

Street Vendors and the Right to the City

February 28, 2014

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1 Foreword

The Gaspar Garcia Centre for Human Rights' work stems from the principles of popular education, offering legal assistance, promoting training and forming political networking and influencing public policy, always with the intent of strengthening collective and democratic struggles. It is also active

in Urban Reform and making fundamental rights attainable, especially the right to the city.

In its twenty-five years of work together with vulnerable populations in the centre of São Paulo, the Gaspar Garcia Centre has captured proof of numerous violations of fundamental rights, the results of precarious working conditions, housing and lack of access to public services.

Additionally, as it studies the recurring processes of exclusion and segregation that affect these populations, the Gaspar Garcia Centre has determined that exclusion from access to urban land and insertion in the informal labour market are inextricably related. Many eviction lawsuits to remove residents from their homes, accompanied directly or indirectly by the Gaspar Garcia Centre, involved informal workers. And beyond the dangerous working and living conditions they face, these populations also suffer from the criminalisation of their professions by the public authorities.

In 2011, within that context, the Informal Work and Right to the City Project was launched, with the support of the European Union and Christian Aid. The project's aim is to spread awareness among informal workers of their right to work, right to the city and all other rights meant to ensure a just, dignified life.

The focus of the Gaspar Garcia Centre during this project has been street vendors and immigrant household workers. The project looks to contribute to informal workers' organisation as a collective, stimulating their influence on public policy as such, and advancing the struggle for their rights.

This book attempts to illustrate, specifically, the different dimensions of the street vendors' struggle, as they try to use the city streets to guarantee the survival of their families by selling their merchandise. Included in its scope is reflection on these different experiences: the lives involved, attempts to organise and related public policies. The book is divided into these three respective parts.

Part I throws into relief the street vendors' human dimension, showing these people's faces, names, dreams, needs and life stories. The idea was to lend these workers a voice, creating a sensitive portrait through their own spoken accounts¹ of their daily lives, struggles, hopes, and search for recognition, dignity and collective organisation. It is a daily life largely marked by invisibility, precariousness, prejudice and violence. At the end of this part, in an attempt to defeat stereotypes and prejudice, a systematic overview was

¹The testimonials of the street vendors presented in Part I were collected by the team of the "Informal Work and Right to the City" Project by the Gaspar Garcia Centre for Human Rights between May and June of 2013.

provided, offering a transverse view, without over-generalisation, but seeking to identify structural tendencies in common. The following themes emerged: occupational history, dignity and prejudice, construction of the future, as well as solidarity and struggle.

Part II offers the organisation and coordination experiences of the street vendors, taken from the approach of their collective struggle, along with the importance of support from entities, social movements and public organs such as the Public Defender and Public Prosecutor. Organisational experiences from São Paulo, Rio de Janeiro and India are illustrated. In all three cases, there is contextualisation of the environment which led to the need for organisation, description of the organising process, campaigns and struggles and finally, the outcomes and challenges that have resulted from this collective effort. At the end of Part II, debate on the diversity of these contexts and organisation processes is presented. The idea is emphasised that these processes cannot simply be reproduced without considering important aspects of the local reality. In the case of the Brazilian cities, there is the challenge of organising beyond the immediate reality of rights violations, with an eye toward consolidation of forces for a permanent class struggle.

Part III describes several public policies, portraying distinct government profiles and conduct in regard to street commerce. There are differences in scale – municipal, metropolitan and national – drawn from Brazil (São Paulo and Porto Alegre) and worldwide (Durban, New York and India). The policy analysis focuses most of all on the debate over the right to the city, instruments of urban policy-making, ways to advance social dialogue and the effective participation of workers in the elaboration of public policy. Afterwards, it presents several components considered essential for the construction of street commerce policies. Finally, in the Considerations section there is another broad, cross-cutting reading of the many policies, an attempt to distinguish government policies, understood to be vulnerable to the whims of political mandates, and policies of the State, comprehended as recognition, inclusion and long-term support for the activity.

2 Introduction

In the last decade, indicators show that, on one hand, Brazil has demonstrated sustained GDP growth², increasing formal employment growth, real

²The GDP (Gross Domestic Product) represents the sum (in monetary terms) of all final goods and services produced in a region during a determined period. The GDP is one of the macroeconomic indicators that measure the economic activity of a region. Source:

increase in its minimum wage, improvement of several socio-economic indicators and expanded access to modern technologies. On the other hand, from the political point-of-view, the country has also advanced with regard to legal frameworks for social rights³ and witnessed the effervescence of social participation in public management.

Despite having made progress in several economic and political areas, the effects have not been sufficient to overcome the socio-territorial exclusion and segregation of the population segments with whom the Gaspar Garcia Centre works. Following these perverse, exclusionary processes closely, it is possible to note mechanisms and rhetoric that are regenerated, serving to dissociate causes and effects as well as structural issues and specific actions. Projects and programs are defended as “inducing development” and “promoting autonomy,” but meanwhile, their result is appropriation of income and property, as well as the continuation of labour exploitation.

The social groups with whom the Gaspar Garcia Centre works have not undergone full development and autonomy, remaining vulnerable to processes of economic and socio-territorial exclusion. In many Brazilian cities, despite advancements in talks about policies to aid street-dwelling populations, the number of people facing this reality has grown every year⁴. Recyclable materials collectors, although having advanced in terms of organisation and income level, continue to face very precarious housing conditions. Despite the return of housing programs, the number of low-income families and communities facing evictions has increased⁵. In spite of sustained growth in formal employment, innumerable reports by the Brazilian Labour Min-

Wikipedia. Available at http://pt.wikipedia.org/wiki/Produto_interno_bruto. Accessed in October, 2013.

³With the institution, for example, of norms such as the Statute of the City (which establishes norms of public order and social interest that regulate the use of urban property in the interest of the public good, safety and well-being of citizens, as well as environmental balance), the Statute of the Elderly (meant to regulate the rights guaranteed to people of or over the age of sixty), Statute of the Child and Adolescent (that looks to promote full protection of children and adolescents), etc.

⁴In São Paulo, according to the São Paulo municipal government, in the year 2000 there were 8,706 people living in the street, according to research conducted by the Economic Research Institute Foundation – FIPE, and in 2011, there were 14,478 living in the street, according to research data obtained by the College of Politics and Sociology of São Paulo – FSPSP.

⁵According to the registration database of the Dignified Housing Program of the Gaspar Garcia Centre for Human Rights, of low-income families to whom the centre offers legal assistance in more than four hundred legal motions (individual and collective), almost all of them involve the informal economy. The entity has accompanied innumerable evictions in precarious housing projects due to the construction of large urban projects.

istry and Public Prosecutor have revealed the expansion of sweatshops that exploit immigrants through forced labour and child labour.

