

Inclusive Public Spaces for Informal Livelihoods:

A Discussion Paper for Urban Planners and Policy Makers

By Martha Chen with Jenna Harvey, Caroline Wanjiku Kihato and Caroline Skinner



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About the Authors:

Martha Chen served as WIEGO's International Coordinator for two decades and is currently a Senior Advisor. She is also a Lecturer in Public Policy at the Harvard Kennedy School and an Affiliated Professor at the Harvard Graduate School of Design.

Jenna Harvey is the Global Focal Cities Coordinator for WIEGO. In this capacity she provides support to projects in five cities that aim to strengthen informal workers' organizations to advocate for their inclusion into city plans and decision-making processes.

Caroline Wanjiku Kihato is Director of WIEGO's Urban Policy Program.

Caroline Skinner is Urban Research Director and Publications Editor for WIEGO and a Senior Researcher at the African Centre for Cities at the University of Cape Town in South Africa.

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Rene Peter Hohmann, Cities Alliance Secretariat
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Communication Coordination:
Demetria Tsoutouras, WIEGO
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WIEGO Limited
521 Royal Exchange
Manchester, M2 7EN
United Kingdom
www.wiego.org
wiego@wiego.org

Cities Alliance (UNOPS)
Rue Royale 94, 3rd Floor
1000 Brussels, Belgium
www.citiesalliance.org
info@citiesalliance.org

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List of acronyms

AeT	Asiye eTafuleni	MMTU	Makola Market Traders Union
AMA	Accra Metropolitan Assembly	MNCR	National Association of Waste Pickers
AMC	Ahmedabad Municipal Corporation	MoU	Memorandum of Understanding
ARB	Asociación de Recicladores de Bogotá	MTE	Excluded Worker Movement
BMA	Bangkok Metropolitan Authority	NAPETUL	National Petty Traders' Union of Liberia
CBD	Accra's Central Business District	NASVI	National Association of Street Vendors in India
CBO	Brazilian Occupation Classification	NCPO	National Council for Peace and Order
COSATU	Congress of South African Trade Unions	NGO	Non Government Organization
DIAL	Développement, Institutions & Analyses de Long terme	OHS	Occupational Health and Safety
FEPTIWUL	Federation of Petty Traders' and Informal Workers' Union of Liberia	ORIS	Observatory for Inclusive Recycling
FIFA	Fédération Internationale de Football Association	PMC	Pune Municipality Corporation
GETU	Ga East Traders Union	RASMAD	Rassemblement du Secteur des Marchands Ambulants pour le Développement
GTUC	Ghana Trades Union Congress	RCAE	Réseau des Commerçants et Acteurs et Economiques
ICLS	International Conference of Labour Statisticians	RENAMU	National Registry of Municipalities
IEMS	Informal Economy Monitoring Study	SAWPA	South African Waste Pickers Association
IGSSS	Indo-Global Social Service Society	SDG	Sustainable Development Goal
IHVAG	Informal Hawkers and Vendors Association of Ghana	SEWA	Self-Employed Women's Association
ILO	International Labour Organization	SWaCH	Solid Waste Collection and Handling
INSEA	Instituto Nenuca de Desenvolvimento Sustentável	SWM	Solid Waste Management
JWP	Joint Work Programme	SYMADSI	Synergie des Acteurs et des Mouvement pour le Secteur Informel
KCCA	Kampala Capital City Authority	UNCDF	United Nations Capital Development Fund
KKPKP	Kagad Kach Patra Kashkatari Panchayat	UN DESA	United Nations Department of Economic and Social Affairs
LMA	Liberia Marketing Association	WIEGO	Women in Informal Employment: Globalizing & Organizing
LRC	Legal Resources Centre		
MCC	Monrovia City Corporation		



Teresa Tintaya is a candy vendor that works in Lima's downtown core. She works from 7:30 am to 10:30 pm. Every other day she takes a taxi to buy merchandise. She does that as a precaution, because although the place where she buys her supplies is not far away from her point of sale, it is a bit dangerous. The money that she makes is for maintaining her family, paying debts and buying new merchandise. Photo: Juan Arrendondo/Getty Images Reportage

Introduction

Promote sustained, inclusive and sustainable economy growth, full and productive employment and decent work for all
SDG # 8

Make cities and human settlements inclusive, safe, resilient and sustainable
SDG # 11

Promote local development strategies, both rural and urban, including regulated access for use of public space and regulated access to public natural resources for subsistence livelihoods
ILO Recommendation 204

Recognize the contribution of the working poor in the informal economy... Their livelihoods, working conditions and income security, legal and social protection, access to skills, assets and other support services, and voice and representation should be enhanced.
New Urban Agenda

More than half of the world's population now lives in cities. Cities are seen as “engines of economic growth” by many observers. Yet the economic and employment growth trajectories of cities remain uncertain. Many cities struggle to generate economic growth and sufficient jobs for growing populations. The inability of cities to generate enough employment opportunities has contributed to widespread informality. Half of the global urban workforce is informally employed, more so in the global South (ILO 2018). In all cities, high and increasing inequality – in terms of incomes, wealth and opportunities – threatens economic growth and human development.

Urban informal workers represent a significant share of the workforce and contribute in multiple ways to the economy in cities around the world. Their informal livelihood activities sustain low-income households plus produce and distribute valuable goods and services in cities and towns across the world, especially in the global South. But urban informal workers face multiple barriers in pursuing their livelihoods, including those posed by the policies, regulations, and practices of governments, notably city government and local officials. The security and productivity of their livelihood activities depend on access to public space, public services, and public procurement. This Discussion Paper focuses on regulated access to public space for urban informal workers and their livelihood activities.

Public space is a productive asset for the livelihoods of many urban informal workers, notably, but not only, street vendors. For this reason, regulated access to public space was recognized as a key dimension of formalization of the informal economy in ILO Recommendation 204 on the Formalization of the Informal Economy and in the New Urban Agenda of Habitat III. Yet cities around the world, which have the mandate to regulate public space, do not typically recognize the need – much less the right – of urban informal workers to use public space to pursue their livelihoods.

Managing public space however, is no easy task. Public officials have to balance the needs of multiple users – pedestrians, cyclists, motor vehicle drivers, formal retailers, informal retailers – together with pressures from different political interests. While many officials recognize the importance of vending as a form of employment, they often confront grievances from those who like to see fewer vendors – certain residents and businesses, and the politicians that represent them. In today's global economy, there is pressure to privatize, commercialize and securitize public space. Indeed, one of the easiest ways for resource strapped local governments to raise revenue, is to allocate public space to private real estate developers. This reduces the amount of

public space available for regulated use by citizens, including informal workers. In addition, there are underlying tensions about what constitutes a ‘modern’ city, and what role street vendors play in this imagined future.

The Inclusive Public Spaces for Informal Livelihoods Project

The Cities Alliance Joint Work Programme (JWP) for Equitable Economic Growth in Cities commissioned the WIEGO Network to explore the key role of access to public space to the livelihoods of working poor women and men in the informal economy, as well as good (and bad) practice examples of regulated access to public space for different groups of informal workers in different cities around the world. See boxes 1 and 2 for details on the Joint Work Programme and WIEGO.

The project was designed to capture the experiences and results of good practice examples of the regulated access to public space by informal workers for their livelihoods. It will build on and document ongoing campaigns by organizations of informal workers to be allowed to use public space to earn their livelihoods. The project captures and documents these campaigns from the perspective of informal workers and with lessons for urban planning, design, and governance.

The objective of this project was to improve the knowledge base of informal worker organizations, city governments and support organizations (including Cities Alliance members) who work with both. The expectation is that improved understanding will, in turn, inform decision-making by all of these groups in the management and regulation of public space. The cases presented are drawn from the experience and knowledge of the WIEGO Network, and its member organizations of informal workers, as well as from the experience and knowledge of other members of Cities Alliance.

In addition to this Discussion Paper, WIEGO has produced the following Knowledge Products:

- Supporting Informal Livelihoods in Public Space: A Toolkit for Local Authorities – to support local authorities in adopting an inclusive approach to managing public space that considers urban informal workers, with a specific focus on street vendors. The toolkit includes guidelines for authorities to build an evidence base for planning, principles for inclusive legislation and regulation, and recommendations for developing a participatory process to engage street vendors and community stakeholders in the process of designing, implementing and monitoring plans. Good practice examples from WIEGO’s network are integrated throughout the toolkit.
- Working in public space: A manual for street vendors – for individual street vendors and their organizations to use in reflecting on their contributions and challenges working in public space and to build their capacities to defend their livelihoods.

Box 1: Cities Alliance Joint Work Programme for Equitable Economic Growth in Cities

The Joint Work Programme for Equitable Economic Growth in Cities (2016-2020) supports equitable access to public goods and services by all citizens and both formal and informal businesses in cities as a pathway to more equitable and inclusive growth trajectories. It works with local governments, city stakeholders and development partners to produce globally relevant knowledge, facilitate policy dialogues, and support city-level diagnostics and policy recommendations.

Under its Global Knowledge component, the JWP identifies and addresses key knowledge gaps by commissioning and producing peer-reviewed, global knowledge products to inform practitioners and policy-makers at the global, national and local levels. This involves development and review of existing diagnostic tools, approaches, good practices, knowledge and learning systems to address Equitable Economic Growth in Cities.

- **Whose Space is Public Space?: Street Vendors in Accra** - A video featuring street vendors organizations in Accra, how they use public space, and tools for increasing communication and resolving issues that face street vendors and public officials. The Knowledge Products developed through this project will be used in this ongoing advocacy work of organizations of informal workers in cities around the world. The WIEGO communications team (using social media, on-line platforms and newsletters) will help disseminate the products. The hope is that Cities Alliance and its members will help convene and support additional platforms for dialogue and negotiation between cities and informal worker organizations in regard to the use of public space, other public goods, public services and public procurement in support of the livelihoods of the urban working poor.

This Discussion Paper presents research findings and case materials that illustrate both the everyday struggles that the urban working poor face in securing access to public space to pursue their livelihoods and the management and governance challenge faced by city governments in regulating access to public space for competing uses and users. It will make the case that regulated access to public space for informal workers is a key pathway to inclusive cities and, thereby, to equitable economic growth; and that another key pathway is to enable informal workers to be represented in urban planning and governance processes.

This Discussion Paper

The Discussion Paper opens with a brief overview of academic discourse and policy debates on public space. Section II presents recent statistical data and research findings on the size and composition of the urban informal workforce. Section III details the exclusionary practices of many cities towards the urban informal workforce, including denying access to public space; and summarizes the struggles for inclusion by organizations of street vendors in six cities. Section IV presents a set of promising examples of inclusionary practices and policies by city governments, many the result of the struggles outlined in Section III. The Discussion Paper concludes with lessons and recommendations for the regulated access to public space for the urban informal workforce.

Box 2: The WIEGO Network

Women in Informal Employment: Globalizing and Organizing (WIEGO) is a global research-policy-action network that seeks to improve the status of the working poor, especially women, in the informal economy. WIEGO builds alliances with, and draws its membership from, three constituencies: membership-based organizations of informal workers, researchers and statisticians working on the informal economy, and professionals from development agencies interested in the informal economy. WIEGO pursues its objectives by helping to build and strengthen networks of informal worker organizations; undertaking policy analysis, statistical research and data analysis on the informal economy; providing policy advice and convening policy dialogues on the informal economy; and documenting and disseminating good practice in support of the informal workforce. For more information visit: www.wiego.org.

The WIEGO Network includes sector-specific networks of organizations of informal workers with more than 1000 affiliates in 90 countries. WIEGO supports these networks in their ongoing advocacy work in cities around the world. In six cities, Accra, Bangkok, Dakar, Delhi, Lima, and Mexico City, WIEGO has dedicated team members whose work it is to bring together organizations of informal workers, support them in identifying common needs and demands, build their capacity for advocacy and negotiations, and convene platforms for dialogue and negotiation between the informal worker organizations and city government. In all of its work, the WIEGO Network is committed to understanding and highlighting what the working poor in the informal economy do, under what conditions, and how best to promote equitable access by the working poor in the informal economy to public space, services and procurement and to public decision-making processes.



Thiphaporn Tongkham, a street vendor, is a vital part of the Bangkok neighbourhood where she sells affordable, home-cooked food. Thiphaporn spends long hours vending, preparing the food for sale, washing up after the day is finished, and buying all the necessary materials. Photo: Paula Bronstein/Getty Images Reportage.

Section I

Urban Public Space: An Overview

“(Social) space is a (social) product [...] the space thus produced also serves as a tool of thought and of action [...] in addition to being a means of production it is also a means of control, and hence of domination, of power.”

Lefebvre, Henri, 1991:

“Space is fundamental in any form of communal life; space is fundamental in any exercise of power.”

Michel Foucault, 1995: 361

Urban public space helps shape and make cities but is also shaped and produced by the politics of the city. It is generally thought to be open and accessible to all residents. But it is a scarce resource and there are competing users and uses of it. Thus, how urban public space is organized reflects social realities and relations (Henri Lefebvre 1968, 1972). City governments, as well as other local authorities and politicians, often manage public spaces in ways designed to exclude certain groups; notably, homeless people, drug addicts and loitering youth, especially in cities in the global North, as well as street vendors and other informal workers, especially in cities in the global South. Also, public space is often privatized by city governments for exclusive use by elite communities, real estate developers or corporations. Restrictions on the use of public space, the privatization of public space and alternative visions of how public space should be used have made it a hotly-debated issue.

Academic Discourse on Urban Public Space

The brief summary below seeks to bring out the key aspects of public space debated in the academic literature, highlighting what the literature on cities from the global South adds to the discourse.

The main *forms* of public spaces identified and discussed in the literature include:

- Streets & Sidewalks
- Boulevards & Promenades/Arcades
- Parks & Beaches
- Public Buildings, including government buildings, offices, and museums

The key *functions*, and associated values, of public space documented in the academic literature include:

- Leisure & Sports: space to rest and enjoy leisure time or to engage in sports
- Political: space to meet and hold political meetings or rallies
- Culture & History: spaces and buildings that are cultural and historic
- Consumption: space for shopping
- Traffic & Transport: space for pedestrian and bicycle traffic, not only vehicular traffic

Debates on urban public space bring together varied intellectual traditions which shape the ways in which we see and respond to informal workers. Built environment practitioners – architects, engineers, planners and designers – tend to see public space primarily as a malleable physical object. With their concerns around the relationship between public space and broader economic, social and environmental processes, disciplines in the built environment presume that the physical dimensions of space shape social, economic, environmental outcomes. Space is a neutral inactive receptacle that can be created, designed, managed, planned and regulated to shape social relations and activities – including those of informal workers.

Sharing the idea that space can be manipulated ‘from above’ are scholars concerned with urban governance (See McCarney 1996; Halfani 1996; Stren and White 1989). Implicit in this literature is a normative ideal of public space – a place whose activities, functions and physical appearance is legible to, and regulated by, the state (Friedman, 2005; Scott 1998).

No wonder that the legibility of space, its transparency, has turned into one of the major stakes in the modern state’s battle for sovereignty of its powers. In order to gain legislative, regulatory control over the patterns of social interaction and loyalties the state has had to gain control over the transparency of the setting, in which various agents involved in the interaction are obliged to act (Bauman 1998, 30).

Although a catch-all phrase for varied ideological traditions, urban governance is rooted in the belief that ‘strong’ local governments can manage and regulate urban spaces. Successful cities are therefore cities where governments can deliver urban services, implement bylaws, formalize the informal sector, eradicate poverty, manage the economy etc. But this literature is often steeped in western perceptions of what cities should look like and tends to criminalize the informal economy (imply that it is illegal) and informal workers using public spaces (Lindell 2008). The literature on ‘good’ governance bifurcates the city as legal versus illegal, formal versus informal, governed versus ungoverned, in ways that tend to marginalize informal workers and criminalize their activities.

