Ensure genuine participation, from families living in informal settlements, during relocation processes

Background and rationale

Over the last two years, ATD-Philippines has conducted a participatory action research program in twelve countries, directly involving people living in extreme poverty as primary research participants to evaluate the impact of the Millennium Development Goals (MDGs) in improving the quality of their life and, through their experience and knowledge, identify ways that help policies and services reach and benefit the poorest populations in the post-2015 Development Agenda. The research carried out in the Philippines has involved 90 individuals from four informal settlement communities in Metro Manila (Paco/Pandacan in Manila; Manila North Cemetery; C-3 Road, Navotas), academe and grassroots practitioners. The participants focused on issues related to Housing and Education, relating in large part to MDG Targets 1, 2 and 7. Policies and programs in these two domains have serious impact on the livelihood and well-being of their families and their children’s education. This report will document the outcomes of the research.

The present paper elaborates more specifically the issue of participation of families living in informal settlements during relocation processes.

Participation of people living in extreme poverty is more than a moral duty

In its’ campaign working towards the eradication of extreme poverty, the guiding ethos of the International Movement ATD Fourth World is to promote the participation and representation of disadvantaged population groups within local, national, and international bodies. Participation and representation of disadvantaged populations in public affairs is not only a moral obligation, but a fundamental human right. As people living in extreme poverty witness the day-to-day problems that arise from the current way development policies are designed and applied, they also have ideas on how these problems could be fixed, thus making them partner of primary importance. “Thinking and knowing are acts which all human beings perform, and they do them with whatever means that life has provided. Every act of thinking in order to achieve one’s own goal can become an act of personal liberation.”

The United Nations’ High-Level Panel report of June 2013 about the Post-2015 development agenda entitled: a “New global partnership: Eradicate poverty and transform economies through sustainable development,” offers the vision of a new type of people centered and environmentally centered development, based on five main transformative shifts. The fifth of these shifts, entitled

1 See summary findings of the international action-research: Towards sustainable development that leaves no one behind - The challenge of the post-2015 agenda, June 2013. A comprehensive final report will be published end 2013.
2 See executive summary: Partners in Development. Listen to the voices of families living in extreme poverty, October 2013
“Forge a new global partnership,” recommends instilling spirit of solidarity, cooperation and of mutual responsibility between governments, people living in poverty or marginalized groups, multilateral institutions, companies, and academia.

This is also in line with the provisions set out in the Guiding Principles on Extreme Poverty and Human Rights, recently adopted by the United Nations Human Rights Council on 27 September 2012, which states that, “States must ensure the active, free, informed and meaningful participation of persons living in poverty at all stages of the design, implementation, monitoring and evaluation of decisions and policies affecting them ...Particular care should be taken to fully include the poorest and most socially excluded persons.”

A participant in the research group, Mr. D., used to live with other families who constructed makeshift dwellings along a main city road in Metro Manila. For 10 years, a demolition squad arrived nearly every day and forced them to tear down the shelters where his family and other families lived. Every evening, like his neighbors, he rebuilt it, so that the family had a roof for the night. Echoing the main purpose of this workshop, Mr. D. said, “They come to chase us away, but they have never asked us why we are here” (2011, ATD Philippines).

About participation in law policies and directives in the Philippines

There are already some laws and policies in the Philippines which offer guidelines in terms of participation:

- In the UDHA, an article relates that communities are to be given the “opportunity to be heard and participate in the decision making process over matters involving the protection and promotion of their legitimate collective interests which shall include appropriate documentation and feedback mechanisms” (Republic Act 7279, Urban and Development Housing Act, article V section 23).

- The Commission on Human Rights Advisory on the right to adequate housing and human treatment of informal settlers, in point 9, define that an “adequate consultation” requires “effective dissemination of relevant information and documents, including [...] alternative housing options and comprehensive resettlement plans; reasonable time for the public to review, comment and object to the proposed project; provision of advice about their rights and options; public hearings where affected persons can challenge the eviction decision and/or present alternative proposals, articulate their demands and development priorities. In case no agreement is reached on the proposals of concerned parties, an independent body having constitutional authority, such as a court of law, should mediate, arbitrate or adjudicate as may be appropriate” (DILG Memorandum Circular 2011-182).

Participation as experienced by the members of ATD study group

In the past

In the informal settlements in Metro Manila, under bridges, alongside estuaries or in cemeteries, the

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contributors of the ATD study group have experienced threat of, or actual demolition of their homes several times between 2000 and 2011. During this period, consultations have been organized among community members, but only for one project, and it did not result with any possibilities for community members to influence decision making.