In the housing area, evictions of communities located in areas of high real-estate speculation are justified by the fact that the properties are in dangerous locations, or areas designated for infrastructure projects or even because they are situated in environmental protection zones.

In the labour area, the loosening of labour legislation, entrepreneurship, outsourcing and industrial restructuring are deemed to be modernising processes. Outsourcing in particular has come to be seen, in the last fifteen years, as a capital strategy aimed at, among other things, lowering labour costs. The reality, however, shows that this strategy, for example in the garment industry, has fragmented the chain of production in various levels (outsourcing, outsourcing of outsourcing), pulverising the exploitation and violation of rights, further complicating the organisation of workers.

Productive “modernisation” and “flexibility” (loosening of regulations) serve as a justification and have a strong appeal for society, masking the growing informalisation and insecurity of living conditions for large population contingents.

The informal economy has grown continuously throughout the world. According to International Labour Organization (ILO)⁶ data, in 2009, there were around three billion people over the age of fifteen working throughout the world. A substantial part of this workforce is informal.

In 2013, regional estimates on informality, according to the ILO⁷, showed that informal rural labour stood at 82% in south Asia; 65% in sub-Saharan Africa; 45% in the Middle East and north Africa; and 51% in Latin America. If agricultural workers were factored in, these proportions would certainly be even higher.

Despite a large portion of workers throughout the world not earning enough to survive⁸, informal labour is not synonymous with poverty. It is possible to find in the informal economy, in some cases, profits greater than those found in the formal economy. However, in different countries throughout the world, informal workers have a profound disadvantage, when

⁶The ILO is a multilateral agency connected to the United Nations, specialised in labour issues. Source: Wikipedia. Available at http://pt.wikipedia.org/wiki/Produto_interno_bruto. Accessed in October, 2013.

⁷ILO, International Labour Organization. **Measuring informality:** a statistical manual on the informal sector and informal employment. Geneva: ILO, 2013. Source: ILO website. Available at http://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/publication/wcms_222979.pdf. Accessed in October, 2013.

⁸The ILO estimates 487 million people, that is, 16.4% of all workers in the world.

compared to formal workers, from several points-of-view. They are excluded from the social security system, from institutional dialogue channels and adequate occupational health and safety conditions⁹.

In reference to this last aspect, according to the World Health Organisation (WHO)¹⁰, working conditions have a decisive influence on health and living conditions. WHO statistics have shown that the lowest indicators of mental health and mortality are associated with precarious labour (informal work, workers with temporary contracts and part-time workers).

According to this logic, the referenced study shows that adverse conditions in the workplace environment, such as exhaustive working hours, police violence and effort-remuneration imbalance, constitute risk factors for mental and physical health problems¹¹.

Informal labour is responsible for a significant portion of the Brazilian economy and employs almost half of the active population. According to the study Synthesis of Social Indicators: an analysis of the living conditions of the Brazilian population in 2012, by the Brazilian Institute of Geography and Statistics (IBGE)¹², between 2001 and 2011, the percentage of Brazilians with a work contract went from 45.3% to 56%. Even then, 44,200,000 workers continue to work informally.

Throughout its existence, the Gaspar Garcia Centre has found that the majority of families facing evictions, especially those in irregular housing developments, are people who work in the informal economy. Immigrants who work in sweatshops or street vendors who have participated in Gaspar Garcia Centre programs have in common, aside from being informal workers, experiences of forced removals and systematic evictions from city spaces. The combination of informality at work and in housing leaves them, therefore, even more vulnerable to violence by the State and more exposed to discrimination.

This publication is focused on the issues faced by street vendors, who work in precarious health and safety conditions in their workplace, with an absence of social protection and protection against human rights violations and other social rights. According to Budlender, who systematised data

⁹CDSS, Comissão do Determinantes Sociais em Saúde. **Redução das desigualdades no período de uma geração: igualdade na saúde através da ação sobre os seus determinantes sociais.** Relatório Final da Comissão para os Determinantes Sociais da Saúde. Portugal: WHO, 2010. Available at http://whqlibdoc.who.int/publications/2010/9789248563706_por.pdf. Accessed in October, 2013.

¹⁰*Idem ibidem*

¹¹*Idem ibidem*

¹²Source: IBGE website. Available at <http://biblioteca.ibge.gov.br/visualizacao/livros/liv62715.pdf>. Accessed in October, 2013.

from the National Research of Household Samples (PNAD) by the IBGE, it is estimated that Brazil has upwards of two million street vendors¹³. In India, this number could be anywhere from three to ten million, depending on the source¹⁴. Women represent the majority of street vendors in many countries, especially those in Africa, Asia and Latin America.

The project developed by the Gaspar Garcia Centre for Human Rights in regard to this reality demonstrates that informal street vendors, through their labour, look to provide dignity to their families but are treated by public officials and part of society as problems to be eliminated.

The vendors, due to their work in public city spaces, are victims of violence by police and city inspectors, and also exposed to harassment on the part of some commercial retailers. Furthermore, these workers suffer various types of health problems, such as high blood pressure, headaches, heart problems, stomach pains, physical trauma related to posture, including back and leg pain due to lengthy periods on foot¹⁵. Also identified were problems suffered by the workers due to lack of access to personal hygiene, including public bathrooms during their workday. One noteworthy aspect are the various problems related to stress caused by fear of having their merchandise seized by police or city inspectors.

As part of the ongoing work by the Gaspar Garcia Centre for Human Rights in defence of the right to the city and human rights, the entity strove, over the course of the three year Informal Work and Right to the City Project, to demonstrate the connection between the right to work guaranteed by the Federal Constitution and the use and occupation of urban space, which is established by municipal legislation. The use and occupation of the soil cannot be conditioned on the economic capacity of the people, but, overall, on the principles of the social function of the city and its democratic management, as established by the Statute of the City.

The right to the city doesn't only refer to access to the city, but also to the right to transform the city. It is a common right, understood as diffuse in Brazil, going beyond individual rights. With regard to street vendors,

¹³BUDLENDER, D. **Statistics on Informal Employment in Brazil**. WIEGO Statistical Brief n^o. 4. May, 2011. Available at: http://www.inclusivecities.org/wp-content/uploads/2012/07/Budlender_WIEGO_SB4.pdf. Accessed on October 23, 2013.

¹⁴CIDADES INCLUSIVAS. Vendedores Ambulantes. Source: Cidades Inclusivas website. Available at: http://www.inclusivecities.org/pt/vendedores_ambulantes_2.html. Accessed in October, 2013.