To some extent, the governance discussion has its origins in the world class city debates which measure cities’ success by the extent to which their image and vision conforms to western cities like Paris, London, or New York. The ‘world class cities’ discourse tends to see and measure ‘order’ from the purview of the modern state. Informal activities, which may well be very orderly, are considered disorderly because they are not legible to the state. This school of thought tends to stigmatize urban informal activities not only as “disorderly” but also as sources of crime, grime and congestion. But this view of cities is contested in academic literature and some urban scholars welcome the grittiness (Sennett 1994), the density and disorder of cities. The well-known urbanist Jane Jacobs argued that public spaces should become both dense and diverse. In a famous declaration, Jacobs said: “If density and diversity give life, the life they breed is disorderly” (Jacobs 1961 as cited in Sennett, 2006). Her declaration laid the foundation for an entire school of urbanism, called New Urbanism.

Beyond its physical dimensions, the notion of public space has also attracted thinkers across a range of disciplines including anthropology, geography, philosophy, political science and sociology (Bodnar 2015). Some analyses see public space as embodying socio-cultural meaning. In this conception, public space is seen to play a social function by providing a common ground for social interactions and ritual or cultural functions (Carr et al. 1992). Cultural and historic spaces and buildings are seen to reinforce a sense of culture, history and identity. More generally, public space, through proximity with strangers, is seen to generate either civility (Boyd 2006) or incivility (Bannister et al. 2006). In these and other ways, public space becomes symbolic of what “makes” a city. While some celebrate informal economy activities as part of the diversity and culture of urban spaces, others decry its ‘uncivility’, arguing that such practices result in crime and grime in the city.

Similarly, neo-Marxist analyses see public spaces as shaped not just by their physicality, but by capitalist processes of accumulation (Harvey 1973; Lefebvre 1991; Castells 1977). Drawing on the role of the *agora*, the central public space of the ancient Greek city-states such as Athens, public space for neo-Marxists is connected to democratic participation and class politics.



Luz Elena Ramos Terrones (right), a newspaper vendor, sorts and collates inserts into newspapers on the streets because the editorial house does not provide her with a space to do this. She comes every day at 3:30 a.m. to pick up the newspapers, collate them and take them to her newspaper kiosk. Newspaper vendors work every day the whole year long. Photo: Juan Arredondo/Getty Images Reportage.

'We do not, after all, experience the city blankly and much of what we absorb from that daily experience... surely has some kind of influence upon how we are situated in the world and think and act politically accordingly' (Harvey 2013, 26).

This conception of space necessarily moves beyond the physical to become a place of continuous contestation for belonging and power. The French philosopher Michel Foucault, among others, has pointed out that public spaces are also used by the state for surveillance of its citizens and for spectacles such as military parades, as a display of power (Foucault 1995). For Lefebvre and Harvey concerned about the right to the city, public space is seen as a platform where workers fight for their right to access urban productive spaces and reframe their relationship to capital (Purcell 2002; Lefebvre 1991; Harvey 2012). In many ways the political economy lens of the Marxists provides an important entry point for those concerned about rights, justice and inclusion of informal workers in the city's public spaces. It draws attention to how processes of capital accumulation marginalize workers in the informal sector.

Drawing to some extent on this tradition is a growing body of literature which explores the intersection of public space and informal livelihoods in cities in the global South. Much of this literature looks at processes of corruption and patronage, state and elite capture which continue to marginalise informal workers (Sharife 2012; Klopp 2000; Borrás Jr et al. 2012; Jenkins 2009; United Nations Human Settlements Programme 2010). Other literatures make the case that public space is an essential productive asset for urban informal workers, notably street vendors, while documenting the competing claims and ongoing negotiations for access to public space in an often hostile legal and regulatory environment (Brown 2006; See also, Beirut (Dagher and Samaha 2016), Bhubaneswar (Naik 2013), Dakar (Brown and Dankoco 2017), Dhaka (Hackenbroch 2012, 2013), Durban (Dobson et al. 2009; Alfors et al. 2016), Karachi (Bidgood et al. 2017), and Kumasi (Solomon-Ayeh et al. 2011).

In addition to drawing our attention to the political economy of public space these literatures also expand what we see as the physical dimensions of public space. Looking beyond western conceptions of the agora – boulevards, streets, sidewalks, and public squares – these literatures

draw our attention to additional forms and functions of public space utilized by informal workers for their livelihood activities including:

- alleyways
- road medians
- railway lines & stations
- arcades of public buildings
- bridges, flyovers and elevated walkways
- land under bridges or flyovers
- vacant land or empty lots

Informal workers, who face restricted access to public space, have to improvise to pursue their livelihoods by finding and filling gaps in the use of public space, both temporal and spatial. The result is that many informal workers occupy different spaces at different times and specific public spaces are used for different functions at different times: for example, an area next to the Dadar railway station in Mumbai, India, operates as a large wholesale market for fish, flowers and vegetables early each morning and a smaller retail market the rest of the day; and a railway station in Bangkok, Thailand serves as a street vendor market except for the four times a day when the vendors remove their goods and equipment from the tracks to allow a train to pass through.

The different functions of public space for informal livelihoods include serving as *vending and storage sites* for street vendors; *recruitment corners* for construction workers; *collection routes and sorting sites* for waste pickers; *transport routes and parking areas* for informal transport workers; *production sites* for those involved in informal manufacturing; *repair units* for those engaged in informal repair work; and *cultivation or rearing sites* for those engaged in urban agriculture and livestock rearing.

A related issue, again more prominent in the literature from the global South than from the global North, is the use of public land (not designated as public space) for informal settlements and public housing. This literature makes visible a range of livelihood activities within informal settlements on public land, including the production of a range of goods and services by home-based workers who live and work in these settlements. Dharavi, the very large slum in Mumbai, India, houses tens of thousands of small workshops – making leather goods, garments, and processed foods; printing books and other documents (including the master plan of Mumbai); plus sorting, cleaning and recycling plastic and other waste. The annual economic output of Dharavi is estimated to be \$600 million to more than \$1 billion (Yardley 2011).

But public space and its control cannot simply be seen in materialist terms. Foucault argues that the regulation of space does not require physical confrontation. Rather, space is controlled through norms of ‘what is normal or not correct or, correct or not, in terms of what one must do or not do’ (Foucault 1977: 9). Arguably, disciplinary controls through surveillance are a more powerful device as even the fear of being observed is a deterrent. Foucault’s treatise on disciplinary power allows us to see how power does not have to be brute force, but permeates society and regulates the ways in which we behave in public space (Cronin 1996). For workers in the informal sector this relates to the ways in which they self-regulate where they trade and how they make a living in urban environments where there is constant monitoring and criminalization of their activities. Given the contexts in which informal workers eke out a livelihood, these forms of disciplinary power serve to marginalize their activities in cities.

If the previous analyses have focused on the broad socio-economic and political forces that shape the ways informal workers experience the city, some scholars draw attention to workers’ agency (Appadurai 2001; Simone 2004a; Simone 2004b; Tonkiss 2005). These analyses of urban space interrogate how urban poor shape and manipulate the spaces they live and work in. The literature points to the ways in which urban space is co-created by the urban poor in ways



Vegetable vendors in Ahmedabad, India provide fresh food at convenient locations and times for residents. Unfortunately, they are subject to particularly complex licensing regimes that can create openings for street-level bureaucrats and officials to extract side payments. Photo: Julian Luckham

that expand marginalized workers' capabilities in the city. In his work in Mumbai, Appadurai illustrates how organizations of the working poor are expanding public space – not only its physical dimensions – but also its political dimension through the creation of networks and platforms that enable marginalized urban dwellers to be heard. Understanding public space in this way allows us to see how poor urban workers co-produce urban space in ways that can benefit them.

Competition, Power and Politics

Given that public space is a scarce resource that is being further reduced through privatization, much of the literature, from both the global North and South, focuses on the competing claims on public space and the ongoing negotiations for access to public space. The more theoretical and philosophical strand of the literature, summarized briefly above, argues that not only access to public space but also public space itself – both its physical boundaries and its symbolic meanings – are the product of social and political relationships and practices (Lefebvre 1991, Massey 2006). These theorists point out that public space is not permanent but is always undergoing production with multiple trajectories and meanings and often controlled by dominant actors with power.

The more applied or grounded literature also documents the *competition* between different uses and users of public spaces as well as the power dynamics behind *negotiations* for access to public space in specific cities or urban locales. Consider the competing uses and users of sidewalks. Many city governments seek to clear street vendors from sidewalks to allow for pedestrian flow: failing to recognize that many pedestrians purchase goods or services from street vendors. Some city governments have narrowed sidewalks to allow more space for parking cars, sometimes in locations where car drivers could easily park in nearby parking lots. In other cities, such as Hanoi, Vietnam, sidewalks are used for parking motorcycles and, even, cars. Consider also the current emphasis, given the threat of climate change, on greening cities. Many city governments are using public open spaces, from parks to road medians, to green their city: without considering whether some open spaces could accommodate informal livelihood activities, including urban agriculture, as well as plantings of trees, grasses and shrubs (Lupala and Lupala 2003).

Most of the negotiations around use of public space are ongoing, non-statutory and bilateral: between city government and one or another interest group or between competing interest groups. In most cases, the elite interest groups, who have more power and wealth, win out, unless the state mediates in favor of ordinary non-elite citizens. When negotiations for use of public space are not mediated to address imbalances in power, the outcomes are typically unjust: what some observers have termed “spatial injustice” (Harvey 1973, Soja 2010). Many such negotiations not only result in the unjust allocation of public space in favor of elite or state interests but also often lead to the permanent privatization of public space. This is because elite interests tend to make the most permanent claims on public space (Hackenbroch 2012). What is needed to ensure just and equitable allocation of public space, as well as the preservation of public space, are multilateral, ideally statutory, negotiations facilitated by the state in which both elite and ordinary citizens, including informal workers, have a voice. But too often the state colludes with elite interests to create gated communities, formal commercial establishments or large retail malls on public land, all of which tend to exclude ordinary citizens *de facto* or *de jure* (Roy 2015). In brief, public space represents not just a site for political events but also a domain of contestation and politics (Bayat 2004).

For the purposes of this Discussion Paper, it is important to highlight that the realities of urban life and work in the global South do not match, in many regards, the realities of urban life and work in the global North. Yet much of the literature and global conceptions of public space come from the global North. Some cities in the global South are *pre-industrial* with an overlay of modern activities on a broad base of informal activities while others are *post-industrial* undergoing a decline in formal industries and a growth in informal activities. Reflecting these realities, over half of urban employment in the global South is informal: as much as 70-80 percent in some countries in South Asia and Africa (Chen and Raveendran 2014, Herrera et al. 2012).¹ In predominantly informal urban economies, public spaces are often used for a cycle of uses and functions across a given day, week, month or year. Further, given the cramped living conditions and the tropical or temperate climate in many cities of the global South, an additional value and function of public space is to accommodate an overflow of activities from the private sphere, including cooking, eating and bathing (Drummond 2000). It is important, therefore, to develop urban policies, plans and designs for cities in the global South which reflect both the temporal and spatial realities of urban informal lives and livelihoods.²

Policy Debates on Public Space

Policy stances on the use of public space tends to focus, either implicitly or explicitly, on a selected sub-set of uses and users of public space, and to reflect a specific image or vision of what cities and public space should look like.

One strand of policy discourse on public space focuses on making the macro-economic case for public space as a driver of growth and on how to maximize its value – with limited attention to different uses and users of public space or to inclusive management and equitable distribution of the economic and social benefits of public space across different income groups in the cities. This neoliberal and market-led approach is reflected in the initiatives designed to make cities World Class and/or Smart and is associated with promoting the interests of capital, not the public at large or the disadvantaged in particular. An alternative strand of policy discourse focuses on the right to public space of disadvantaged communities: casting access to public space as a social justice issue (Mitchell 2003).

¹ Recent ILO estimates indicate that 44% of urban employment globally is informal (ILO 2018).

² There is also considerable literature on gender and urban space which interrogates the ways in which space is gendered and heteronormative – privileging heterosexual men over women, gays and lesbians. These forms of power have an impact on women in the informal sector and the ways they navigate risk and opportunity in cities.



Faustina Kai Torgbe is a well-established vendor in Accra's East Legon neighbourhood. With a family house located along a main road in the neighbourhood, Faustina was able to construct an additional sheltered structure in front, out of which she could sell vegetables and other food items. With her strategic location on a busy road, Faustina has a steady stream of customers each day. As a street vendor, Faustina pays daily, monthly, and annual tolls to the Accra Metropolitan Assembly in order to carry out her work. Photo: Jonathan Torgovnik/Getty Images Reportage

A third strand of policy discourse makes the case for considering public space as an “urban commons.” Political scientist Elinor Ostrom began her career interrogating the management of urban public services in the US; specifically, water and policing services (Ostrom 2010). But she became best known, and earned a Nobel Prize in Economics, for her research on the collective management of common-pool natural resources, such as fisheries, forests and pastures, in (mainly) the developing world, which she used to challenge the prevailing notion in economics of “the tragedy of the commons” (Hardin 1968). As defined by Garrett Hardin in his 1968 article of this title, the “tragedy of the commons” is that resources held in common are doomed to over-use or over-exploitation.

In urban areas, public space, such as streets, sidewalks, and parks, are widely seen as “the most obvious analog to the commons metaphor” (Foster 2009: 267). Although public spaces are owned by local government, they are effectively open-access and, therefore, resemble a “pure commons” (Garnett 2012: 2007). This is because national constitutions, court rulings or local politics put limits on the extent to which cities can control these spaces and exclude specific individuals or groups from using them. However, the inherent vagueness of many of the legal limitations put on state control over public space often gives too much power to local authorities, including the police, and too little to citizens (Ibid). The policy challenge, from this perspective, is to ensure that the state does not impose unfair restrictions on citizens and regulates access to public space for different uses and users.

In this context, it is important to note that over-use of urban public space is different than the over-use of rural natural resources: as it is the quality, not the quantity, of urban public space that tends to be depleted by over-use, unless the public space is appropriated for exclusive use by the state and/or non-state actors. And it is important to note that cities often decide which economic activities are tolerated in the urban commons: more specifically, whether public spaces should be used as sites for formal firms, for formal markets and malls, and/or informal livelihood activities. In today's global economy, the pressures to privatize, commercialize and securitize public space are intense. Without regulatory controls, city governments often tolerate or even encourage infringements or appropriations of public space by private vested interests. Indeed, one of the easiest ways for local governments to raise revenue is to allocate public space

to private real estate developers. Privatization of public space, in this way, reduces the amount of public space available for regulated use by citizens, including urban informal workers. In brief, in many cities around the world, there is active privatization and gentrification of public land for both residential use (e.g. gated communities) and commercial use (e.g. upscale malls) by the state in collusion with real estate developers, corporations and elite communities.

Ideally, as noted earlier, the allocation of public space for use by different stakeholders should result from multilateral negotiated agreements between them and local government. However, who has access to negotiations, and the outcomes of negotiations, tend to reflect existing social relationships, norms and practices, which tend to be unequal reflecting hierarchies of wealth and power. Further, use of space is often dictated by those with power and wealth, not negotiated. In her study of planning in Indian cities, urban theorist Ananya Roy contrasts the collusion of city governments with housing authorities and real estate developers in the appropriation of public land for private housing (“elite informality”) with the criminalization by city governments of the appropriation of public land by the urban poor for their settlements (“subaltern informality”). Roy concludes that: “The Indian state has for decades, if not centuries, criminalized subaltern informality while legalizing elite informality.” (Roy 2015: 66). According to Roy and other urban scholars, city governments are often involved in both creating informal settlements for the elite (by creating or tolerating exceptions to formal rules) and destroying informal settlements of the poor (by enforcing formal rules). Given that more than half of the urban workforce is engaged in the informal economy, the privileging of elite informality and the criminalization of informality of the poor needs to be challenged in regard not only to housing and settlements but also to economic activities.

Finally, it is important to underscore that the global community recently adopted the Sustainable Development Goals, which call for both productive and decent work (SDG 8) and inclusive cities (SDG 11); as well as two other normative frameworks which explicitly recognize and call for support to urban informal livelihoods, especially in the global South: Recommendation 204 (adopted by the International Labour Organization in 2015) and the New Urban Agenda (adopted by the Habitat III summit in 2016). ILO Recommendation 204 recognizes and makes provisions for the following:

- Most informal workers are from poor households trying to earn a living against great odds and, therefore, need protection and promotion in return for regulation and taxation.
- Most informal economic units are single person or family operations run by own account workers who do not hire others.
- Informal livelihoods should not be destroyed in the process of formalization.
- Regulated use of public space is essential to the livelihoods of informal workers, especially in cities.
- Regulated access to natural resources is also essential to the livelihoods of informal workers, especially in rural areas.