In other cases, no consultations were organized before the demolitions, and no visit of the relocation sites were done. The families were firmly ordered to follow the process set up by the various project makers and authorities. Short delays for the relocation were granted to a few families who were able to discuss with the owner of the land, but eventually, they were forced to leave as well. In one community, the community of Mr. D., demolitions took place nearly every day over the course of ten years because most of the families who had previously been relocated, returned to their original community due to circumstances which made it impossible to survive in the relocation sites.

A number of families have been relocated in new communities around 50km outside of the city. In a community that ATD worked with more closely, 16 out of 25 families returned to their original homes under a bridge. The reason was mainly the impossibility to sustain themselves in the new communities, largely because of loss of access to social services and livelihood options, including separation from the family’s main income earner and long-term established community ties. Some families managed to keep their houses at relocation sites, despite the fact that they were not currently residing there, while others sold it because they couldn’t foresee how to cope with it in the future.

**Current**

During the time of the research, the participants of two communities were concerned yet again with demolition and relocation projects planned in conjunction with the ambitious ecological development program led by the Pasig River Rehabilitation Commission in cooperation with the ABS-CBN Foundation and National Housing Authority (NHA).

Starting in 2012, consultation meetings with these communities were initiated by the project developer and the concerned families acknowledged that the process was led in a more humane way than in the past years.

Nevertheless, several obstacles were identified as preventing genuine community participation:

- The project makers have their plans already set and are under the pressure to meet the project deadlines. This was underlined as a main reason of not being willing to attend the consultations by some of the community members: “The project is already decided, framed. Even if we attend the dialogues, nothing changes to the project; we just have to follow what they want.”
- Project developers emphasize that the families will have the opportunity to own a house, so most of the detailed information is related to the house situation itself (amortization, electricity, water, etc.); however, a majority of families still express their fear of not to being able to survive in the relocation sites. The answers of the project developers to these inquiries regarding livelihoods, school transfer, and access to health facilities as well as scholarship opportunities, failed to satisfy the families. In fact, the families still don't feel informed enough to prepare their move and be secure.
- Weak dissemination of relevant information and documents: It was pointed out that the community members don’t have access to the minutes of the various community consultations. There is also very little information about their housing rights in general, such as the possibility to stay in-city or create their own People’s Plan and request the support of NGOs for this.
• From the beginning of the program, local authorities made clear that the families who have already been relocated in the past and who returned to informal settlements would not be accepted to engage with others in representative community/people organizations, even if only to share their experiences with a view towards helping the community. These individuals then, have no other option than looking for alternative rehousing solutions on their own, or to find more or less legal arrangements.

**Proposals to improve conditions of participation**

A fair consultation frame for a relocation program was summed up by the study group members during a session of the research:

“First, they should just meet with us, and announce that we cannot stay here, but without imposing a project. They should give us time to think and come up with our own proposal. During this time we have to contact NGOs, or other citizens that we trust who can inform us about our rights, about the options, help us organize. We are sure that the presence of the NGO played a role and made us stronger. Then when we meet again, after a few months, we should join in the middle, not just us having to follow: they present their project, we present ours. And we discuss them.”

Related inputs about participation that came out from the research imply:

• Recognizing the people affected by the programs as partners possessing a useful knowledge based on their own efforts to improve their life conditions.

• Consultations for communities cannot simply reproduce standard meetings where the people are expected to share their knowledge easily. Because of a long lasting experience where the right to participate was denied, there is a need to build confidence and mutual trust that the participation is actually expected along with alternative ideas.

• Time is needed for the families and communities to develop a clear understanding of a project that is proposed to them. Information about the project must be given in advance as well as dates for proposed meetings in order to allow affected residents to prepare their participation, if needed, with the help of groups who can support them.

Eventually, research participants acknowledged that participation requires mutual efforts and cannot succeed in short-term consultations where certain actors, such as NGOs whom the community trusts, are not included. For example, housing issues, according to the participants of the research, have to be tackled, taking into consideration several other aspects of their lives, such as livelihood, education, health, community ties and coping strategies they have already developed. This requires comprehensive consultation with all related partners, the people affected included.

Consultations' process in the mind of the participants of the research appears therefore as a driving tool, beginning with the elaboration and management of development programs, allowing people's participation in defining and improving the projects as well as making them more sustainable.

These guidelines should apply to all areas of their lives, including, education, training, access to livelihood, health, etc.

This workshop is an opportunity to merge all participatory experiences which would increase the understanding and practice of fair conditions of participation of families living in poverty and in informal settlements.