¹⁵IBANHEZ, L. **O setor informal urbano: a organização e as condições de saúde de um grupo de vendedores ambulantes**. (1999) Doctoral thesis. Faculdade de Saúde Pública, Universidade de São Paulo.

who carry out their work in public spaces, in order to be agents of transformation of the urbanisation processes that include them, this depends on their participation as collective subjects in the mechanisms of public policy deliberation and social recognition.

This publication has as its goals to present these workers in their daily life and struggles, provide relevance to their difficulties, depict their efforts to self-organise and participate in policy elaboration and, furthermore, it also intends to serve as a form of resistance to the predominant view that stigmatises and criminalises them.

3 Part I – The individual: life experiences

Wandering on the paths of life and work¹⁶

3.1 Piauí

The Brás region receives Piauí, a man of firm character and a sideways look. A worker who, in his life's journey, is impelled to sell his labour power in the outskirts of São Paulo, that land marked by diversity and remembered for its products and accessible prices. It is there that people were living amid the industries, in abandoned warehouses and deactivated factory buildings, and where today they coalesce in the most effervescent retail district of the city. The goal? Exchanging live money for dormant merchandise.

I'm Bernardo do Nascimento, better known as Piauí, and I have a story to tell: I'm sixty-one years old and only went to grade school for a few years. I was born in Coroa de São Remédios, in the state of Piauí, where it was difficult to get an education. My parents were from very poor families who worked the land. At five years old, my father brought me to work in the fields, too. The situation was really difficult in that era. Childhood!? I practically didn't have one; I worked in the field together with my dad, in very hard times. Around 1958, there was a great drought in Piauí, and not just in Piauí, but in the neighboring state of Ceará, too, and throughout that entire region of the Northeast. My childhood was very cruel; that's the truth.

At sixteen I left for the capital, Teresina, Piauí state. I spent about two years living there. Then I went to Belém in the state of Pará, where I began

¹⁶The testimonials presented in this part were collected by the team of the Informal Labour and Right to the City Project, by the Gaspar Garcia Centre for Human Rights, between May and June, 2013.

working in the open market, selling stuff. Then came the season of *Círio da Nazaré*, a religious festival there in Belém, in the middle of a giant crowd. People arrived from São Paulo, to work during the Círio. We met each other at the market, became friends, and they asked me:

- Hey, Piauí, how long you been here?
- It'll be two years I've been here.

We made friends with these guys from São Paulo. They worked making artisanry at the time. At night, I used to go to their tent, we got along well, and when the Círio ended, after fifteen days of festivities, they said:

- Piauí, don't you wanna go São Paulo with us? You can work there with us, we can travel around, headed to all the festivals in the countryside, the rodeos.

At the time, I was single and wasn't worried about anything. So I sold my little stand at the market and came with them to São Paulo. We got here and I went to travel with them, we went to Mato Grosso, Goiás, Bahia... wherever they were going, I was with them. On one of those trips I met a lady named Isaura, who had a stall in Brás, in São Paulo. We became friends, and she told me:

- Piauí, you wanna rent my stall? I have a place in São Paulo for rent.
- Sure Miss Isaura, we can go there and have a look, and then I'll start working there at your spot.

At that point I split off from the guys and they also all went their separate ways. Everyone split up.

I worked at her stall in Brás, there on Rangel Pestana Avenue, there I stayed... and stayed. Finally there was an opening for us to get our own license; that was during the time of Mayor Erundina. I got myself a license and kept developing my work.

Today my wife and I live together, we have two children, but they've already gone off, a boy and a girl, each to their own house. That, for me, is a victory, thank God we have a good relationship, we don't fight and argue all the time. Whenever there's a problem, we can deal with it the best way possible.

There's a big difference, because in my childhood our upbringing was different. But today, my kids' upbringing is different. When I was a boy,

five, eight, ten years old, I was beaten a lot by my parents. I was beaten with a whip and anything else. I brought my kids up and never laid a hand on them. With them everything was handled with explanation, dialogue. You show them, call their attention and explain why something's wrong. It has to be like that, like that! Completely different.

I've been a street vendor more than thirty four years. My daily routine goes like this: I wake up at six in the morning, get my van, which is my main tool. When I get to my spot, I set up my stand and work like that all day long, until it's time to close up and head home.

In my view, street vendors in São Paulo are discriminated; there's a lot of disrespect. When I tell people I'm a street vendor, I'm often insulted as lazy, like somebody with nothing to do, ignorant that this is a service that requires a lot of work, and I mean a lot! 100% of the population see the street vendors. I believe that 70% support the idea and 30% don't.

I see a certain difference between street commerce and stores. Street commerce is like this: we sell our stuff cheaper; they sell more expensive. But store owners have more expenses and pay more taxes; we pay a little less. There are storekeepers who have come a long way, who know how it is to work in the street; there are many who, if they can help out, they will.

I'm a worker and my work has granted me many good things. It gave me my financial situation, thank God. I've been working a long time and, with a lot of effort, I'm able to help my family, as well as help my brothers. Whatever I can do, if it's within my abilities, I try to help.

The street vendor is already a part of the city and contributes much to its functioning. For example: I'm there in my stall, a person arrives and says "Pardon me" or "please," or sometimes without any "pardon me" or "please," "Where is this or that street or this or that shop?" And since we know, we tell them, give them good directions. Looking to help however we can.

The organisation of workers is important. I participate in a street vendors' association located in Brás. We try to do the collective work to help orient our colleagues, always explaining what's going on, what's going to happen next.

Our union is also important and was really important during the previous administration, when we suffered a lot. They wanted to do away with us, so it was really important to have our union, otherwise we wouldn't have been able to overcome that administration.

3.2 Geni

City, our city, the place where the contradictions and social paradoxes are manifest. It's in the sixties that Miss Geni is born, a mother, a working woman, a warrior woman. In her stare, marked expressions, characteristics resulting from her struggles. A woman of smaller-stature but great experience, with few words tells us her story of struggle, remnants of pain and pride of the victories that her work has granted her.

My name is Geni Vicente da Silva and I have a story to tell: I'm fifty-three, paulistana (from São Paulo), born in the neighbourhood of Praça da Árvore in São Paulo, where I didn't have any childhood, since I spent it working. I would wake up at three in the morning to go sell lemons and herbs at the market, and I didn't get to go to school.