The New Urban Agenda recognizes the importance of integrating informal livelihoods into urban policies and plans; for example, paragraph 59 reads as follows:

“We commit to recognize the contribution of the working poor in the informal economy, particularly women, including the unpaid, domestic, and migrant workers to the urban economies, taking into account national circumstances. Their livelihoods, working conditions and income security, legal and social protection, access to skills, assets and other support services, and voice and representation should be enhanced. A progressive transition of workers and economic units to the formal economy will be developed by adopting a balanced approach, combining incentives and compliance measures, while promoting preservation and improvement of existing livelihoods. We will take into account the specific national circumstances, legislations, policies, practices, and priorities for the transition to the formal economy.”

...

In sum, public space is a scarce resource with competing uses and users. Public space is an important productive resource for urban informal workers, yet the use of public space by informal workers, who represent the majority of urban workers in most developing countries, has not received sufficient policy attention. Also, more attention needs to be paid to how use of public space by formal businesses is often associated with privatization of that land by the state while use of public space by informal business is often associated with penalization or criminalization of informal workers by the state. As a counterweight to the global trends of privatization and commercialization of public space, it is important to note that several recent global commitments – the United Nations Sustainable Development Goals, the Habitat III New Urban Agenda and the International Labour Organization (ILO) Recommendation 204 on formalization of the informal economy – provide a normative framework for the regulated use of urban public space by urban informal workers.



Maritza Mejía Quispe is a food vendor in the street market adjacent to the old wholesale market generally known as La Parada in the local municipality of La Victoria. Organizations like the National Network of Women and Men Self-employed Workers (Red Nacional de Trabajadoras y Trabajadores Autoempleados, RENATTA)—to which Maritza’s organization is affiliated—have played an important role in trying to shape legal frameworks that provide street vendors more secure incomes. RENATTA was an active participant in the consultation process that helped shape the street vending ordinance for Lima’s downtown (Ordinance 1787).

Photo: Juan Arredondo/Getty Images Reportage.

Section II

The Urban Informal Workforce: Size and Composition

“More than 60 per cent of the world’s employed population earn their livelihoods in the informal economy. Informality exists in all countries regardless of the level of socio-economic development, although it is more prevalent in developing countries. The 2 billion women and men who make their living in the informal economy are deprived of decent working conditions. Evidence shows that most people enter the informal economy not by choice, but as a consequence of a lack of opportunities in the formal economy and the absence of other means of livelihood.”

ILO 2018: v.

Most people now live in urban areas. The United Nations projects that by 2050, 66 per cent of the world’s population will be urban (UNDESA 2015). Despite predictions to the contrary, urbanization in many countries has not been driven or accompanied by industrialization. Indeed, many cities are de-industrializing. The result is that, while cities try to face the challenge of creating enough employment opportunities, nearly half of the urban workforce globally and the majority of the urban workforce in developing regions earn their livelihoods in the informal economy: in many countries in South Asia and Sub-Saharan Africa over three-quarters of the urban workforce is informal. The prevalence and persistence of urban informal employment, much of which takes place in public space and informal settlements, represents both a challenge and an opportunity for equitable economic growth in cities.

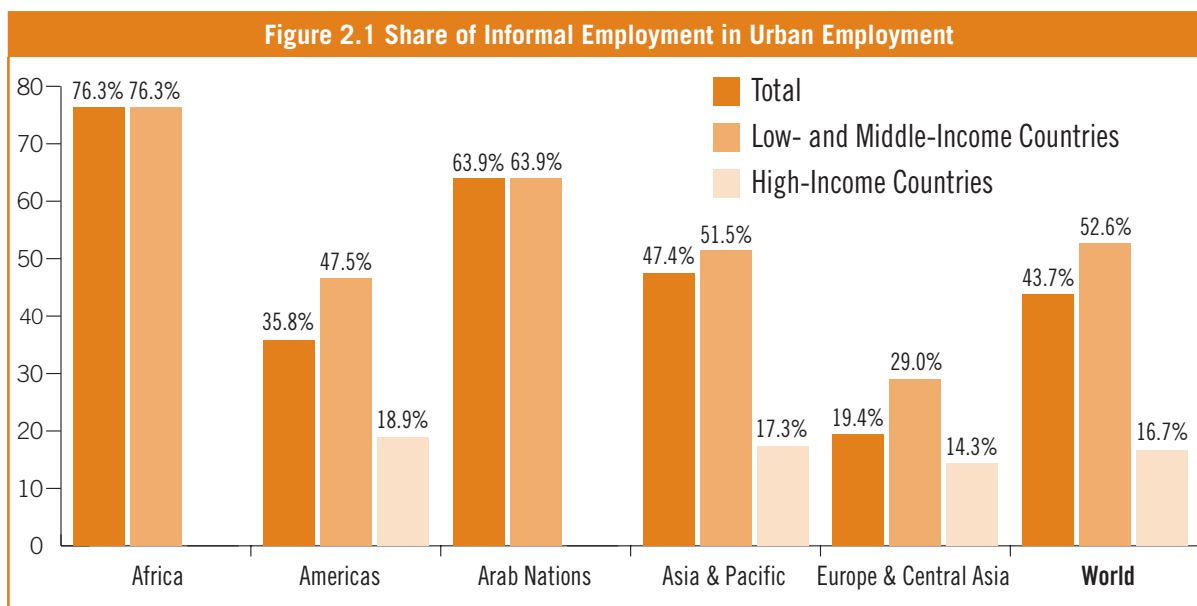
The first half of this section presents recent estimates of informal employment as a share of urban employment and of employment in specific cities as well as estimates of specific groups of urban informal workers. The second half of this section discusses how three groups of urban informal workers – home-based workers, street vendors and waste pickers – use public space in pursuit of their livelihoods. The evidence is based primarily on recent research and experience of the WIEGO Network which includes organizations of these three groups of urban informal workers, as well as domestic workers, in its membership.

Urban Informal Workforce

At the outset, as with all discussions of the informal economy, it is important to define the phenomenon. There are two official international statistical definitions – one of the “informal sector”, the other of “informal employment” – adopted by the International Conference of Labour Statisticians in 1993 and 2003, respectively. The *informal sector* refers to production and employment that takes place in unincorporated small or unregistered enterprises (1993 ICLS); *informal employment* refers to employment without social protection through work, both inside and outside the informal sector (2003 ICLS). The *informal economy* is comprised of all enterprises and workers so defined as well as their activities and output (Chen 2012).

Size

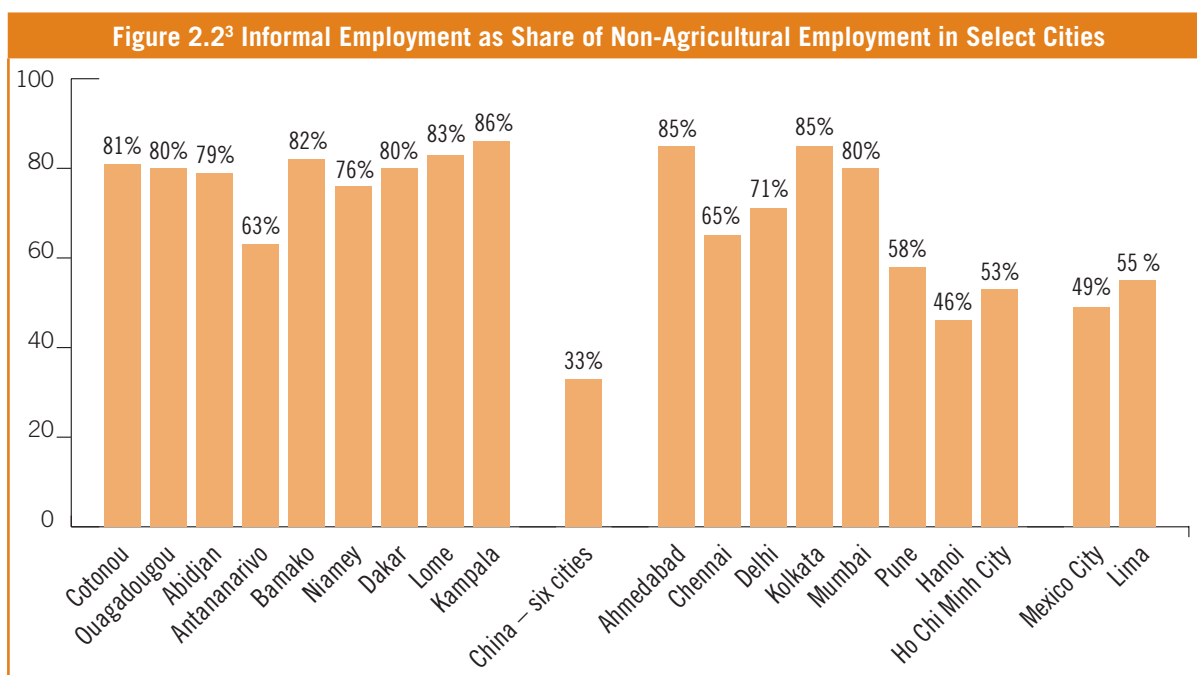
Globally, informal employment represents just over 60 per cent of *total* employment and nearly 44 per cent of *urban* employment (ILO 2018). In developing regions, the share of informal employment in total and urban employment is higher still: representing over three quarters of urban employment in Africa, two-thirds in Arab Nations, over half in Asia and the Pacific, and just under half in Latin America and the Caribbean: see Figure 2.1.



Source: ILO 2018.

Within these regions, there is significant variation by sub-regions and countries. South Asia and Sub-Saharan Africa (excluding the southern cone) have the highest prevalence of urban informal employment. In India, for example, informal employment represents 80 per cent of total urban employment (Chen and Raveendran 2014).

Statistical compilations for specific cities are not readily available and tend to be prepared only on special request. This is because the sample size at the city level is too small in many labour force surveys, requiring special effort to link labour force data with census data to prepare appropriate sampling weights. WIEGO has commissioned city-level estimates in nine cities. In addition, the French research institute DIAL, in partnership with national statistical offices, undertook a special survey in 11 cities/10 countries that generated city level estimates (Herrera et al. 2012). See Figure 2.2 for informal employment as a share of non-agricultural employment in these 20 cities.



Source: WIEGO Dashboard 2018.

³ In many cities, a small percentage of total employment is in urban agriculture.

In all six (out of eight) cities in Sub-Saharan Africa and three (out of six) cities in South Asia, the share of informal employment is 80 per cent or higher; and nearly 60 per cent or more in the other cities. The percentages in two cities in Vietnam and two cities in Latin America are in the same range: between 46 and 55 per cent. And, in six cities in China, around 33 per cent of all workers are informally employed. In brief, although there are significant differences between countries and regions, these estimates show that, rather than being the exception, informal employment is in fact the norm in most cities in the global South.

Composition

The urban informal workforce is large and heterogeneous, including a range of *self-employed* persons, who work in unincorporated small or unregistered enterprises, and a range of *wage workers and contracted workers* who are employed without employer contributions to social protection by formal firms, informal firms, households, employment agencies and (increasingly) on-line platforms. It also includes a range of different occupations: many of which are age-old occupations in which large numbers of workers around the world are still employed, most informally. For purposes of analysis and policymaking, it is useful to consider and understand different groups of urban informal workers by the branch of economic activity they are engaged in, their status in employment, and their place of work.

Branch of Economic Activity –

Urban informal workers make garments, shoes and sporting goods; assemble electronics and package pharmaceuticals; process, cook and sell food; roll cigarettes and incense sticks; make bricks and construct buildings; are carpenters, masons and metalworkers; brew beer and run bars; repair shoes, bicycles, appliances and vehicles; work in hotels and restaurants; are domestic workers, drivers, guards and gardeners; sell a wide range of perishable and durable goods; are barbers and hairdressers; wash, iron and repair clothes; engage in urban agriculture and livestock rearing and many more activities. Urban informal workers can be found in all of the main branches of urban economic activity: construction, manufacturing, trade, transport, waste recycling and a range of personal services, notably domestic work. See Table 2.1 for the percentage distribution of urban informal workers in India across different branches of economic activity.

Table 2.1 Percentage Distribution of Urban Informal Workforce in India by Branch of Economic Activity	
Manufacturing (27%) including...	Home-based manufacturing (14%)
	Other manufacturing (13%)
Trade (27%) including...	Street vending (5%)
	Other informal trading (22%)
Construction (12%)	
Transport (9%)	
Other Services (24%) including...	Domestic work (6%)
	Waste (1%)
	Other Services (17%)

Source: Chen and Raveendran 2014: 10.

Status in Employment -

In terms of status in employment, it is important to, first, identify whether informal workers are self-employed or wage employed, and then, sub-divide them into more homogeneous sub-categories, as follows:⁴

Informal self-employment including:

- employers: those who hire others
- own account workers: those who do not hire others (single-person operators or heads of family firms/farms)
- contributing family workers: family members who work without pay in family firms or farms
- members of informal producer cooperatives (where these exist)

Informal wage employment: employees hired without social protection contributions by formal firms, informal enterprises, employment agencies or as paid domestic workers by households. Certain types of wage work are more likely than others to be informal. These include:

- employees of formal enterprises
- casual or day labourers
- temporary or part-time workers
- paid domestic workers
- contract workers
- unregistered or undeclared workers
- industrial outworkers (also called homeworkers)⁵

Earlier estimates of the size and composition of *non-agricultural* employment, used as a proxy for urban employment, identified the following patterns in terms of the status in employment of informal workers in developing countries. In most developing regions, non-agricultural informal employment was almost evenly split between wage and self-employment. However, self-employment dominated in sub-Saharan Africa. Among the informal workforce, outside agriculture, own account workers (who do not hire others) was the largest category, representing as much as 53 per cent of informal employment in Sub-Saharan Africa. The second largest category was contributing family workers, representing as much as 12 per cent of informal employment in South Asia. Few informal workers, outside agriculture, were employers: from 2 per cent in Sub-Saharan Africa to 9 per cent in East and Southeast Asia (Vanek et al. 2014).

Place of Work -

The conventional view of the place of work has been of a factory, shop, or office, as well as formal service outlets such as hospitals and schools. But this notion of the workplace has always excluded the workplaces of millions of people who are informally employed. Some informal wage workers are located in conventional workplaces such as registered factories, shops or office spaces, but most informal self-employed are located in non-conventional workplaces, notably public spaces and private homes.

Public Spaces: Streets, sidewalks, and traffic intersections are the place of work for many fixed-site and mobile street vendors, who provide goods and services to consumers at all times of day. Other commonly used public spaces are parks, fairgrounds and municipal markets. The same public spot may be used for different purposes at different times of day: in the mornings and afternoons it might be used to vend food, fruit and consumer durables, while in the evenings, it converts to a sidewalk café with multiple street food vendors.

⁴ Status in employment is used to delineate two key aspects of labour contractual arrangements: the allocation of authority over the work process and the outcome of the work done; and the allocation of economic risks involved (ILO 2003).

⁵ In labour force statistics, there is another category of employment status: paid contributing members of cooperatives.

The benefits of working from public spaces are evidenced by the demand and competition for them. In the competitive jostle for sites close to transport and commuter nodes, city authorities have different options for action, ranging from outright prohibition of street vending, to regulated and negotiated use of sites, to relocation to alternative sites. Which policy option is chosen has different costs for informal traders (and their customers). Harassment, confiscation of merchandise, imposition of fines, physical assault, and evictions – all these costs affect the bottom line for vendors. Given these costs of operating informally, many street vendors are willing to pay license fees or other operating fees provided that the procedures are simplified, the fees are not too high, and the benefits of doing so are ensured. Most critically, street vendors would like city governments to recognize and protect the “natural markets” – where they have worked for decades, if not centuries – as these are areas where there is a guaranteed flow of pedestrian customers.

