimacy and representation continue to be a point of contention. Improved electronic connectivity is also making it easier for the constituent groups to speak for themselves, altering the traditionally hierarchical structure of NGO networks.

The Habitat Platform in The Netherlands

To encourage the implementation of the *Habitat Agenda* in the Netherlands, the Ministry of Housing, Planning and the Environment and the Ministry of Foreign Affairs took the initiative of consolidating all habitat activities of the Netherlands in one single organizational structure. Advised by the Habitat Council, comprising representatives of ministries, municipal organizations, housing associations, the utilities, trade unions and organizations active in international cooperation, the Platform, co-located with the Association of Netherlands Municipalities, coordinates integrated approaches to human settlements issues. They encourage local authorities to develop local Habitat Agenda policies, stressing the importance of cooperation between government bodies, the private sector, civil society and individuals. They advise local authorities and community-based organizations by providing knowledge and information regarding the human habitat in general and the implementation of the *Habitat Agenda* in particular. An information centre on habitat projects at home and abroad has been set up, trend studies are being commissioned and workshops open to experts and interested parties are being organized. The Platform maintains links with similar institutions worldwide, stimulating city-to-city cooperation through city-twinning.

In the past few years, the Platform has held workshops and produced various instruction videos on the following topics: spatial segregation; multicultural policies for local authorities; women in urban governance; and integrated development planning. Major products have been: (a) Urban Renewal Toolkit - a package of integrated and interactive monitoring, evaluation and dissemination of neighbourhood-level urban renewal instruments; (b) City-Wide Approach - a programme to stimulate national and international stakeholders' local-to-local cooperation (municipalities, housing corporations, the private sector, schools and social institutions); and (c) Citizens' Participation in Local Governance Toolkit - a programme for the collection and analysis of good practices in civil society participation and good governance, in cooperation with the Association of Netherlands Municipalities, the Netherlands Volunteers Programme and two international NGOs (NOVIB and Cordaid).