I live with my oldest daughter, who's married. I live in a room and kitchen downstairs and she lives upstairs. The greatest thing I achieved, working in street commerce, was this piece of ground that I bought and where my family lives. Even without great finances and without having gone to school, I was able to give my children an education. I raised them practically on my own. With my work I could help a little, what I never had, they had. Thank God, my children are all hard workers. They didn't have problems, each one has built a family, so that for me is an accomplishment.

My mother was from Pernambuco and my father, from Bahia. They were already working hard there. Since then, for forty-three years, I've been a vendor, too.

I work from Sunday to Sunday, I don't take time off. Sunday is the best day, because there's no police.

In the street we make a lot of friends; there are a lot of customers. I like what I do a lot, because I know it is a dignified, respectable service. It's hard, because we have to get up before dawn, there are days we don't get to have lunch and days we get home late at night. It's rainy, it's sunny.

Being a street vendor in São Paulo, you suffer. We are humiliated even by the people who pass us by in the street. Street vendors suffer a lot of prejudice. Because we're in the street, we aren't deserving of our work. I hear customers say a lot: "This is robbery! Too expensive!" But if they go to some trendy store, they'd pay double and not even complain. This is disrespectful; it's offensive to hear that! They don't even know how hard it is to maintain; I'm just working because I have expenses, I buy cups, I buy everything. I mean, I'm saying, nobody sees the cost you have to get these things.

Store commerce is more respected, there is a difference, yes. In stores,

people go in and don't complain. And street vendors are discriminated, even when they sell the same product, but when it's in the store, people value it more.

Street vendors contribute to the city, since they make access to goods easier. Where I am, there are a lot of banks and the people who work there cross the street to go to my stand and buy my stuff. There are a lot of people; there is even a young man who says, "Auntie, never leave here, because if you leave, where are we going to have açai?"

Being a street vendor is part of my story. If stop working one day, I think I will die, because when my mother stopped working, soon after she got sick, became depressed, had head problems and got cancer.

I don't know how to read, I'm fifty-three and can't get any other job. If I have to do something else, I don't know, because since I was a child, I was raised working as a vendor, so for me it is really important to be able to work in the street.

The workers' union is really hard, but extremely important, because if we unite everybody, it's easier for us to get back to work. I've been in the regional office in Vila Mariana many times; people always set things up, but when the time came, everybody was gone. I participated in several meetings, sometimes just me and my sister; you could call everyone who worked around there to come, and one or two would go, the rest wouldn't.

3.3 Zenilio

The mark of schooling's absence constrains him, but doesn't limit him: he knew how to teach his children to know and respect life. An elderly gentleman, but with a youthful appearance, with seventy-four years many dealings, he campaigns for dignity and justice. He wants to work; since childhood this was his education: the fields were his workbook and the hoe, his pen. Migration and unemployment led this worker to the football stadiums of São Paulo. Morumbi, Pacaembu and Canindé are no longer the same; they miss the delicious pork and sausage sandwiches whose scent filled the noses of hungry fans, who handed over their coins for that delicious Brazilian taste.

I am Zenilio Ramos de Araújo and I have a story to tell: I'm seventy-four years old, I only went to school for a few years because, where we lived, in Santo Antonio do Itambé, Minas Gerais, times were hard. I had a childhood spent working in the fields, on the farm. There, work opportunities were few, we had to survive. The priority was work and not school, since actually there wasn't any school and, when there was, it was very far away. I didn't have any way of going to school, since we lived on the farm.

I came to São Paulo through a relative who already lived here, who then got us to pack up and come, because things there in Minas were too hard and he thought here in São Paulo would be better for our survival. Arriving here in São Paulo, my father got a job as a metal worker. For me that was an accomplishment, thank God. What I have today comes from that. Close by there was a school, where I learned some things and got what I have, today. Thank God.

Here in São Paulo, I live with my family: my wife, one daughter, two sons and a granddaughter; we're six in all. I'm sad that I wasn't able to give my children their tuition, because they deserve it; they're great kids to me. I didn't have the opportunity to study and, even now, when I remember, I feel revolted by this! I'm revolted by the schooling I never had. It's something very deep, I am desperate when I see many people develop their studies, and I'm not able to accompany.

Today, thank God, my children haven't passed through the sad phases I endured in the past. I always ask God to give them the best. The best, not what I got in the past. But I'm satisfied because here they never suffered the way I did; so something I did helped them get where they've gotten.

Since I am already elderly, I had to give up working to give a chance to someone else, so that's when I became a street vendor. I couldn't stay at my job anymore. I did tests, interviews, but the only response I heard was "wait." My age was already advanced, so I'm still waiting today – twenty some-odd years, or better, nearly thirty years – for their call, so I went into street commerce. For that reason, with all the calamities that befell me, I couldn't stay unemployed. I have to survive, I had my profession, but they didn't want me anymore because of my age. How would my family get by?

When I started to work in the street, this was thirty years ago, it was great because the work of a street vendor was enough to get by, you could earn something and work. Though I didn't earn a lot, I was always there, trading one coin for another, and that brought hope, we went along, satisfied.

I worked in the middle of the crowds, selling food: pork, sausage, hot dogs, those kind of things, plus drinks. There were always those people who treated us well, who valued our work. That made us feel good, knowing the value of street vendors. When the vendors stopped selling, people missed them, they even called us to ask if we were going to come back. They said they missed us.

So we're still in this battle today. We stopped working, because they cleared us out. We paid our bills on time, everything on the up and up, but they cleared us out anyway.

I would really like the street vendors to go back to work, because it's a

right of all citizens, as well as a means of sustenance for many families. It is fundamental that we go after our work, because that's where our sustenance comes from. Nothing comes for free.

It's said that these workers live on the run. I also was on the run, over here, over there, and that created tremendous desperation. I would get home very nervous, really, really nervous, because I bought my materials, took them there, and when I got there, I couldn't sell. I had to get everything and throw it away. Imagine, everything you just spent, going into the trash; it was total desperation! I wasn't free to work, it was a pressure-packed situation, working with all your documentation inline and the police still persecuting you. The police are there for you not to rob anybody, not to keep you from working. That's revolting!

The vendors were revolted; we weren't robbing anyone! The running was in order to work, and when we got there, we couldn't; we had to go away. And whenever it was like that, our lives suffered. Since I was a kid, everything I learned with my father was about work. In my childhood, my main activity was running around to work, so that must be why today I get so desperate, running around to keep from standing still.

There's no different between street commerce and storefront commerce, as long as street vendors pay their taxes. I think they're equal; they're workers who pay their taxes. Vendors contribute a lot to commerce, because they buy things to resell, so stores also win with street commerce. It's a way of making the economy run, because when we stop working, many stores also suffered, because we had been buying from them to resell; so it's always spinning, it was spinning.