Private Homes: Many informal workers are engaged in private homes, either their own home (in the case of home-based workers) or the home of their employer (notably, in the case of domestic workers). Significant numbers of people work from their own homes, blurring the distinction between ‘place of residence’ and ‘place of work.’ Home-based workers may be own account operators, unpaid contributing family members, or industrial outworkers.⁶ One of the reasons people work in their own home, often mentioned by women in particular, is the ability to simultaneously do paid work and watch children, care for the elderly, or undertake other domestic tasks. This multi-tasking, which may be seen as a ‘benefit’ in terms of enabling women to fulfill multiple expectations, also imposes concrete costs in terms of interruptions to work affecting productivity and hence lowering income. When a home-based worker has to stop her market work in order to look after a child or cook a meal, her productivity drops.

Specific Occupations or Trades

A common way to classify informal workers is by their occupation or trade. But data are less readily available by occupation or trade, as the international classification of occupations does not easily lend itself to identifying informal occupations. The WIEGO Network works closely with four groups of informal workers: domestic workers, home-based workers, street vendors and waste pickers; and has been working with national statisticians in different countries to improve the identification of these workers in official statistics. In the process, a better picture has emerged of the significant number of women and men in these overlooked segments of the urban workforce. In India, for example, improved estimates show that together domestic workers, home-based workers, street vendors and waste pickers comprise around one-quarter of urban employment (Chen and Raveendran 2014).⁷

Street Vendors –

Street vending is a prominent feature of urban retail systems in cities across the global South and, to a lesser extent, the global North. Street vendors offer a wide range of goods and services in convenient and accessible locations, and contribute an essential service to the poor by offering low-cost goods in small quantities. Street vendors buy supplies from wholesalers or other retailers, borrow money from moneylenders, employ porters, engage transport providers and sell goods or services to formal firms – thus generating employment and benefits to a range of other economic actors.

The share of street vending in total non-agricultural employment typically ranges from 2 to 9 per cent but the percentages are significantly higher in Africa: 15 per cent in South Africa (Wills, 2009) and as high as 20 per cent in other African countries (ILO, 2002; Herrera et al. 2012.).

⁶ This discussion is focused on people who work in their own homes. People who work in the private homes of others include (mostly female) paid domestic workers and nurse assistants, (mostly male) security guards, as well as bookkeepers and answering service operators who work from their homes and better-paid professionals such as lawyers who set up offices in their own homes.

⁷ See for example Sonia Dias (2011a), [Statistics on Waste Pickers in Brazil](#), WIEGO Statistical Brief No. 2.



María Elena Díaz Espinoza, a waste picker in Lima, collects recyclables on the streets in the neighbourhood of Los Olivos. She works fast and diligently, feeling with her hands the content of the bags to determine whether or not there is something to recover. If there is, she opens the bag, extracts the materials, closes the garbage bag again and cleans the space she worked on. Photo: Juan Arredondo/Getty Images Reportage

In India, street vendors constituted 4 per cent of total urban employment in 2011/12 (Chen and Raveendran 2014). Women represent the majority of street vendors in many countries, especially in Africa (63% in Kenya, 70% in South Africa, and 88% in Ghana), but earn less than men on average (ILO, 2002; Herrera et al. 2012; Wills, 2009). Everywhere, the vast majority of street vendors are informal: from 72 per cent in South Africa (Wills, 2009) to 94 per cent in Buenos Aires (Esquivel, 2010).

Waste Pickers –

Millions of people worldwide – many of them women and children – make a living collecting, sorting, recycling, and selling valuable materials that someone else has thrown away. In so doing, they not only generate their own livelihoods but also contribute to a clean and sustainable urban environment and salvage raw materials and packing materials for industrial use. An estimated 20 million people worldwide make their living picking waste (ILO and WIEGO 2013). Waste pickers constitute about 1 percent of urban employment in many countries (Vanek et al. 2012).

Finally, it should be noted that public spaces can play an important role in the social and political, not only economic, inclusion or exclusion of informal workers. In Hong Kong for some years, Filipino domestic workers have occupied public space, under a flyover, once a week on their day off. These weekly gatherings helped foster solidarity and trust among the domestic workers which, eventually, led them to convene political rallies to demand better working conditions (Law 2002).

In Durban, South Africa, the Warwick Junction Urban Renewal Pilot Project, in the heart of the busiest transport and commuter node in Durban, was developed through an extensive process of consultation between local government, local formal and informal businesspeople, and other stakeholders. The aim of the project was to increase trading and other economic opportunities in the local area through innovations in area-management by developing relationships with and between key stakeholders. The project Centre served as an office for the project staff; a meeting place for the street vendors/market traders in the Warwick Junction area, both on their own and in negotiations with project management; and as a general community facility. During one two-month period, March-April 2000, more than 1500 people used the Centre building for meetings.



Viboonsri Wongsangiyim sells the clothing she makes at a local market. She and her husband produce Muslim garments at their home in suburban Bangkok. They joined HomeNet Thailand to access more benefits for home-based workers and to connect to new work opportunities. Photo: Paula Bronstein/Getty Images Reportage

The majority of meeting participants were local street vendors and market traders, and about half of the meetings were joint meetings between the street vendors/market traders, local government and other stakeholders. A key lesson for the future development of area-based management is the central importance of a publicly-owned physical structure in the area (Dobson et al. 2009).

Home-based Workers –

Home-based work cuts across different branches of economic activity and represents a significant share of urban employment in some countries: from 6 per cent in urban South Africa to 14 per cent in urban India. The vast majority (70% or more) of home-based workers are women, except in South Africa where women represent less than one quarter of home-based workers in part because some sub-contracted taxi drivers, truck drivers and tradesmen (mostly men) report that they work from their home. The majority of home-based workers are informally employed: 60 per cent in Buenos Aires and 75 per cent in urban South Africa (Vanek et al. 2012).

...

To sum up, the urban informal workforce is large and heterogeneous, representing more than half of the urban workforce in most countries in the global South. Most urban self-employed work in public spaces or private homes, often in informal settlements on public land. Regulated access to public space is essential to the livelihoods of many urban informal workers, notably street vendors but also waste pickers and transport workers. This Discussion Paper will focus on street vendors and waste pickers. Regulated access to public space for urban informal workers will also contribute to the urban economy as a whole as the informal economy generates goods, services and economic opportunities for others, including firms and workers in the formal economy.



Vendors Gladys Asare and Rita Mensah showcase their fashionable clothing for sale at Kwame Nkrumah Circle Market. They've lined up on the sidewalk space, granting them the best exposure to potential customers, but also exposing them to the threat of the Accra Metropolitan Assembly's taskforce that removes street vendors from streets and sidewalks as part of their recurring "decongestion exercises." Photo: Jonathan Torgovnik/Getty Images Reportage

Section III

Public Spaces for Informal Livelihoods: Exclusionary Practices, Struggles for Inclusion

“Loitering and vagrancy laws are often used by the police, at the behest of local residents, to clear away street vendors from public spaces. Street vendors are seen as dirtying clean spaces and obstructing living spaces in various urban neighborhoods. But street vending is the major form of livelihood for many in the informal economy. Thus we see the almost daily drama of groups of informal traders being moved on from one place, only to congregate in another and perhaps eventually cycling back to the same place when the attention of the police is elsewhere. In the process an entire class of economic activity is criminalized.

The daily drama is turned into a mega crisis when nations and cities host major international events, like the Commonwealth Games in Delhi, the World Cup in South Africa, or the World Cup and the Olympics in Brazil. “Beautification” programs in preparation for an event that lasts a few weeks lead to the displacement of thousands of informal sector workers from their normal place of trading and work. A different but conceptually similar crisis occurs/ when the work of garbage pickers is displaced by formalized mechanisms with contracts given to big companies. The policy mindset is such as to always view this move favorably, as being towards modernity and formality.”

Ravi Kanbur (2014: 9-10).

Home-based producers, street vendors, and waste pickers are all age-old occupations in which large numbers of workers around the world are still employed, especially in developing countries. Few have secure work; most have low and erratic earnings, and few are protected against loss of work and income. They need access to public space, public services and public procurement to secure and enhance their livelihoods, yet many are harassed, repressed or penalized by the police or other local authorities. This Discussion Paper focuses on the need for access to public space of street vendors and waste pickers.

Exclusionary Practices

*Street Vendors*⁸

Street vending represents the iconic example of an economic opportunity for the urban working poor that presents a management challenge to city governments, notably whether and how to regulate access to public space for informal livelihoods. In many cities around the world, city governments and local officials are hostile to all informal workers and their livelihood activities, but especially street vendors. Thus, the case of street vending provides a useful window into the impact of the exclusionary policies and practices of cities on urban informal workers and their livelihood activities.

Urban sociologist Ray Bromley, a specialist on the informal economy in Latin America, wrote a masterful global review of the policy arguments for and against street vendors (2000)⁹. The

⁸ This section draws on Sally Roever and Caroline Skinner’s ongoing monitoring of developments, first compiled in Roever and Skinner (2016) but continually updated.

⁹ Bromley contrasts 11 arguments cited by those who are pro-street vending with 16 arguments cited by those who are anti-street vending. This list draws upon Bromley’s overview.

common policy arguments against street vendors are that they are seen to contribute to:

- congestion – informal activities are seen to impede the flow of pedestrians and vehicles
- crime & grime – congested areas where informal workers operate are associated with crime (pick-pockets and petty thieves) and with grime (piles of garbage)
- unsightliness – informal workers and their activities are seen as an eyesore to the public
- public health risks – food and drink sold by street vendors are seen to pose major public health risks
- tax evasion – informal workers are thought to evade taxes; and to avoid charging sales or value added taxes
- unfair competition – informal operators are seen as competition to off-street formal businesses
- shoddy goods and services – informal workers are seen as dealing in shoddy goods and services, often cheating customers.

Clearly, street vending is a thorny issue – a major challenge – for urban policy makers, economists, urban planners and designers, and local government officials. Street vendors may contribute to congestion and grime but so do pedestrians, vehicles, the general public – and city governments which fail to regulate traffic and provide sanitation services. Vendors of food and drink can pose public health risks but would welcome more hygienic working conditions to attract customers. In some cities, street vendors self-monitor and self-manage their natural markets in an effort to reduce congestion, crime, grime, and public health risks. Also, many street vendors pay taxes and operating fees of various kinds and most earn less than the threshold for personal or corporate income taxes. Whether they are unsightly is often in the eye of the beholder: as many natural markets of street vendors attract tourists.

In addition to support to organizations of informal workers and detailed in-city work, WIEGO monitors academic literature and news – Global Monitoring System.¹⁰ Together, this provides a strong evidence base on city policy and practice around the world. The evidence suggests that city government approaches to street vendors forms a continuum from violent and sustained removals, to highly restrictive and punitive approaches to more low level everyday harassment. There are increasing trends to move street traders to off-street sites and privatization of trader management. On the other end of the spectrum is benign neglect with a few cases of proactive integration and participatory governance.¹¹

On balance, this evidence suggests that exclusionary policies, laws and practices predominate. WIEGO's on-line news analysis, for example, found that 50 cases of major eviction of street traders were reported over a three-year period in cities across the Global South including Bogota, Buenos Aires, Cairo, Dhaka, Harare, Jakarta, Johannesburg, Kathmandu, Kingston, Lagos, Luanda, Manila, Medellin, Mexico City, Mumbai, San Pedro Sula, San Salvador and Tegucigalpa. The news coverage suggests high levels of violence in some of these cases, most notably Cairo, Harare, Luanda and San Salvador. Ongoing harassment of vendors was reported in Angola, China, Egypt and Zimbabwe, and human rights abuses were investigated in Angola, Bangladesh, China, Egypt, Mexico and Rwanda. What is clear from the news reports is that there is often a hostile legislative environment. New laws banning street trading were reported in Angola, Jordan, Malawi, Mali, Nigeria, the Philippines and Zambia. A recent development, reported in Malawi, Nigeria and Zambia as well as Indonesia, is not only placing a ban on street vending but also declaring that purchasing from street vendors is a criminal offence. In Latin America, there were more cases of relocation, but vendors frequently complained about the viability of these alternatives.

Case studies provide insight into the policy and political rationale of exclusions. In the case of evictions, one prevalent motivation is the pursuit of the 'modern', 'ideal' and 'hygienic' city,

¹⁰ Since October 2012 WIEGO has been monitoring news coverage on four worker groups in four languages (English, Spanish, French and Portuguese) see <http://wiego.org/news-informal-workers-wiegos-global-monitoring-system>.

¹¹ Both the literature but particularly the media coverage is biased toward significant events, such as evictions. There are far fewer cases of documenting the mundane existence of street vendors, but also cases of inclusivity.

the assumption being that street vending is symptomatic of ‘backwardness’ and is therefore a stumbling block to attracting both domestic and international investors and tourists. This is the dominant explanation not only for specific evictions – including the government ban on street vending in Hanoi, Vietnam (Eidse et al. 2016), the removal of street vendors from Mexico City’s Historic Centre (Crossa, 2009), and the displacement of informal traders from city-centre streets in Cusco, Peru (Bromley and Mackie, 2009) – but also for relocations in Belo Horizonte, Brazil (Carrieri and Murta, 2011). It also accounts for general ongoing antipathy, as in present day urban China (Xue and Huang, 2015; Huang, et al. 2014) and urban India (Anjaria, 2006). Preparations for mega events can also lead to wide scale evictions, as in the case of the FIFA World Cup (Cottle, 2010; Corrarino, 2014) and the Delhi Commonwealth Games (Pandey, 2010).

Property developers and management companies play a role in the exclusion of vendors, including: in the displacement of street vendors in Nairobi’s central business district (Morange 2015); and the relocation of downtown street vendors in Porto Alegre, Brazil into an enclosed building constructed and managed by a property developer (Walker, 2015). As noted earlier, the disappearance and/or relocation of the periodic bazaars that were once such a key feature of Istanbul has been driven by rising real estate prices in the city, where “land has simply become too precious a commodity to be left to the bazaaris” (Öz and Eder, 2012: 297).

Some of these processes of exclusion by governments are motivated by local politics, not just by financial interests. A new mayor and council, “bent on cleaning up the capital,” encouraged the violent eviction of street traders in Lusaka, Zambia (Tranberg Hansen and Vaa, 2004: 68). In Ghana, decentralization led to more frequent changes in local authorities which, in turn, led to evictions of street traders as “a common way to impress the public” (King, 2006). The role of political patronage networks may also intensify electorally-driven mandates to clear street vendors where middle- and upper-class voters are being courted, as in the case of the 2006 Operation Dongosolo in Blantyre, Malawi (Riley, 2014) and in Operation Murambatsvina in Zimbabwe, in which 700,000 urban dwellers lost either their homes, their source of livelihood or both (Tibajjuka, 2005).

Behind these specific instances are broader approaches to urban planning that leave little room for informal livelihoods to be undertaken in urban public space. Kamete (2013), with reference to informal livelihoods in sub Saharan Africa, argues that urban planning systems are mobilized ‘to correct or eliminate’ what are regarded as ‘spatial pathologies’. Skinner and Watson (2018) consider how urban informal economy realities challenge the planning lexicon. They note that urban policy and planning regulations and practices in most parts of the world are still heavily biased towards control and containment.

In addition to evictions and relocations, street vendors face everyday forms of harassment – verbal abuse, physical threats, bribes and confiscations – by predatory state and non-state actors who often extract rents from vendors, especially those who lack legal standing. But the number of vendors in many cities considerably exceeds the number of available licenses (Bhowmik, 2005). In Nairobi, Kenya, 7,000 licenses and formal sites were offered for an estimated 500,000 street traders (Lyons and Snoxell, 2005). In São Paulo, Brazil in 2009, only 2,200 out of an estimated 100,000 vendors had licenses (Itikawa, 2014). In many cities, food vendors are subject to particularly complex licensing regimes that can create openings for street-level bureaucrats and officials to extract side payments. For example, in Ahmedabad, India a license for a vegetable vendor specifies 21 restrictions on when, where and how she can sell (Mahadevia et al. 2014).

A 2012 study of street vendors in five cities, led by WIEGO, found that four issues identified in the literature – workplace insecurity, harassment, confiscations and evictions – impact significantly on workers’ incomes. In four (of the five) cities where street vendors and market

traders were studied, well over half of the 15 street vendor focus groups discussed at least one of the four issues. The exception was Accra, Ghana, where the sample consisted mostly of market traders¹² who do not face everyday forms of harassment.

Here are what street vendors had to say about the exclusionary policies and practices of city governments and local officials. The workers' perceptions captured in the focus group discussions suggest that the loss of time, capital and assets have significant impacts on the livelihoods of street vendors, and are often more disruptive than an occasional loss of earnings: see Box 3.1.

Box 3.1: Impact of Exclusionary Practices on Street Vendors	
Accra (FG 3)	"We have to move our goods from point to point looking for places to sell. Sometimes our goods are destroyed and the business comes to a standstill, making us poorer. Sometimes we try to relocate by asking for money from friends, looking for money from a bank, but this often doesn't work as relocating is quite expensive and it's difficult to raise the money."
Ahmedabad (FG 7)	"During evictions, the municipal authority confiscates our goods, scales and carts, and then we have to go to court to pay fines and get our goods back."
Durban (FG 8)	"Sometimes when we are running away, if they are chasing us, they spray us with teargas, hit us and swear at us." "If it gets in your eyes, you have to go to the doctor and get treated." "When I went to the police station once after they had taken my goods [and did not give them back after the fine was paid], I was told that I didn't have the right to accuse a police officer."
Nakuru (FG 10)	"The officers sometimes steal money from you as you struggle with them during arrest. When you're taken to court, you are forced to admit the offense charged, because if you refuse, you will be remanded for 14 days."
Lima (FG 12)	"When they seize things from us they don't give them back. They don't give us a receipt and make us pay. Without a receipt, we can't get our goods back, and [instead] they just send us from one place to another."

Source: 2012 Informal Economy Monitoring Study: Focus Groups, reported in Roever 2014.

In brief, street vending trends, monitored by WIEGO, paint a picture of widespread evictions, relocations and hostile regulatory and political environments. The evidence also confirms that street vendors face everyday forms of harassment, which impose a significant toll on their livelihoods, even when large-scale, newsworthy evictions are not underway. In other words, the evidence reaffirms that systemic structural and institutional factors undermine the productivity and earnings of street vendors.

Waste Pickers

In many cities around the world, especially in the Global South, waste pickers reclaim recyclable waste as a livelihood, thus helping to clean streets, preventing tons of recyclable waste materials from reaching landfills and incinerators, and generating raw materials and packing materials for use by industries. Conventional approaches to urban solid waste management largely ignore the contribution of waste pickers to cities, to the environment and to industry. But to make these contributions, while securing their own livelihoods, waste pickers need access to waste. They also need access to designated routes, along public streets, to collect waste and public warehouses to sort, store and process reclaimed waste for recycling.

¹² The Accra sample also included street vendors who sold their goods in residential areas just outside their homes, where they were less likely to be subject to the scrutiny of municipal authorities.



Sangeeta Ben walks her daily route working as a street cleaner and waste picker in an Ahmedabad slum. She provides an essential door-to-door collection service for 240 households and a hospital in the neighbourhood, helping to keep the area clean. Mahila Housing Trust (MHT), a NGO that improves the housing conditions of poor, informally employed women, helped organize the collection service so that Sangeeta now earns a regular income of 5,000-7,000 rupees per month (70 - 100 USD). Photo: Paula Bronstein/Getty Images Reportage

In the global North, the legal origins of modern public solid waste management can be traced to 19th-century English legislation, which introduced the concept of waste collection as a public service (Velis and Vrancken, 2015). This legislation was prompted by the association of waste with the spread of disease. In other words, the modernization of waste management systems was driven by the objective to improve public health and promote social order. As new systems were put in place, informal collectors of waste who had previously performed waste collection services as a source of livelihood became increasingly stigmatized (Wilson, 2007). In this period, public authorities became responsible for waste collection and disposal, and the recuperation of the residual value from waste. These urban reforms left no room for the urban poor to earn a living from urban waste (Rogers, 2005).

In the global South, more recent but rapid urbanization, coupled with insufficient governance structures and resources (both financial and technical), have led to a situation where waste collection services are seldom provided in a consistent way. In cities with limited or irregular household waste collection coverage, informal workers continue to provide the sole source of waste collection, harvesting waste as a livelihood while providing a vital public service. In cities with no municipal recycling system, waste pickers fill a gap by reclaiming recyclables and providing inputs of raw material into the formal recycling chain.

New modern approaches to urban solid waste management in the global South largely ignore the contribution of waste pickers to formal solid waste systems, which are seen to be a technical issue. A wider policy issue is whether waste should be seen as an urban public good or urban commons: that is, as a resource that is not privately owned but rather is shared with society, like public space. Some scholars have argued that cities cannot claim property rights over waste: that “*municipal authorities have the ‘responsibility’ to cope with garbage; they do not own garbage*” (Cavé 2014). In their legal and political struggles for their right of access to waste, by making the value of waste visible, waste pickers have also made the case that waste should and can be treated as a public good or public commons: for example, the waste pickers at the La Chureca dump in Nicaragua (Zapata and Zapata Campos, 2015) and the waste picker associations across Colombia.

...

To sum up, exclusionary policies and practices of government tend to preclude the stability, more so the productivity, of informal livelihoods. But these exclusionary policies and practices also tend not to “stick”, as informal operators, in pursuing their livelihoods, find ways to operate in public space and private homes despite the restrictions placed on them. For instance, the most common response by street vendors to forced relocations from central to less central areas is to return to the central areas and operate as best they can in available spaces at available times. As a street vendor in Addis Ababa noted: “We are good at surviving” (Di Nunzio, 2012). In Guangzhou, China, the exclusionary strategies of the municipal government have been rendered difficult to operate due to the resistance of street vendors who develop a flexible, individualized and small-scale activism to maintain their livelihoods (Huang et al. 2014). In a growing number of cities around the world, the individualized everyday activism of street vendors and other urban informal workers is being transformed into collective activism as informal workers organize and find their collective voice.

In part, local governments respond the way they do because they perceive street vendors and the natural open-air markets they create as chaotic, associated with crime and grime. But street vendors themselves do not prefer to work in a chaotic or dirty environment. Vendors without an established vending space have to pick up and move whenever the police arrive on the scene, making it difficult to invest in stock or equipment. Those who have occupied a given space – say, a street corner – for some months or years are more likely to invest not only in equipment but also in the maintenance of their vending site.¹³ Also, most natural open-air markets established by vendors are governed by a commonly-acknowledged set of informal rules, despite the apparent chaos. Writing about the largest street market in Sao Paulo, Brazil, journalist Robert Neuwirth observes:

“Rue Vine e Cinco do Marco (the street of March 25) in the Center of San Paulo, Brazil, only seems like absolute anarchy. The street market here – the largest in the city, where retailers from other markets come to buy, because many of the items you can get on this street are either unavailable or far more expensive elsewhere, even from wholesalers – has unwritten rules and an unofficial schedule, almost as if all its merchants were punching a clock. The chaos here is meticulously organized (Neuwirth, 2011:4).”

Struggles for Inclusion in WIEGO’s Focal Cities

To resist these exclusionary practices and policies, urban informal workers are engaged in daily struggles to secure their livelihoods as well as ongoing, often prolonged, negotiations with city officials, other local authorities and politicians to demand more inclusionary municipal policies and practices. What follows is a summary of current struggles and negotiations by street vendors, and their organizations, in six cities, two each in Africa, Asia and Latin America.¹⁴ These are WIEGO’s “Focal Cities” – cities where WIEGO has team members dedicated to building solidarity and trust between organizations of informal workers, assisting them in formulating common platforms of demands, building their collective bargaining and negotiating skills, and facilitating policy dialogues between informal worker leaders, city government and other stakeholders. In addition to a summary of the context in each city, we provide a brief description of WIEGO’s efforts to support informal workers in defending their right to earn a livelihood in public space through facilitating spaces of engagement with government and other stakeholders.

¹³ Rahul Mehrotra, an Indian architect and Harvard professor, has written about – and depicted in drawings – five stages of squatting by a street vendor in Mumbai, India: from being constantly on the move to securing a site to establishing operations, then building infrastructure and finally building shelter at the site (Rahul Mehrotra, personal communication, February 2015). Arbind Singh, a labour activist who heads the National Association of Street Vendors in India, points out that “street vendors have to pack up their workplace every day and take it home.”

¹⁴ These six cities have been chosen by the WIEGO Network as Focal Cities where WIEGO has a local team dedicated to working with organizations of informal workers and local government to promote implementation of recent global norms that recognize the importance of integrating informal livelihoods into urban economic development, including the SDGs 8 and 11, the New Urban Agenda and ILO Recommendation 204.



Martha Kotey has been selling fabrics for 20 years and is one of the more than 2,000 members of the Makola Market Traders Union, an affiliate of the Ghana Trade Union Congress. The union has made efforts to improve working conditions for its members - through development projects in the market and negotiations with local and national government. Photo: Jonathan Torgovnik/Getty Images Reportage

Accra, Ghana

Informal workers' struggles over public space in Accra have been characterized by a constant tension with the Accra Metropolitan Assembly (AMA), which periodically conducts eviction drives (called "decongestion exercises") involving the confiscation of goods, forced removal of vendors and demolition of structures (Anyidoho and Steel 2016). These drives typically take place in Accra's Central Business District (CBD), a zone that was created through colonial planning to concentrate office and business functions in a designated central location (Ibid). Under the AMA bylaws it is illegal to buy or sell on the streets of the CBD, although vendors are reluctant to move from the area because of the high pedestrian traffic in the area and a lack of adequate alternatives outside of it. As a result, AMA officials and vendors are engaged in a constant cycle of evictions, after which vendors return, are often harassed and eventually evicted again (Steel et al. 2014).

Some alternatives have been proposed by the AMA, including the designation of new vending sites and the construction of a "Hawker's Market." However, these have been pursued largely without consultation from vendors themselves, who subsequently do not make use of them because of their poor design or distance from high-pedestrian traffic areas (Steel et al. 2014).

Many street vendors in Accra are organized into associations affiliated to the national Informal Hawkers and Vendors Association of Ghana (IHVAG). However, local authorities frequently bypass these organizations and consult with traditional councils instead, even on vending-related issues. Also, although they share common issues and periodically mobilize together around these, street vendors face some opposition from associations of market traders in Accra, who feel that street vendors take business away from built markets.

In the context of the most recent evictions in January 2018, WIEGO has been working with IHVAG to strengthen their ability to advocate for the right to work in public space in Accra. Specifically, following the evictions, WIEGO facilitated a consultation between IHVAG and public officials. During the consultation the vendors from IHVAG, together with supportive allies from the Ghana Trades Union Congress (GTUC) engaged the government representatives in a discussion about how the evictions affect their livelihood, and the need for clarity around regulations and for ongoing consultation with representative vendors' associations.



Street vendors in Bangkok's Economy Square provide home-cooked food, household items, and fresh fruits and vegetables to the local neighbourhood. Ranu Daweloa has been a leader in the movement to secure vending rights for Economy Square vendors. She has strengthened the street vendors' organization through a savings group and cooperative that tackles both eviction issues and debt problems. Photo: Paula Bronstein/Getty Images Reportage

The government representatives were initially very defensive of the eviction policy – citing the need to maintain a clean city, and one that is visually appealing to outsiders. However, during the consultation, it was made clear that the government representatives were not aware of the presence of vendors' associations in some areas, and as a result had been bypassing vendors to consult with traditional councils about street vending management. Also during the consultation, some of the vendor representatives gained clarity around which designated authority to approach about issues in their specific market area. Subsequently, a section of vendors from the Abokobi Market did just that, and managed to secure permission to return.

This consultation is just a first step in a larger process of bringing together street vendors and government in ongoing, productive dialogue about the management of street vending in public space in Accra in search of mutually beneficial solutions. WIEGO's Focal City Accra initiative will continue to support IHVAG in this effort going forward.¹⁵

Bangkok, Thailand

For many years, Bangkok was considered a good practice example in the area of inclusive management of public space – approaching regulation with a dual objective of achieving equity and hygiene.¹⁶ From roughly 2000-2013, the Bangkok Metropolitan Authority (BMA) increased the number of vending-designated areas in the city. Access to social protection for street vendors and other informal workers was expanded through the passing of universal health coverage at the national level. In addition, credit schemes were designed specifically to support vendors in accessing capital to grow their enterprises (Yasmeen and Nirathron 2014).

However, following the 2014 Thai military coup, there was a dramatic shift in policy towards street vendors in Bangkok. Specifically, the country's military junta under the National Council for Peace and Order (NCPO) ordered the BMA to dramatically reduce the presence of street

¹⁵ For more on the consultation between street vendors and authorities in Accra, refer to *Whose Space is Public Space?: Street Vendors in Accra*, the video produced as a compliment to these joint Cities Alliance-WIEGO knowledge products on public space.

¹⁶ For more on Bangkok's previous approach to street vending see Yasmeen and Nirathron 2014.

vendors in the city. As a result, under the slogan “Return the footpath to pedestrians,” the BMA has carried out an unprecedented campaign against vendors including: revocations of licenses in designated vending areas, evictions in areas that have long tolerated unlicensed vending, restrictions on vending hours, and relocation of vendors at short notice with the threat of fines.

Paradoxically, Bangkok’s regulatory framework – which had previously allowed for the expansion of street vending through the designation of vending areas by local officials – has facilitated the eviction campaigns, as it allows permits to be revoked as easily as they are granted. The campaign initially focused on central city areas but has since expanded outward.

According to statistics published by the BMA, between the start of the campaign and 2016, 500 of over 700 designated vending zones had been eliminated in the city (BMA 2016). The number of licensed individual vendors has been reduced by 17,000 (Ibid). Where vending zones still exist, hours of operation have been reduced. Some of Bangkok’s most iconic markets, many of them previously popular with tourists, have been destroyed.

In late 2017 and early 2018, HomeNet Thailand, with support from WIEGO, undertook a mapping study of organizations of street vendors in Bangkok and organized a series of consultations to discuss their experiences under the campaign. These consultations with vendors, who had existing relationships through an informal city-wide network, has resulted in the establishment of the Network of Thai Vendors for Sustainable Development, representing over 6,000 vendors in 21 districts of Bangkok as of April 2018.

This network came together in solidarity with the aim to defend their right to livelihood in Bangkok. In early 2018, the network released, in collaboration with HomeNet Thailand, the Federation of Informal Workers of Thailand and WIEGO, a document outlining their social, economic and cultural contributions to the city. It called for the development of a new approach to street vending management in Bangkok, to be overseen by a multi-stakeholder committee of vendors, BMA officials, academics and civil society (Reed and Samantrakul 2018). The network had an initial meeting with the BMA in April of 2018 to discuss their proposals, where BMA officials defended the existing policy and made no concessions to the network representatives. Despite this setback, with the support of key allies the network is continuing their advocacy efforts in 2018.

Dakar, Senegal

Street vending in Dakar exists within a regulatory and policy environment characterized by two seemingly contradictory tendencies – an exclusionary legal framework, and a policy approach that has largely centered on negotiation and accommodation (Brown and Dankoco 2017). This approach began to take shape following a city-wide eviction drive in 2007 which was met with mass demonstrations from vendors. In the midst of the demonstrations, the president called for negotiations with vendors, on the condition that they were organized. Evictions stopped, a consultative committee was established with street vendor representatives, and in the following years new street vendors’ organizations were formed (Ibid.).

However, despite gains made by street vendors in winning recognition and opportunities for dialogue from government, they continue to operate within a repressive legal framework which criminalizes their work, leaving them subject to periodic harassment, confiscations and evictions. Further complicating the situation is the problem of conflicting jurisdictions over public space management in Dakar. A range of both local and national institutions intervene in this space, and often pursue contradictory agendas towards vendors (Brown and Dankoco, 2017). This complex terrain has been further complicated by institutional changes implemented under a decentralization process in Dakar that aims to empower local governments but that has in practice created confusion among vendor organizations around which government entity should serve as the principal interlocutor for market and vending-related issues.

Until legal and institutional conflicts around vending are resolved, street vendors will continue to face insecurity working in public space in Dakar. WIEGO is currently working on two levels to support street vendors in securing their livelihoods in Dakar – by conducting a review of the legal framework, and by capacity building with vendors’ organizations around the relevant details of this framework, and in collective bargaining and negotiations.