In the city there needs to be street vendors because if there aren't, the city is empty; there is no city without street commerce, there has to be street commerce in the city.

The workers' union is very important, because everyone is going after the same benefit, so the union does the work when everyone is after the same thing. That's very good, because it strengthens our sector. At the Street Vendors' Forum, we got together and created support for our cause.

3.4 Sampaio

São Paulo, city of the guided and misguided. Sampaio, as he is called, knows well what that means. Since he was small he travelled through the countryside, on the way to the capital, accompanying his mother, who worked in politics. In telling his story, Sampaio makes his politicisation clear. With incisive rhetoric and a hipness gained from working in the street, he con-

structs networking techniques through dialogue, knowledge and socialisation with others involved. As a citizen, appreciated for reaffirming his informal labour sector, subject to rights.

My name is Juraci Sampaio and I have a story to tell: I'm fifty-three years old, born in Guaraçai, São Paulo state. My parents were country people and my childhood wasn't so difficult, because my parents had a small farm and were able to provide a good educational structure for us. When I was small, we had the opportunity to study in the best schools in the countryside and, thank God, our studies we were able to obtain from the family.

São Paulo was practically my mom's route, because she was involved with politics and, once a month, she would come to São Paulo and I ended up starting to come with her; I came with her from the time I was seven or eight years old. She would come to São Paulo, I came with her, about six hundred kilometres of travel, more or less, so I was pretty much born here, at least once a month I was here. My parents have already passed away, but the structure they left was very good.

Today I rent a house here in São Paulo, where I live with my family: my daughters, my wife and my sister. I have my own house in Limeira, where my family is from.

Since I was little I worked hard, I was a banker, I worked at Anglo, at the hospital, all to maintain some stability for my family. My kids are practically on their way, they're older, studying and don't depend on me anymore, but we always worry. especially when we have such an incoherent world, and this worries me a lot.

My family isn't rich. My parents valued studying and we passed this on to our kids as well. I have no thoughts of leaving buildings, apartments or anything like that. The only thing I have to leave to my kids is technical knowledge from the university of survival. Now, the accomplishments – if they want to be farm owners, building owners – they'll have to work to achieve that, because the only thing good I'm leaving them are their studies. I think every human being has to have some basic knowledge of the world as a means of survival and tools that help you be able to struggle through it.

One of the nicest things that I accomplished, which brings me happiness, is being involved in the street vending sector. I was good in school, and had the opportunity to go to two universities: History at USP, and Agronomy. But, really, of all my accomplishments, besides my daughters, working as a vendor is what got me most excited. I put in nearly twenty-one years of struggle, alone. If it wasn't for the informal economy, I don't know what my life would be like.

I worked at Bradesco bank, on Largo Treze de Maio, in Santo Amaro. In

the eighties. I used to see a lot of street vendors working there, and everybody against them. I started to feel bad not defending them, because we come from the countryside, where my mother and father were always involved in social work. Suddenly, I saw a sector disregarded by society. I decided: "I'm going to provide this service!" and I ended up entering the vending sector, donning its colors, and made good by my ex-partner. I took advantage of my secure situation and said: "I'm getting involved in this area, there's no profit, but it's what I want". That's where I went after more information, investing time and money out of my pocket. I researched and discovered CUT (The Workers' Trade Union Central) and started to get involved. And, at the time, I started a union.

I'm in this business for twenty-nine years and I've seen this sector of vendors and the informal economy grow a lot. Today there are entities, unions, cooperatives, who worry about the cause.

I find it very cool that universities today have doctorate students looking at the informal economy, something rare twenty years ago. The informal economy is very fast. It's an economy that people neglect, while they support the formal economy. There needs to be research. It's a sector totally different from all others. It's an economy that will never end, so the least we can do is provide some quality for it; it's impossible for it to end!

São Paulo receives all of Latin America in commerce. That already creates a big difference in relation to the other cities and states where commerce is a little slower. For example: something new is launched in magazine X, and that night, the girls are already sewing it, and the next day, it's already at the market being sold. So the dynamic is very great, here we all work four seasons in one day. In the morning, from five or eight o'clock, it's coffee and cake. After eight, if it's sunny, it's sunglasses, that sort of thing. If it's raining, it's raincoats, umbrellas. And in the afternoon, as it gets cold, sweaters and coats come in. So the street vendor has to have four merchandises daily, to be able to switch quickly. That's what makes the difference, speed, while formal commerce only works with one season at a time.

On Rua 25 de Março, in Brás, Jews, Germans, everybody together and nobody is discriminated against. This is very cool, compared to other countries, because even in Brazil, some states have problems accepting this kind of coexistence.

Can you imagine a hundred and fifty thousand street vendors working every day, selling on average three or four hundred reais a day? We contribute a lot to the economy, with our small economy. Also the convenience for people buying useful things on a daily basis. Example: today I forgot to buy a needle, an apple; I pass by the street vendor and take them home. So this

is the dynamic the informal economy offers society, and that big commerce doesn't. It's a very large contribution, to make it possible that raw material gets to the consumer quickly.

The informal economy has the advantage of helping a part of big formal commerce, which doesn't have any way of providing the service we provide. That's why they are two economies that should work together, the informal and formal economy, because the formal can't keep up with delivering merchandise directly and quickly. The right way of thinking is absent among scientists, economists, even the very Chamber of Commerce, who should acknowledge that it helps the other economy. And the same thing for recyclable materials collectors; they are viable for society, because they are removing that refuse and re-using a lot of things that go back into the economy.

What people don't realise or don't want to see is that the street vendor also wants to pay taxes. There are no vendors who don't wish they were regularised in order to work freely. To have an idea, today there are more vendors working without licenses than with, like the old-fashioned peddler. Therefore these things must be discussed: the dynamic of the worker, his or her taxes, laws, rights, since many times there are no rights, especially INSS (National Social Security Institute). It's all pretty incoherent, it needs to be discussed better and a first step, something to try to find a better way to do things, must be found.

Today street vendors have many health problems, too. The street brings a lot of disease: urine from rats, urine from God-knows-what, there are no bathrooms, especially for women. So there is a lot of disease, deafness in people who listen to car noise all day long, sonic pollution in their ear, many with spinal problems because they carry their stand on their backs. This area of street vendor health care is very complicated; that's why it's a really important topic.

And there is no organised sector on Earth that isn't collective. The street vendor can dream of being independent, but in truth, he or she isn't. Because the craftsman has his collective, his association, his union; the lawyer, the bricklayer have the same thing. Everyone has their worker organisation and education must be a tool. There is no place on the planet for those who don't organise, it doesn't exist. The majority has to be organised; the union is fundamental.