Specifically, in March of 2018, WIEGO supported three of the largest street vendor organizations in Dakar, Synergie des Acteurs et des Mouvement pour le Secteur Informel (SYMADSI), Rassemblement du Secteur des Marchands Ambulants pour le Développement (RASMAD) and Réseau des Commerçants et Acteurs et Economique (RCAE), in convening a consultation with government officials to discuss the management of street vending in the context of the decentralization process. The vendor representatives presented about the challenges they have faced historically, and the present need for clarity around a process for engaging with government around street vending management. The consultation represented the first time for the organizations to speak to government with a unified voice, and although no concrete actions have resulted from the consultation thus far, they plan to continue to coordinate their efforts to push government to define a more inclusive legal framework and a more accessible system for vendors to engage.

Delhi, India

Street vending in Delhi has historically been governed through a set of conflicting laws and rules. In 2014, after years of struggle by the Self-Employed Women’s Association (SEWA) and the National Association for Street Vendors of India (NASVI) and other organizations of street vendors, a national law regulating street vending and hawking was passed by the Parliament of India – the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act 2014 (described in greater detail in section IV of this paper). The Act mandates that local vending committees should be set up in each local jurisdiction and that municipal governments should negotiate with these local vending committees to determine where best to locate and how best to regulate street vending in each locale.

However, since the Act came into effect, implementation on the ground has been weak (Rai and Mohan 2017). In this context, street vendor evictions are common in Delhi, particularly from public spaces surrounding middle and upper-middle class residences. Residents’ associations in Delhi have been particularly vocal about their view of street vendors as a nuisance who encroach on public space and frequently call for evictions. At the same time, middle class and elite residents in residential colonies, often wholly or partially on public land, hire security guards and construct barriers to restrict access to areas that are public. Municipalities frequently side with elite residents and carry out evictions.

WIEGO’s future plans in Delhi include collaboration with NASVI and SEWA on advocating for the implementation of the Street Vendors Act. Also, WIEGO plans to mobilize civil society actors and informal workers’ representatives in advocacy to make the case for informal workers’ right to work in public space in the 2021 Delhi Master Plan. The Master Plan in Delhi is a statutory document, and has historically been used as the basis for numerous evictions and demolitions of informal housing and informal enterprises in the city.

As a first step in this process, in April 2018, WIEGO and the Indo-Global Social Service Society (IGSSS) convened a consultation that brought together representatives from workers’ organizations, civil society and academia to discuss the 2021 master planning process – with the aim of sharing knowledge about opportunities for intervention in the planning process, and defining ways forward for collective learning and coordinated action. The consultation also served to highlight common goals and areas of overlap between the participants’ various advocacy



Regina Catalán Gallegos sells yuca roots and tubers at a street market (locally known as *paraditas*) in Lima, Peru. Being organized has allowed street vendors to face challenges more effectively and to engage with municipal government and other actors to defend their right to work and to try to influence the policymaking process to develop better policies and laws. Photo: Juan Arredondo/Getty Images Reportage.

agendas – which included defending the right to livelihood and to housing. The burgeoning group is now exploring the possibility of forming a coalition to coordinate efforts during the planning process.

Lima, Peru

Street trade in Lima has historically provided a major source of urban employment (Aliaga-Linares, 2017). Beginning in the 1990's the city of Lima began to restrict the use of public space for economic activities – including a push to relocate street vendors to fixed markets. Data from the National Registry of Municipalities (Spanish acronym RENAMU) show that “operations to control vending”¹⁷ took place under three subsequent municipal administrations during the period 2003-2014. During one three-year period, 2011-2014, around 297 operations were carried out in nearly 70 per cent of municipalities in Lima (Ibid.).

In 2012-13, under a progressive municipal administration, the city of Lima worked to develop a new ordinance on street trade. The process to develop the ordinance was unprecedented in its participatory approach – it involved city-wide consultations with more than 150 street vendors' federations, and a dedicated *mesa*, or roundtable, where street vendor representatives met with the technical team in charge of drafting the ordinance to discuss the draft text and to lay the groundwork for implementation. The passing of the ordinance was meant to be followed by the establishment of a multi-stakeholder committee of vendors, government and community representatives, which could monitor its implementation.

The resulting Metropolitan Lima Ordinance No. 1787, passed in 2014, provided a regulatory framework that promoted gradual formalization, including by promoting individual and collective savings, capacity-building and eventual relocation to fixed market areas. The ordinance approved licenses for a period of two years, and adopted a pro-poor approach, prioritizing the most vulnerable vendors.¹⁸

¹⁷ Including evictions, relocations and confiscation of goods

¹⁸ A pro-poor orientation in the ordinance prioritizes licenses to vendors who live in extreme poverty and those who have particular difficulties, including women heads-of-households, seniors, pregnant women, and people with disabilities. It also allows the presence of “assistants” for those who need them.

However, after the ordinance was approved, a change in the municipal administration changed the direction of the process. Specifically, the *mesa* was discontinued and the multi-stakeholder committee was never established. In 2016, without further consultation, the new municipal government changed text in the ordinance which reduced the time frame for granting licenses from two years to one year. In addition, even under the 2014 ordinance, many vendors are left out of the licensing scheme, leaving them vulnerable to evictions and confiscation of goods.

WIEGO is currently facilitating ongoing *mesas* between workers and government officials, including one on informal employment with an associated committee on the formalization of street vendors and market traders. Through the dialogues, and field visits by public officials, street vendors and market traders are aiming to push for improvements to the current policy context. There is a window of opportunity for change as the government pursues a new formalization programme entitled “*Formaliza Peru*” (Formalize Peru).

In addition, in the lead up to municipal and sub-national elections in 2018, WIEGO has been holding consultations across Lima with many of the federations that participated in the initial participatory process for the development of the ordinance, with the aim of assessing the state of implementation, discussing urgent priorities for vendors and mobilizing to present a unified voice to prospective political candidates in the context of elections.

During the consultation, it was revealed that most vendors were not aware of the ordinance, and none had experienced it being implemented. In addition to daily rates paid to the municipality for “public cleaning” they reported increasing requests for arbitrary payments to gain exemption from eviction by municipal authorities. A group of vendor representatives from these consultations has decided to meet monthly to coordinate advocacy efforts in the lead-up to elections.

Mexico City, Mexico

The modern history of street vending regulation in Mexico City could be characterized as alternating between exclusionary and repressive practices (relocation, confiscation, evictions), and conciliatory practices towards vendors aimed at securing political support (Crossa, 2009).

Although vending in public space has always been a defining feature of Mexico City, the volume of vendors increased exponentially from the 1980’s to the early 2000’s as unemployment rates soared. It was in this context that various programs were launched to “rehabilitate” the city center and relocate street vendors in the process. Perhaps the most notable of these was the *Programa de Rescate* (The Rescue Program), an exclusionary strategy that aimed to remove street vendors from public space in an effort to make Mexico City’s city center more visually appealing and “world class.” The programme has been characterized as an example of “entrepreneurial urban governance” as “its aims and constitution involve public and private sector actors aligned to re-imagine the Historic Center and re-orient it towards a particular population of elites, investors or gentries.” (Crossa, 2009:43) In response to the *Programa*, which was initiated in 2001, street vendor organizations in Mexico City have resisted their exclusion from public space using a combination of strategies including confrontation, adaptation (mobile vending) and the use of social networks (Ibid.).

Currently, street vendors are the most-organized informal workers that work in public space in the city (with countless organizations whose membership numbers range from the 100’s to the 1000’s). However, other informal workers, notably mariachi musicians, shoe-shiners and waste pickers, also use public space in the city for livelihood activities. All of these workers potentially stand to benefit from the new Mexico City constitution, which makes explicit mention of the concept of the “right to the city;” underscores the importance of preventing privatization of public space; promotes the participation of self-employed workers in the establishment of designated

vending zones;¹⁹ and makes an apparent reference to ILO Recommendation 204 on the Transition from the Informal to the Formal Economy.

However, there are competing interests around the right to public space in Mexico City. For example, there is a strong, middle-class urban mobility movement whose agenda, to increase bicycle lanes, is largely in conflict with that of informal workers. In this context, a major challenge for informal workers operating in public space will be to organize across sectors, and to use the progressive language in the Constitution to argue for legislation that protects their right to work in public space.

WIEGO plans to support informal workers in Mexico City in this process through the participatory development of a piece of sample secondary legislation that would translate the progressive principles of the constitution into hard law. To this end, in May 2018, WIEGO organized a dialogue between activists from the mobility movement and informal worker representatives from occupational groups that work in public space, where they reached agreement on a preliminary set of shared priorities for the management of public space in the city.

...

To sum up, regulated access to public space in central locations is essential for securing and enhancing the livelihoods of the urban poor. Urban policies and practices that drive the working poor to the periphery of cities tend to displace their lives, their livelihoods, their social networks and their business networks: distancing them from their suppliers, contractors, customers, and buyers; increasing their transport and other business costs; decreasing the time they have for productive activities and, thereby, decreasing the productivity or economic output of the city as a whole.

Case studies from around the world illustrate the negative impact when city governments decide to restrict street vendors from using public space. Moreover, attempts by cities to shift informal workers and their livelihoods to the periphery of cities often fail. In *Bogota, Colombia*, street vendors were moved from the city centre to government-built markets in less central locations. While the vendors experienced improved working conditions, their income levels declined and many returned to vending in the central business district (Donovan, 2008). In *Cusco, Peru*, around 3500 informal traders were relocated from city-centre streets to new off-centre markets. The new markets excluded the poorest traders and “unplanned” alternative city-centre locations for informal trade emerged (Bromley and Mackie 2009). In *Istanbul, Turkey*, the relocation and reorganization of periodic bazaars during the 2000s resulted in the bazaar operators facing both economic and social exclusion (Öz and Eder, 2012). In *Mexico City*, the programme to remove traders from the historic center (the *Programa de Rescate*) displaced already marginalized individuals and pushed them into more difficult circumstances (Crossa, 2009). This experience is replicated in *Quito and Guayaquil, Ecuador* (Swanson, 2007).

¹⁹ The constitution states, “The rights of non-salaried workers, self-employed service providers and merchants who carry out their activities in the public space shall be exercised through the establishment of special zones of commerce and popular culture in the terms defined by law with the participation of the workers themselves” (CDMX Constitution, Sec. G13)



Choral Mauladia stands next to her cart where she sells vegetables at a local market, in Ahmedabad, India. Street vendors face a number of difficulties, including harassment from local officials and displacement by urban development projects. Given these threats, Choral joined the Self Employed Women's Association (SEWA), a trade union that works to secure the rights of workers in the informal sector. Photo: Paula Bronstein/Getty Images Reportage

Section IV

Public Spaces for Informal Livelihoods: Inclusionary Case Studies

“The usual binaries of the formal and informal or the rich and poor and state and private enterprise and other such models used to explain urban conditions of flux collapse into singular entities in space... (and) both the temporal as well as permanent articulations of space are equally important. In fact, the temporal landscapes become critical to the existence of the kinetic city. Informality of many kinds needs these temporal occupations of space to survive and also to productively contribute to the city. However, when we pose these binaries, they are not productive categories to imagine spatial solutions. Good design by nature is about synthesis, and so the challenge is how to integrate the informal, the temporary, seamlessly into the design of the spatial dimension of cities. But, the kinetic city obviously cannot be seen as a design tool; rather, it is a demand that conceptions of urbanism create and facilitate environments that are versatile and flexible, robust and ambiguous enough to allow this kinetic quality of the city to flourish.”

Rahul Mehrotra 2015:1

Due in large part to the daily struggles and ongoing advocacy and negotiations with cities by urban informal workers, their organizations and their supporters, a limited but growing number of cities around the world have introduced more inclusionary public policies, practices or programmes for the urban informal workforce.

What follows is a set of promising examples of inclusionary approaches by cities which allow greater access to public space, both open spaces, buildings and public land, to the three sectors of informal work featured in this Discussion Paper. Most of these promising examples are the outcomes of political and legal struggles by organizations of informal workers in the WIEGO Network. UN Capital Development Fund (UNCDF) submitted the example of a twice-weekly market in Uganda.

Street Vendors & Market Traders

A recent study by the World Bank in Greater Kampala reconfirmed that, for their businesses to be viable, street vendors and other informal operators need to be located close to markets and customers. The World Bank report, entitled *From Regulators to Enablers: The Role of City Governments in Economic Development of Greater Kampala*, recommends that “the KCCA (Kampala Capital City Authority) and other Greater Kampala local governments work closely with vendors to zone land specifically for trading” (World Bank 2017: 25).

In a limited but growing number of cities, street vendors have been able to negotiate a better deal for themselves, including access to public space in central areas. In Solo, Indonesia street vendors, while being relocated, experienced substantially improved trading conditions. Song’s (2016) detailed analysis of this case highlights the importance, not only of an enlightened mayor and group of planners, but of an ‘informed, mobilised and active civil society’ that worked together with local authorities ‘agonistically, constructively and iteratively’. In Durban, South Africa, as will be detailed below, street vendors in a central precinct, Warwick Junction, have won three legal cases: two judgments ruled against a mall being built in the middle of their market (Skinner, 2010; Chen et al. 2013); the third judgment ruled that confiscation of street vendor goods is unconstitutional, invalid and unlawful (High Court of South Africa, KwaZulu-Natal Division 2015). In Colombia, India, and Mexico, the constitutional courts, in response to the struggles of

organizations of street vendors to claim their right to work, have filed judgments that argue that street vendors have the right to access public space and thoroughfares and call for inclusive management and governance of public space (Meneses-Reyes and Caballero-Juárez, 2014).

What follows are brief summaries of promising examples of inclusive city policies and practices towards street vendors and market traders:

Night Markets and Weekly Markets

Many cities around the world have designated public spaces for use by street vendors and market traders as daily markets, night markets or weekly markets. For instance, the Kisoro municipality in Uganda has allowed a fenced-in public park to be used by local producers as a twice-weekly market to sell local produce to traders from all over Uganda. In Lima, Peru, food fairs and festivals are often organized in public plazas and streets, during which street vendors are allowed to vend.

Negotiations for Right to Vend in Public Space in Monrovia, Liberia

In Liberia, in 2010, around half of the workforce, outside agriculture, was engaged in informal enterprises and another 11 percent were informally employed in formal firms or households; and over 61 percent of informal workers outside agriculture were engaged in street vending or informal trading. In 2009, the National Petty Traders' Union of Liberia (NAPETUL) was formed with a membership that has remained constant to the present date at around 3,000, of whom 60 percent are women. Between 2010 and 2013, NAPETUL was engaged in an intense ongoing struggle with the Monrovia City Corporation (MCC), protesting harassment by city officials.

Eventually, NAPETUL appealed directly to President Ellen Johnson Sirleaf, bypassing the mayor of Monrovia. This intervention led to the signing of a Memorandum of Understanding between NAPETUL, MCC and the Ministry of Commerce that granted permission for street vendors to trade under agreed-upon regulations. Despite the signing of the MoU, police harassment continued with a particularly harsh spike in confiscations of street vendor goods in December 2015.

The Cities Alliance launched a Liberia Country Programme in 2016 with the aim of bringing Greater Monrovia's slum dwellers – who make up 70 percent of its population – into the national development process and helping to improve living and working conditions for the poor. In August 2016, the international federation of street vendor organizations, StreetNet International, conducted a collective bargaining training workshop with NAPETUL, under the Country Programme. This workshop and the framework of the Cities Alliance project led to better relationships between NAPETUL and government officials at both city and national levels. The three-way MoU lapsed in October 2016 and was not renewed, but the more positive engagement between NAPETUL and the municipal government continues, including the MCC issuing 595 new vending licenses to NAPETUL members.

In February 2017, NAPETUL amended its constitution and changed its name to the Federation of Petty Traders' and Informal Workers' Union of Liberia (FEPTIWUL) to better reflect the breadth of its membership, not all of whom are petty traders. In September 2017, StreetNet International conducted a second training workshop on collective bargaining with FEPTIWUL. At the second training, participants in the first training were asked whether and how they had applied what they had learned in August 2016. Here are the responses of the group from the municipality of Paynesville in Greater Monrovia:

“Yes, our last workshop was a success. It has changed our perceptions and increased our skills of negotiations. Some things which improved as a result of the workshop include:

- Better working relationships between us and the municipal authorities of PCC and the Liberia National Police.
- Our negotiation skills have improved.
- Our relationships with other organizations such as the Liberia Marketing Association (LMA), land owners and banks have improved since then.
- Our personal approach to our customers and techniques to managing our own businesses are indeed modified.
- We, after the August 2016 workshop have begun to tolerate the views of other people both internally and externally.”

The relationship between FEPTIWUL and government officials remains tense and uncertain but, because of the constructive engagement with the MCC, members of FEPTIWUL face reduced levels of harassment. Also, the Liberian Revenue Authority is working closely with FEPTIWUL to register its members, many of whom earn less than the threshold for income tax, so will not have to pay tax, but nevertheless welcome this step on the road to formal recognition.

National Policy, National Law and Local Practice regarding Street Vendors in India

The National Association of Street Vendors of India (NASVI), together with other organizations of street vendors and the Self-Employed Women’s Association (SEWA) in India, advocated for and took part in the formulation of national policy on street vending (adopted in 2004 and revised in 2009). However, the policy was not widely implemented due, in part, to competing jurisdictions between national, state and local government. So NASVI, SEWA and the other organizations of street vendors advocated for a national law on street vending (adopted in 2014). The 2014 Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act mandates that local vending committees should be set up in each local jurisdiction and that the cities have to negotiate with these local vending committees to determine where best to locate and how best to regulate street vending in each locale. Recent experience in two cities of India – Bhubaneswar in the eastern state of Odisha and Ahmedabad in the western state of Gujarat – illustrate the complex political dynamics involved in getting the national policy and law implemented.

Before 2007, the city government in Bhubaneswar, the capital city of Odisha, exemplified the exclusionary stance of many cities towards street vendors: treating them as illegal entities, encroachers on public space, and a source of unsightly nuisance. This negative approach towards the vendors generated distrust and an ongoing tug-of-war between city authorities and the street vendors. On one side, city authorities would resort to anti-encroachment drives attempting to contain or eliminate the street vendors. On the other side, the vendors, struggling to safeguard their livelihood, would demonstrate their anger and resentment through massive protests. At times these protests led to the city temporarily allowing vendors to continue operating in their original vending areas. But these stop-gap arrangements did not offer a permanent solution (Bhowmik 2001).

Over time, the need for an amicable policy was felt by both the city authorities and street vendors. Both parties realized that their tug of war benefited no one, and that coming up with an enduring solution would require peaceful negotiations and joint planning. In December 2006, after multiple rounds of negotiating, the city authorities and the vendor organizations agreed to a model of dedicated vending zones. Under this model, legally sanctioned and aesthetically pleasing fixed kiosks were to be constructed in the vending zones and handed over to the vendors working in the area. Between 2007 and 2009, 52 vending zones were created; as of December 2011, there were 54 vending zones with approximately 2,600 kiosks (Mohapatra



Every evening, Hansa Danjani (pictured left) sells jewelry at a local market in Ahmedabad, India. As a vendor, she earns a small income to help support her family. Hansa is a member of the Self-Employed Women's Association (SEWA), a trade union of close to 2 million women informal workers. Photo: Paula Bronstein/Reportage by Getty Images.

2011). Bhubaneswar was among “the first cities in India to acknowledge street vendors as an integral part of the city and to regularize them through a complex public, private and community partnership mode.” (Kumar 2012).

Ahmedabad City, in the western state of Gujarat, was founded in 1411 by Sultan Ahmad Shah who built an historic fort, called Bhadra Fort. The once-open area between the Fort and one of the gateways to the old walled city was home to one of the oldest markets in Ahmedabad, with some 575 vendors selling clothes, shoes and sandals, handbags, costume jewelry, household goods and more. As part of its efforts to “beautify” Ahmedabad City, the Municipal Corporation, together with the Archaeological Survey of India, developed plans to renovate Bhadra Fort and to build a pedestrian esplanade from the walled city to the Sabarmati River which divides the old and new parts of the city. The plans were approved in 2011 and funded under the national Jawaharlal Nehru National Urban Renewal Mission. As part of this plan, the open area between the Bhadra Fort and the walled city where the Bhadra Market had operated for decades was to be converted into a heritage site called the Bhadra Fort Plaza: as this area was originally landscaped as a park by Sultan Ahmad Shah when he built the fort in 1411. In January 2012, all of the vendors of Bhadra Market were evicted without any plans for where they would be relocated. SEWA negotiated with local government and police officials to allow the vendors to relocate around the cordoned-off plaza construction site until the heritage plaza was completed. When SEWA met with the municipal commissioner at that time, he was very vague about whether the vendors would be granted space to vend in the restored plaza, stating: “let the work begin and the vendors will accommodate themselves.”

A local Market Committee founded in 2011, supported by the Self-Employed Women's Association, began an advocacy and negotiation campaign with the Ahmedabad Municipal Corporation (AMC) to relocate the street vendors who had been displaced in the Bhadra Fort Plaza. In November 2014, thanks to their efforts, the Ahmedabad Municipal Corporation announced that it would open up space for the vendors in the plaza. With help from SEWA organizers, the Market Committee identified and made a list of long-time vendors to whom spaces and ID cards would be allocated once the restoration work was completed. When the Corporation threatened to back-track on this commitment, SEWA and the Market Committee

resumed negotiations. The Market Committee took its case to the High Court, arguing that the original Bhadra Fort Market had evolved historically in an organic way and that the vendor community should be allowed to decide how to allocate spaces. The Court granted the Market Committee and vendors a stay order on the planned relocation with the stipulation that the Market Committee, SEWA and the Corporation must reach agreement on the allocation of spaces. SEWA and the Market Committee resumed negotiations with the municipal commissioner who agreed that the vendors could decide on the allocation and design of space.

Through a series of meetings with an architect, the Market Committee, SEWA and the vendors agreed on a design and allocation process. When they presented the design to the Corporation, they were asked to reduce the number of vendors from 557 to 503. The Market Committee and SEWA agreed to this compromise number and met to decide on the final list of 503. They started the meeting with an ecumenical prayer and then went through the list to make sure each vendor was allocated only one space, deleting additional spaces assigned to relatives or helpers of vendors from the list. They then submitted copies of the design and final list to the High Court and to the Corporation: and demarcated the spaces (4' by 6') on the plaza with yellow paint in accordance with the agreed-upon design. In November 2017, the AMC began relocating vendors to the restored plaza based on the design and list developed through a participatory process with the vendors led by the Market Committee and SEWA. The relocation process is not yet complete, due in part to conflicts between the old-time vendors who have been allocated space and newcomers who would also like space, but the principle of relocation to the original, but now upgraded, market area has been upheld.

Upgrading of Large Street Vendor Market on Public Land in Durban, South Africa

In South Africa, one third of all economically active persons are engaged in the informal economy, and 40 per cent of those running informal enterprises work in trade. In the late 1990s, the Durban-eThekweni municipality began an inner city regeneration and management program within a policy framework that recognized and supported the informal economy. In Warwick Junction, a precinct in the inner city of Durban that, on a busy day, houses up to 8000 street vendors and market traders, the programme developed sector-specific interventions in consultations with the different sectors or product markets of vendors/traders (medicinal herb vendors, mealie cookers and more). The interventions included a mix of capital investment in the built environment, design of equipment, and curb-side services as needed. The approach was premised on a phased development trajectory for the various product markets in Warwick Junction. For many years, Warwick Junction was looked to as best practice of street vendor management and support by local government, characterized by high levels of consultation with the street vendors and resulting in a high level of self-regulation, a sense of ownership of the area by the street vendors and win-win solutions to problems in each of the dozen or so product markets in the area.

The original city-led efforts in Warwick Junction emerged in the “honeymoon” period post-apartheid when there was a heightened awareness across South Africa around consultation with and inclusion of those who had been denied access to public space, public services and other public resources. But the city-led effort in Warwick Junction was disrupted in the run-up to the World Cup when the city decided to build a mall in the center of the market area. This plan prompted the two government officials who had led the Warwick Junction project to leave city government and form an NGO, which they named Asiye eTafuleni (“come to the table” or “let’s negotiate” in isiZulu), to continue their work in Warwick Junction.

AeT continues to promote a consultative approach which the founders had pioneered in their earlier work in Warwick Junction as city officials: consulting with the local committees and



Everyday, thousands of commuters pass through Warwick Junction, which serves as a transportation hub and an important market for the city of Durban, South Africa. Photo: WIEGO

leaders on issues and project design. To help design and implement each of its projects, AeT forms a project committee with representatives from relevant market committees or worker organizations in Warwick Junction. As Richard Dobson, former city official and founder-director of AeT, recently noted: “It is only because of the self-organization and decision-making by the informal workers of Warwick Junction that it is possible to do the work we do.” (Richard Dobson, personal communication, August 2016).

Jointly with the Legal Resources Centre in Durban, and with support from local activists including members of the WIEGO team, AeT has successfully filed three legal cases against the Durban e-Thekwini municipality: two against the building of the mall and one against the confiscation of goods from a licensed street vendor in Warwick Junction. The essence of one case against the building of the mall was to challenge the fact that the City awarded the contract to a private real estate developer without going through a bidding process. The other case was argued on historic preservation grounds, as the proposed mall was to be built where the Early Morning Market, a historic 100-year old building, stands. In February 2015, the High Court ruled that impoundment and confiscation of street vendor goods is “unconstitutional, invalid and unlawful” and that the city should amend its bylaws accordingly. In addition, the court ruled that the city is no longer exempt from liability for the loss of the goods: in other words, local authorities and police can be held liable if trader goods “disappear.”

Safety and Sanitation in Public Markets in Ghana

For two associations of market traders in Accra, Ghana – the Makola Market Traders Union (MMTU) and the Ga East Traders Union (GETU) – occupational health and safety (OHS) was identified as a significant priority in their markets. With WIEGO’s support, both associations worked to educate and mobilize their members around the issue of OHS – they conducted research on the topic and facilitated a series of workshops to strengthen workers’ capacities to negotiate with the municipality to demand improved conditions.

The first of these negotiations was held in 2011, where workers presented their demands for improved OHS in built markets to city and national government representatives. Specifically, they called for sanitation measures such as the clearing of clogged drains and improved waste management and the provision of fire extinguishers. The government responded not only to

their specific demands around drain clearance and fire extinguishers but also through the establishment of monitoring committees to consistently evaluate the performance of private waste management companies in and around markets.

Waste Pickers

Around the world, large numbers of people from low-income and disadvantaged communities make a living collecting and sorting waste and then selling reclaimed waste through intermediaries to the recycling industry. Although they create value by reclaiming recyclable waste generated by others, and thereby contribute to reducing carbon emissions, waste pickers are rarely treated with respect for the services they provide. An increasing number of municipal governments are issuing exclusive contracts to private companies for the collection, transport, and disposal of waste and recyclables: often without regard for whether recyclable waste would be reclaimed in the process and effectively denying waste pickers access to waste.

Privatization of solid waste management happened earlier in Latin America than in other developing regions. In response, beginning in the early 1960s, waste pickers in that region have formed associations to demand access to waste and to public space and buildings to collect, sort and store waste; and demand the right to bid for solid waste management contracts. During the first decade of the 21st century, the organizing and mobilizing of waste pickers in Latin America accelerated and met with some victories.

Inclusive Waste Management and Public Warehouses for Waste Pickers in Belo Horizonte, Brazil

Brazil is one of the world's most progressive countries in integrating waste pickers in solid waste management systems. The first efforts to integrate waste pickers, and their cooperatives, into municipal solid waste management took place in Brazil beginning in Porto Alegre and Sao Paulo in 1989, then Belo Horizonte in 1993 and Santo Andre in 1997. Concerns about the environment and the livelihoods of the urban poor, as well as the need to upgrade existing solid waste management systems, prompted municipalities to integrate waste pickers.

Belo Horizonte, the capital city of Minas Gerais State in south-eastern Brazil, has a long tradition of strong municipal planning that dates back to its development in the nineteenth century as Brazil's first "planned" city. Since 1990, inclusive solid waste management has been a municipal priority of the city, which has introduced legislation that makes recycling, social inclusion, job creation, and income generation the four main pillars of inclusive solid waste management (SWM). This led to the adoption of an integrated solid waste management model in 1993, with a focus on promoting segregation at source, in order to minimize the harmful environmental impact caused by the waste itself and maximize the social and economic benefits for the city. The new integrated system brought wide-reaching improvements. These included enhancements to the operations at the existing landfill; selective collection and a recycling programme for civil construction waste; composting of organics; environmental education; improving working conditions for formal workers (sweepers and collectors); and integrating informal workers into the formal SWM system (Dias, 2011a; Dias, 2011b). Through this system, the waste picker cooperatives were allowed to use eight warehouses, either rented or built by the government, to sort, store, and process recyclable waste materials. In early 2018, the state government of Minas Gerais donated a farm, land plus buildings, to the Minas Gerais chapter of the National Association of Waste Pickers (MNCR) and to a local NGO (INSEA) to create Ciclos, a Popular Recycling Technological Park, in which the MNCR, INSEA and the Observatory for Inclusive Recycling (ORIS) to which WIEGO belongs will implement various projects in support of the waste pickers, from composting to environmental education.

Although there are still many challenges to fully integrating waste pickers in Brazil, the National Waste Policy approved in 2010 recognized their relevance and created a legal framework which enables their cooperatives to be contracted as service providers, including at the World Cup (Dias, 2011c). Since 2001, Brazil has included “catador de material reciclável” (collector of recyclables) as a legitimate occupation in the Brazilian Occupation Classification (CBO) (Dias, 2011d). Recently, the government set up a commission to oversee the closure of a very large landfill on public land in Brazilia, including the rehabilitation of the waste pickers who earned their living by reclaiming waste from the landfill.

Public Transport and Warehouses for Waste Pickers in Buenos Aires, Argentina

In the midst of Argentina’s economic crisis in the early 2000’s, waste pickers in Buenos Aires, many of whom were former factory workers, successfully lobbied municipal authorities for the use of a train to transport materials and equipment from the outskirts of the city to the centre and back. The former passenger train has had its seats removed to accommodate waste pickers’ carts. This achievement was part of a larger effort from waste-picking cooperatives who organized and demanded political support during the crisis to legitimize waste picking and obtain support in areas such as child-care and food kitchens. Since 2007, waste pickers in Buenos Aires have become increasingly organized, affiliating to the Excluded Worker Movement (Spanish acronym MTE) and operating with official uniforms and designated minibuses. They have also been granted public warehouses by the municipality for sorting, storing and processing reclaimed waste materials.

Municipal Contracts to Waste Picker Organizations in Colombia Ensure Access to Public Space for Collecting, Sorting, Storing and Recycling Waste

Over the past 20 years, the waste pickers of Colombia have struggled to continue waste picking and have filed legal claims to preserve their occupation. The Asociación de Recicladores de Bogotá (ARB), an umbrella association of cooperatives representing over 2,500 waste pickers in Bogota, has played a key role in aggregating claims of the waste pickers of Colombia and taking legal cases forward. Thanks to the efforts of ARB and others, the Constitutional Court of Colombia passed three landmark judgments in support of waste pickers and their right to earn a livelihood: the first, in 2003, ruled that the tendering process for sanitation services by municipal governments had violated the basic rights of the waste-picking community; a second ruling in 2010 mandated that cooperatives of waste pickers – not only private corporations – had the right to bid for solid waste management contracts. The third ruling, in December 2011, mandated that the cooperatives of waste pickers had a right to compete for the city tenders and gave Bogota city government until March 31, 2012 to present a concrete proposal for solid waste management which includes the waste pickers and their organizations. The ARB, with technical, legal and political help from allies, including WIEGO, participated in the process of drafting the official inclusive plan and also prepared its own proposal which included points on which there was consensus with the official city proposal. In November 2012, the city government endorsed the ARB proposal, including its network of partners, and formulated Decree 596 which created the current model of solid waste management which integrates waste pickers. As of March 2013, the waste pickers of Bogota began to be paid by the municipal government of Bogota. As of mid-2017, 15 organizations of waste pickers with around 4,000 members were being paid for these services, covering an estimated 80 percent of households in the city. ARB alone has collection sites and routes in 16 (of the 21) administrative subdivisions of the city.