We have to learn to live together, we have to learn to win over society, because oftentimes we have the image of opportunists, who don't want to work! Others say: "It's a bunch of lazy bums who don't want to pick up a hammer, or study!" But that's not right, that's the error society makes.

The informal economy is very important to the entire society and it has

to organise itself better to attend to society, and better respect society. It has to know that public spaces are not only for street vendors and also not only for pedestrians, it's everyone's. We have to know how to direct it in a way that everyone is happy with. Brazil without informality doesn't exist!

3.5 Francisco

Francisco is a rustic man from Piauí – of few words and a lot of leg. Street vendor “on the run,” he zigzags through the streets of downtown São Paulo to sell his merchandise and live with dignity. Marked by several setbacks, he had a childhood full of responsibilities and, like so many others, took over the household when he was still an adolescent. A worker with the scars of a history of struggle, he had to grow in both space and time. Francisco wants to do more than just survive.

I'm Francisco Ferreira da Silva and I have a story to tell: I'm fifty-six years old and I come from Vargem Grande, Piauí. My childhood was like this: from my house to work and from work to my house. I only went to school for a few years. At fourteen, I lost my parents, and since I was the oldest of my brothers, I had to take care of the family so that my brothers didn't go around to other houses asking for handouts. I left the house at five in the morning and arrived at eight at night, always working to support my family.

At that time, I thought it was an outrage to show up at somebody's house asking for food to eat. So my childhood was like that, working day and night to not have to see my brothers beg.

Where I lived, there was no way to take care of my family. So I thought it was better to come work in São Paulo and try to sustain my family. I came with the uncle of a colleague, an older man who was manager of a construction store, who brought me, while still a minor, to work with him, and got me a job as janitor, cleaning the building. I spent three months without receiving a penny, because I had borrowed money from him up north, and now I had to pay him back. After three months, I started to receive some “rat leather”. Even then, the money was very little.

These days, I can say that I'm well, thank God. I'm not better because of my health since I was operated, and I think I am going to operate again, but from the point of view of someone who came down from the north, I'm well. Money I don't have a lot of, but I have food to eat. I've even got some money to send back north, thank God, through working and saving.

Today I live alone. I had a wife but it didn't work out. It's been about eighteen years since we separated. She lives her life and I live mine. I have

three children with her and one that I raised. The one I raised is married, with three kids. My oldest son has a son. I also have a sixteen-year-old girl who is married, thank God. And I have a grandson. And I have a fourteen-year-old boy, but he isn't doing better because, when he left, he got involved with drugs. My oldest calls me every day. The others live with their mother, but when they need anything, they call. So I give them what they need, and what I can do to help, I do.

Before becoming a street vendor, I had a bar. I worked in the bar with eight other employees. I had to pay taxes, rent and often the money I made was only enough to pay the employees; there was nothing left. At the time, I also had some carts, selling stuff in the street, and then I went and sold the bar and just worked in the street.

I've been a vendor for thirty-three years already. I always worked with my carts in the street and that was how I got "a little something". We make little, but the little you make, you save. Today I work from noon to five o'clock in the afternoon. I sell soda, water, drinks, chocolates.

The day-to-day life of a street vendor is win or lose, because the "men" (police) don't go light on you. During the week, when it's hot, I make a little money, but if it's a bad day and the "men" don't let you work, you don't make anything. It's best to go home, so you don't lose your merchandise, don't stress out, because it's easy to get unnerved by the police persecution. And to not get crazy and do something stupid, it's better to just get your stuff and run home. When it's possible to work, we work. When it's not, we stay home.

Street commerce in the city is really important. Workers always look to work in a union, we talk about what we can sell in the street, the products that give the most profit, always looking to help. If one sells popcorn, the other sells corn, without anyone putting down anyone else's merchandise, because we're all in the same boat, there's no way we can be against each other. There's no difference at all between a shopkeeper and street vendor, because, to me, they're both workers.

I don't have problems with stores. In fact, I even have friends. When I ask to locate near some store, many tell me: "You can come over here, and if you need us, Mr. Francisco, you can count on us. If the "boys" appear, you can come in the store and hide". I always talk to them and, when I need change, I ask them. And, sometimes, they get it from me. We have to try to have friends and not enemies. Wherever I go, I act to avoid any problems.

So I'm a guy who likes things the right way. If it's yours, it's yours; if it's mine, it's mine, thank the good Lord. Wherever I go, in São Paulo, I walk with my head up, nobody can say: "That guy owes us! That guy over

there is no good!” Not about me, because I like an honest deal.

My dream is that, even before I die, I am able to buy my own business. Something small, a small bar, to not have to work under the rain and sun, have a little place, two by two metres, for me to sit, selling my stuff, because I’m getting to the age now that nobody gets someone this old to work. It could be a small place for me to live my life without running from the cops, from the authorities, the metropolitan guard, the transport authorities. And when they stop me, I can say, “I’m regular, I’m on the up and up!”

So my achievement will be this, and I’m going to achieve it, God willing, because that’s why I work. And I know that if I have to spend ten reais, I’m not going to spend ten reais, I’m going to spend just five and leave five for another day. I need to save money, because look at my age! I’m thinking about the future. I want to be able to work without having a headache and leave something for my children to say, later, “Man, my father died, but he at least left this here for us, because my dad was a hard worker, and honest”.

I believe that my contribution to São Paulo is made when I go buy my merchandise, because, bit by bit, you pay the taxes. So, in a way, I am contributing to the economy, even working in the street and it being small-scale, we pay the municipal government many times over. They say nobody pays taxes, but in everything you buy, you’re paying taxes. If City Hall gave us licenses, it would be a million times better, because when you have a license, you work without needing to run all the time. Street vendors are workers, they don’t have documents, but they pay for their merchandise, so they’re workers. I have no doubt that the city sees vendors as workers.

But we’ve had some hard times, the crisis during the administrations of José Serra and Kassab, who put the military police and the City Hall inspectors after us workers, and when they couldn’t get us, they would swing their batons at our legs. We fell, we lost our merchandise, shouting. . . “It’s lost, it’s lost!!!” They’d shoot into the air, escaping from City Hall, we’d be met by the military cops, escaping from the cops, we’d run into City Hall people, so it was a sacrifice for us, this persecution. Haddad (the current mayor) isn’t being as good as he promised, but fifty percent already improved for us, because we’re working, and the cops just arrive and say, “Old man, get out of here, you can’t stay here”.