Miguel E. Vargas, a waste picker who works in the neighbourhood of Chapinero, Bogota, walks to where he requested the truck from his association to meet him; there he will sort and pack the recyclables he collected during the evening. Association de Recicladores de Bogotá (ARB) facilitates this weighing and registration of recyclable materials so workers don't have to travel long distances carrying the materials.

Photo: Juan Arredondo/Getty Images Reportage

But since January 2016, when a new mayor took office in Bogota, the city government has tried to transform the payment system, arguing that many of the waste pickers who are paid by the city are no longer poor and vulnerable; that the payment was a subsidy, not remuneration; and that payments should only be made to formally registered organizations, not independent individual waste pickers. The new model of waste management proposed by the current administration includes building underground containers and 19 collection and recycling centers.

Since January 2016, ARB and the *mesa* representatives have developed their strategic response to this new model of waste management. To provide evidence for their response, the WIEGO network assessed the experience in other cities (Belgrade, Lima and Montevideo) which have introduced underground containers; they found that underground containers limit access to waste by waste pickers and, thereby, reduce the percentage of waste that is recycled. During an annual meeting of the National Association of Waste Pickers, held in Bogota in August 2016, the waste picker leaders met with city officials to discuss the new proposal. The city officials agreed to reassess the proposed introduction of underground containers.

Meanwhile, ARB will continue to support its affiliate and partner organizations to get registered, not just in Bogota but around the country. In 2014, a national decree was issued which upheld the December 2011 order of the Constitutional Court and ruled that cities across Colombia should develop solid waste management schemes which recognize and pay waste pickers to collect, transport, and sort recyclable waste. Since that ruling, thanks to the joint efforts of ARB and WIEGO, nine other cities across Colombia are now paying waste pickers for their waste collection and recycling services.

In Colombia, as a key dimension of formal recognition of waste pickers as service providers, municipal governments either lend or rent warehouses to waste picker organizations to sort, process and sell recyclable materials. They also require that the waste picker organizations maintain occupational safety and health standards in these warehouses, called Classification and Recycling Stations. In Bogota, in early 2018, ARB was able to buy its own warehouse, financed from the payments from the city to ARB's members for their services and a mortgage from a bank.

As a region, Latin America has the earliest, and the most successful examples of waste pickers organizing to demand their right to waste and their right to be integrated into solid waste management. But progress has been made in other regions. In Asia, there is a national association of waste pickers, called Association of Indian Waste Pickers, and promising examples of public and private contracts to local affiliates of the national association, and in Africa, there is a national association of waste pickers in South Africa, called South African Waste Pickers Association (SAWPA), and a promising example of waste picker integration in solid waste management in Johannesburg.

Government Contract to Waste Picker Cooperative in Pune, India Ensures Access to Public Space

Kagad Kach Patra Kashkatari Panchayat (KKPKP), a union of waste pickers in Pune, India, was established in 1993. Since its founding, KKPKP has spearheaded the battle of waste pickers, itinerant waste buyers and waste collectors to be recognized as workers and to be integrated into municipal solid waste management. In 2000, new municipal solid waste rules set out by the national government required municipalities, for the first time, to ensure waste segregation, door-to-door collection, and the processing of recyclable materials. The rules prompted the Pune Municipal Corporation (PMC) to engage with the city's informal waste workers. In response, in 2006, KKPKP established the first member-owned and managed waste picker cooperative in India: SWaCH (Solid Waste Collection and Handling). Through a contractual agreement with the PMC, signed in 2008, SWaCH members provide door-to-door waste collection to city households. The contract ensures access to streets and other public spaces used in the collection and sorting of waste. The formal name of the cooperative is SWaCH Seva Sahakari Sanstha Maryadit; SWaCH is an acronym for Solid Waste Collection Handling that also means "clean" in Marathi, the local language. As of March 2018, more than 3,000 members of KKPKP, including the SWaCH cooperative, were collecting waste from 600,000 households. And KKPKP had recently started a massive upgradation of their Material Recovery Facilities, housed on public land, with the help of a grant from a Pune based philanthropist. The Pune Municipal Corporation has promised to commit funds to this upgradation (personal email communication from Lakshmi Narayan, co-founder of KKPKP).

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To sum up, a limited but growing number of city governments are taking a more inclusive and promising approach to the urban informal workforce, including granting regulated access to public space for informal livelihood activities: largely in response to ongoing advocacy and negotiations by organizations of urban informal workers. Street vendors have been granted access to public space in central locations on a regular but temporary basis, through nightly or weekly markets, or on a more permanent basis through designated vending zones and protected natural markets. And waste pickers have been granted access to public roads and sidewalks as collection routes and public warehouses for sorting, storing and processing reclaimed waste.

In some cases, national governments and state or provincial governments, not only city governments, are involved in the regulation of urban informal workers and their livelihood activities. Indeed, national governments and politicians often get involved in urban management and governance. In Kampala, Uganda, market traders and motorcycle taxi (*boda-boda*) drivers developed linkages with President Museveni "to secure their place in the urban economy, paralyzing the capacities of Kampala City Council" (Goodfellow and Titeca 2012: 3).



Waste pickers at the KKP KP recycling hub. In 2006, KKP KP established the first member-owned and managed waste picker cooperative in India. Photo: Julian Luckham

Clearly, presidential intervention can be seen as interference in urban management and governance. But it is also the case that city governments and local authorities often favor elite interest groups, not informal workers, and that elite groups, not organizations of informal workers, tend to be represented in the formal processes of urban governance. In such contexts, informal workers and their organizations resort to informal channels of influence, seeking support from whichever power-brokers will listen to their needs and demands; or seek redress through the courts, the legal system. The best way forward is not to blame the working poor in the urban informal economy for their “politics of survival” but to include organizations of informal workers in the formal processes and institutions of urban governance and management.



Alfredo Rodríguez, a waste picker of an organization affiliated with the Asociación de Recicladores de Bogotá (ARB), an organization of waste pickers' associations and cooperatives that advocates for waste pickers' rights, and Edgar Castro (ARB) weigh Alfredo's collected recyclables on the street. The information is recorded through a special app on a tablet and is sent by ARB to the municipality so that Alfredo can receive payment for the materials diverted from landfills. This way he does not need to go to a collection centre; the ARB truck comes to a place designated by him to pick up the materials. This is a service provided by ARB to its members. Photo: Juan Arredondo/Getty Images Reportages.

Lessons Learned and Way Forward

“In no case may a people be deprived of its own means of subsistence”

International Convention on Economic, Social and Cultural Rights, 1976

“The transformation of society presupposes a collective ownership and management of space founded on the permanent participation of the ‘interested parties’, with their multiple, varied and even contradictory interests”

Henri Lefebvre 1991:422

“The challenge is to convince the policy makers to promote and encourage hybrid economies in which micro-businesses can co-exist alongside small, medium, and large businesses: in which street vendors can co-exist alongside kiosks, retail shops, and large malls. Just as the policy makers encourage bio diversity, they should encourage economic diversity. Also, they should try to promote a level playing field in which all sizes of businesses and all categories of workers can compete on equal and fair terms.”

Ela Bhatt

More than half of the world’s population now lives in cities. Although cities are seen as “engines of economic growth” by many observers, most cities are not able to provide enough economic opportunities to their growing populations. The result is that fully half of the global urban workforce earn their living in the informal economy, more so in the global South (ILO 2018). And there is high and growing income inequality in many cities, threatening both economic growth and human development.

Most urban informal self-employed earn their living in public spaces or informal settlements, many of which are on public land. Regulated access to public space is critical to their being able to secure and enhance their livelihoods; and, thereby, to promoting equitable economic growth in cities. For this reason, regulated access to public space was recognized as a key dimension of formalization of the informal economy in ILO Recommendation 204 and in the New Urban Agenda. Yet cities around the world, which have the mandate to regulate public space, do not typically recognize the need – and right – of urban informal workers to use public space to secure and enhance livelihoods.

This Discussion Paper has made the case for regulated access to public space for urban informal workers by presenting data on the size and composition of the urban informal workforce, detailing how cities often exclude informal workers from public space as well as public services and public procurement; and providing promising examples of cities which have adopted a more inclusionary approach to the urban informal workforce. This Discussion Paper has also discussed the competition for public space, including the pressures to privatize and gentrify public space. It has done so from the perspective of urban informal workers in cities in the global South.

Lessons Learned

Ground Realities

The key empirical facts detailed in this Discussion Paper can be summarized as follows:

- Informal employment and informal economic activities are the norm, not the exception, in cities across the global South.
- Public spaces, both open air spaces and buildings, are the settings for livelihood activities as well as social events and public activities that contribute to defining the character of cities, including: ceremonial festivities and carnivals; the movement of goods and people;

everyday community life; and the day-to-day livelihood activities of workers in the informal economy – including street vendors and waste pickers.

- Street vending in particular has long contributed to the culture and vibrancy of public spaces; to economic diversity and human activity. Street vendors offer affordable choices for consumers at convenient locations and times. They need access to public space in good, usually central, locations with heavy pedestrian traffic.
- Waste pickers supply waste collection and recycling services and, through their work, help keep clean public spaces in many cities in developing countries – at little or no cost to city budgets – while diverting tons of material from landfills and incinerators. They need access to waste but also to public space as collection routes and public warehouses for sorting, storing and processing reclaimed waste.
- Organizations of street vendors, waste pickers and other urban informal workers are engaged in daily struggles as well as ongoing, often prolonged, negotiations with cities to leverage access to public space as well as public services and public procurement.
- Also, street vendors and market traders often collectively manage the public space they occupy. They form committees that manage open air and built markets by setting rules regarding who can vend where, and by providing street or market cleaning services. Also, waste picker cooperatives allocate routes along city streets, among their members, for collecting waste.

Policy Stances

The value of public spaces for the working poor are often overlooked or underestimated, either deliberately or inadvertently, with the result that there is limited policy engagement around the possibilities of envisioning and regulating public space as a holistic multi-functional urban system that includes both rich and poor citizens, formal and informal economic activities. Instead, inappropriate conceptual frameworks, often based on realities in the global North, and weak legal frameworks coupled with weak political will often facilitate land grabs of public space for private interests or appropriation of public land by the state for infrastructure development that, in turn, often result in conflicts between communities, the informal workforce, and the government around the use of public space.

A common policy response to both informal settlements and informal livelihoods is to drive the poor to the periphery of cities. This typically serves the interests of elite and dominant groups who benefit from acquiring land and enjoy the cosmetic effect on the city landscape. But it does not help reduce urban poverty and inequality as those who are shifted to the periphery of cities face disruptions to their livelihoods and business networks, decreased employment opportunities, increased time and cost of commuting, and decreased time for productive activities. The cumulative toll of these impacts results in decreased productivity and earnings of the working poor and, thereby, to decreased output and purchasing power in the city as a whole.

To promote inclusive and equitable growth in cities, an alternative approach is needed: one that includes regulated access to public space for informal livelihoods and participation of informal worker leaders in policy-making and rule-setting processes. Such an approach would help overcome the current tensions in cities around the world between control by dominant and elite interest groups and resistance by ordinary citizens, including organizations of informal workers.

An inclusive and equitable approach to managing public space is difficult. There are current pressures in cities around the world to heighten competition, to find technological solutions, to commodify public land and other resources – and to privilege elite groups and commercial interests and exclude poor and disadvantaged communities. But such an approach is not impossible, as illustrated by the promising examples in Section IV of this Discussion Paper. And such an approach is necessary if cities are not to become – or remain – islands of gated



Members of the Asociación de Comerciantes El Triunfador de Confraternidad. Like many street vendors, the vendors in Lima, Peru face uncertainty regarding the space they use to work. Being organized has enabled them to negotiate more effectively and voice their concerns. Photo: Juan Arredondo/Getty Images Reportage

communities, gilded elite commercial and residential towers, and large-scale malls surrounded by a sea of neglected neighborhoods or informal settlements: with most of the working poor having to commute from the sea and somehow insert themselves into the islands in pursuit of their livelihoods.

An inclusive and equitable approach is possible if the management of public space is not completely handed over to private companies and if local communities are involved, including organizations of informal workers. If organizations of informal workers are involved in participatory policy-making processes, then the content of the policies is more likely to be appropriate and fair for them: more likely to balance the competing interests of the rich and poor, the formal and informal. Also, the enforcement of policies – and regulations – will be easier if all the relevant stakeholders have a stake in them.

Such an approach is do-able if participatory planning processes focus on specific, grounded and concrete interventions in specific locales, including: access to and mobility in specific public spaces (sidewalks, streets, parks, transit stations) by measures to address traffic congestion and parking, as well as temporary closures of designated public spaces for nightly or weekly markets and street food festivals; safety measures for pedestrians and informal workers (including tapped water and fire extinguishers in built markets); equipment and infrastructure (display units or kiosks for street vendors; sorting sheds for waste pickers); municipal services in public areas and public markets (including sanitation, waste collection, draining, lighting).

But this will require a change in the mindset of urban planners and economic policy makers. A mindset that recognizes the need for economic diversity and hybrid economies in which all economic agents, activities, and units, formal and informal, are valued and integrated. A mindset that values rather than stigmatizes the livelihood activities of the urban working poor. A mindset that embraces the color and vibrancy of the informal economy and does not seek to control, remove or penalize it. A mindset that is willing to listen to the needs and demands of the urban working poor. And a mindset that recognizes that policy frameworks and solutions based on urban realities in the global North may not match the realities in or provide the best solutions for cities in the global South.

Way Forward

The rights of urban informal workers to public space, public services and public procurement, as endorsed by the ILO Recommendation 204 and the New Urban Agenda, need to be recognized and realized in cities around the world. This will require that their livelihood activities are valued and built into local economic development and urban plans. And this will require, most fundamentally, that their voices are heard in urban governance: that informal worker leaders are invited to participate in urban governance processes that take decisions on urban planning including the allocation of public space.

Most of the promising examples detailed in Section IV are the result of a policy advocacy and negotiations by organizations of informal workers with support from allies in academia, the legal profession and civil society. The organizations of informal workers engage with local government and officials on a regular, often daily, basis. But to realize the gains documented above, the organizations of informal workers joined hands with others. For instance, the alliance that campaigned successfully against the proposed mall in Durban included local associations of street vendors, an international alliance of street vendors (StreetNet) headquartered in Durban, the Congress of South African Trade Unions (COSATU), the South African Communist Party in the KwaZulu-Natal province, civil society organizations, urban practitioners, academics, the legal resource centre that filed the case, and the WIEGO network. Central to this campaign was a series of legal cases pursued by a public interest, non-profit law firm – the Legal Resources Centre (LRC). The other organizations and individuals joined hands in writing letters to the press, arranging public debates, and providing technical assistance to the campaign and the legal case. Asiye eTafuleni, the local NGO dedicated to providing legal, technical, and design support to the street vendors of Warwick Junction, played a key role: monitoring the situation on the ground, alerting the LRC to the day-to-day harassment of traders by the city, and facilitating access by the LRC to appropriate claimants.

Going forward, informal workers and their organizations will continue to need allies. But, more fundamentally, what they need and demand is direct representation in urban governance, in the processes that decide who gains access to public space, public services and public procurement. There is no short-cut: equitable economic growth in cities needs to be negotiated with all stakeholders at the table.

In today's globalizing economy and modernizing cities, there is a critical ongoing need to promote the representative voice and economic rights of the urban working poor in the informal economy: to improve living standards, increase productivity, and promote social cohesion. In the end, what the working poor want and demand are changed mindsets and models – that recognize them as legitimate economic actors – and appropriate laws, regulations, and policies that create a level playing field between the formal firms and informal workers and their livelihood activities.

Much has been written about urban public space and urban planning, increasingly from the perspective of cities and urban realities in the global South (Bhan et al. 2018). The planning discourse and debates from the global South are more likely than those from the global North to include a focus on urban informal livelihoods. The aim of this Discussion Paper is to add to and inform the increasing attention to urban informal livelihoods in the academic discourse and policy debates on management of public space.

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