Now with Kassab and Serra, we ate the bread the devil baked! There was a time I lost merchandise three times in one day, I borrowed money to buy more, and they took everything. And if you resisted and didn’t let them take your stuff, they would lower the boom, using spray, gas in our faces. Once I told one of them:

- Things aren't like that; I'm a worker, not a thief. While you guys are going after the workers, the thieves are snorting and smoking, and you don't do anything.

I'm in favour of a workers' union. If street vendors unite, I would be on their side. I speak for myself and my partners that work with me, who are all united. If the street vendors had organised, we wouldn't have this commotion. It's really important for São Paulo, the organisation of street vendors. In Rio, when the vendors are working, the City Hall goes after their stuff, but they don't let them take it. But here, no, not that. There's no union.

3.6 George (*in memoriam*)

Georjão¹⁷, as he was known throughout the São Miguel Paulista boardwalk, was a street vendor for three decades in one of the most heavily populated districts of the eastern part of São Paulo. Emphatic in words and tears, he spoke of the challenges, struggles and accomplishments that accompanied him. Since he was small, he had to overcome several obstacles: the “paralysis” of the schools, that don't guarantee access to education and socialisation; the oppression of the State in 1964 (TN: the year of Brazil's military coup); and a change of city. A citizen both simple and complex in the multiple forms of adaptation and survival of the human being.

I'm George Washington Mota Leite, and I have a story to tell: I was born in Rio de Janeiro, but came to live in São Paulo because of the dictatorship in '64. My father was a political prisoner. When I was three years old, I suffered a paralysis, so I didn't get much out of my childhood. We left Rio de Janeiro while I was still small and came to live in São Miguel (Paulista). My father came first, bought a house and later we all moved in. We had few things, because at the time, when he was imprisoned, we lost everything. I live in this house with my wife, my children and grandchildren. I worry a lot about trying to maintain their quality of life, because it's really hard.

I'm fifty-six, and went to school only until the fourth grade. My life story is of many sacrifices, because, due to my deficiency, I always had to depend on others. During my school years, my father always had to pay somebody to take me and get me. Schools didn't have any way for me to get in. So much so that I actually went to study in other buildings, because schools had no accessibility, there was no special table or any health clinic.

¹⁷During the making of this publication, Mr. George Washington Mota Leite passed away, in the month of September, 2013.

The foundation of the family is me and my wife. We have three children, a boy who lives in Guarujá, married, and the girls, who live with us. The youngest is going to marry and the oldest is separated. With my work, we sustain the entire family. So, since City Hall messed with us, our finances worsened a lot. I myself went nearly a year without working properly. We're only beginning to "crawl" again now and starting all over again. Likewise, I can see my children getting better, too. My son, the oldest, wants to become a lawyer. The girls weren't able to continue at school, they stopped after the third year, but I always tell them to go back, because today in age, either you study or you don't build anything. In the old days you could make money without schooling. Today it is very difficult and I think young people need to study.

In my time it was quite different. It was hard; I suffered a lot. I couldn't feel my legs, I didn't sit down. Later I started to feel my legs, started to sit down, and lead a normal life in a wheelchair, I even started to dance! I say I'm a different kind of disabled person, because most of the disabled people I know are all quiet; not me. I always liked having a good time, I love the nightlife.

Another accomplishment of mine is the struggle to work as a street vendor during the time of ex-mayor Pitta. I had to practically shackle myself to the regional sub-district's City Hall to have the right to our work and space back. Besides the vendors already there, our number grew by some thirty or more. That and several other things we achieved that time. During the Kassab administration, I almost threw in the towel, I couldn't take it anymore. Thirty years in the street. In São Miguel, the guys consider me a leader, so several come to talk to me.

I started to sell sweets in a van that my father gave me. I even changed history a bit, because people used to sell sweets from their carts, often uncovered. And since I worked just up the hill from the emergency room, the doctors and nurses would pass by licking their lips, but never stopped to buy anything, so I said, "Alright, let's put some bags around these sweets". And that's when we started to put the sweets in bags and they started to buy them. From then on we started making a little bit of money.

My life isn't easy, it's not just anyone who could handle it! Every time I have to work, it's two kilometres to come and two to return. I get here around nine o'clock in the morning and leave at eight at night, with sun, rain, and when it's raining a lot, I usually don't come; my wife comes. We don't have a car and there's no way to use a bus; I'm afraid of falling inside the bus. I'm even looking now to see if I buy a smaller wheelchair to be able to come by bus, because I can't take it anymore. When my wife can't push

me on the way home, I pay somebody to take me. I have diabetes, my vision is limited and at night it's dangerous. There are some streets I take that are one-way; the cars aren't careful.

If I told you everything that I've been through as a street vendor, we could write an entire book about old Georjão!

Street commerce has changed a lot, and I'm still at it only because I don't have any other option. There are many abuses. This street vendor life is a huge sacrifice. Vendors sacrifice their lives a lot, but today there are a lot of people making a lot of money and not leaving any space for others in need.

Those of us who work in the street deal with various people, we know a lot of people, lots of rituals, culture, you learn, it's an exchange of experiences, because our country is a mix of races. A general miscegenation! In São Paulo, we see Japanese, Portuguese, it's out of this league!

Between street commerce and store commerce, there are differences. Street vendors don't want any disputes with store owners. In São Miguel, on the boardwalk, there were never any disputes. Storekeepers in São Miguel want vendors, with the way we are, and the way we don't have any disputes. When we're not here, sales drop 70%. In my opinion, it's not fair to have to pay a rent of, at the very cheapest, 9,000 reais, pay employees, light bills, among other things, and have me putting the same stuff for sale, and not paying any taxes.

In the Kassab era, I was exploited a lot, because I had to pay something that was already paid for. In just those three years, I had to parcel out a debt of five thousand reais to be able to work, pay something off that was already paid for. Thirty years working in São Miguel, and they took everything just because I had gone to the bathroom. I can't even fathom this ridiculous repression in São Paulo. The police aren't at fault. The responsibility belongs to whoever ordered this, this fraudulent dictatorship. Kassab acted just like in 1964; he sent the military out to deal all the municipal regions.

Still, with my work as a street vendor, I was able to have three nightclubs, a company that I was opening, but I was robbed, and I was able to help out with the weddings of my children. All that, a product of my hard work. Now I have to work hard for my grandchildren, who are really like our own children.

Today, in our society, there is still a lot of discrimination against street vendors. Today I can only relax because, when I walked around confident, I was stopped by the police. They'd ask me what I was doing to make a living, just because I had a watch, nice, expensive clothes, but I was in a wheelchair. They thought I didn't have the right to be in a wheelchair. And

so street vendors can't use any of those things. This always happens in our society! When I'm in the street, right next to my stand, people stop to give me looks, because I'm in a wheelchair. People don't see me as a worker; they see me as a beggar. Sometimes I'll be going somewhere, and I have to ask to pass by, and many look at me and laugh. I get mad, it makes me want to raise my chair up. The discrimination is large.

Where I work, in the São Miguel region, that built a public bathroom, but not wheelchair-accessible. Only after a big fight did they finally put a ramp in! I don't have the right to come and go, the guys there limit my right. So that for me is discrimination.

This discrimination, I'm not saying it's everyone, but it exists. When the mayor himself goes in TV and says he's getting all the riffraff off the street, in reference to street vendors, what is society going to think? An inaccurate image was constructed of the vendors. I have participated in many meetings in São Miguel where we were called trash. I intervened and said, "Look, my comrade, you're wrong about what you say, we're not trash, we're parents hustling after our daily bread".

Street vendors contribute a lot to our society. If a worker earns the minimum wage, he pays three hundred reais in rent, then he has to buy food, in general, and pay for light and water, and at the end of the month, he's left with, let's say, fifty reais. With that is he going to be able to buy things for his children in a store? No way! In the street, he will be able to buy stuff, so you see the difference. Another example: if you buy a snack in a snackbar, they'll charge you four reais, and in the street, you pay two fifty. That's why street vendors contribute to society, especially for the population earning minimum wage.

I always try to participate in organised networks; I'm even the president of the Disabled Association of Eastern São Paulo (ADLESTE), who organises street vendors with or without disabilities. I participate a lot in street vendor issues. Street vendors are basically this: they just want to get together when the man is cracking down on them, that's when everyone remembers that there is an association whose president is required to stand up for them. Many don't understand that the president is a vendor just like them. The guy has to leave his stand to try to resolve general problems.

It doesn't cost the association anything to go to the regional City Hall offices and talk to them to try to change some things in their general outlook, cleanliness, provide a canopy for the stands. That's the organisation's role. If you do that, what happens? The politicians will see us with new eyes. We're working on the social aspect, earning our money and helping the neighbourhood grow, collaborating with City Hall on some things.

So we need a union. If our companion has a stomach ache, over in another area, and there is nobody there to help him, it doesn't cost us anything here in São Miguel to get together and help. We don't have to wait for the crack down to then try to unite. It's no use, because that's shooting ourselves in the foot! When there's organisation, it's like that old saying: "the union provides the force!"

3.7 A cross-cutting view

3.7.1 Occupational history

The stories recounted in the interviews reveal different difficulties from an occupational trajectory perspective, from premature entry into the labour market, to the difficulty of completing elementary school, to migration to other states, to physical disability, to successive economic crises, among others. One notes that informality, in these workers' lives, was almost always the result of a conjunction of personal and structural factors, and revealing of resistance, perseverance and dignity, along the path of informality.

Despite the diversity of context, the lives of these workers have in common an objective difficulty of insertion in the formal labour market. In this sense, despite being personal stories, they are emblematic of a large contingent of the Brazilian population. Despite prosperous or decadent economic contexts, informal workers represent, in the last decade, half of the labour force in metropolitan regions, as seen in the DIEESE data to follow¹⁸.

Below some historical and recent aspects are presented which are structural to the systematic permanence of informality in Brazil.

The peculiar Brazilian modernisation process, and late industrialisation, failed to enact structural reforms, such as agrarian, urban, tax, social security and political, which would have promoted a reduction in social inequality. This is a development model that favours the interests of capital, and which left a permanent historical legacy of wealth and land concentration, institutional violence and fragile social dialogue.

Despite there being academic debate on what constitutes the "new" informality, as a result of the loosening of relations between labour, outsourcing and subcontracting, the "old" informality persists since the beginning of Brazilian history. Informality is maintained even in cycles of economic

¹⁸GARCIA, L.; MAIA, R. A Informalidade no Brasil. In: OLIVEIRA, Roberto V. de; GOMES, Darcilene; TARGINO, Ivan. (Orgs.). **Marchas e Contramarchas da Informalidade do Trabalho**. First edition. João Pessoa: Editora Universitária UFPB, 2011.

growth and “inclusion” of workers in consumption. In the meantime, data related to economic growth in recent decades, supported by GDP growth and growth in the number of formal, registered jobs, are used with the intention of legitimating actions that expel or criminalise informal urban workers.

In Brazil, the contradiction between economic growth and the maintenance of informality persists in new forms of worker exploitation, among them, autonomous and subcontracted workers. Both informal situations find their basis in the historical patterns of labour market development and gained new forms in the context of contemporary productive restructuring.

Informal labour in urban areas, according to research by DIEESE in 2009, is still the reality for practically half (48.2%) of the working population in Brazilian metropolises¹⁹. The varying informal arrangements form an important part of the whole of Brazilian economic activity. According to the DIEESE’s classification, there are three main segments that compose the informal market: sub-contracted labour (outsourced and autonomous workers inside companies), illegal employment (absence of signed working documents) and self-employed work (autonomous workers at more than one company, for the public or owners of family businesses).

Street vendors are autonomous workers – or “self-employed” – who are connected to direct and indirect commerce, carrying out activities which, although subordinate to the market, still have a certain margin of autonomy. These workers do not have any exclusive relationship or connection to companies and sell directly to the final consumer or re-seller.

A special tally by the Employment and Unemployment Research (PED-DIEESE)²⁰ raised the existence of 138 thousand street vendors (1.5% of all working persons) who lived in the metropolitan region of São Paulo and worked in the capital there during 2010-2011. This tally characterises the typical street vendor with the following profile: 58.6% are men; 54.7% are over forty; and 43.4% didn’t finish primary school.

Also noteworthy, according to research by João Batista Pamplona²¹, is

¹⁹GARCIA, L.; MAIA, R. A Informalidade no Brasil. In: OLIVEIRA, Roberto V. de; GOMES, Darcilene; TARGINO, Ivan. (Orgs.). **Marchas e Contramarchas da Informalidade do Trabalho**. First edition. João Pessoa: Editora Universitária UFPB, 2011.

²⁰This tabulation was done by DIEESE in 2011 at the request of the Gaspar Garcia Centre for Human Rights and was not published.

²¹PAMPLONA, J.B. Study **O Comércio de Rua na Cidade de São Paulo: Evolução Recente, Perfil e Política de Regulação**. Report produced through the ANPEC-BNDES accord. São Paulo: BNDES, 2011. Source: BNDES - Banco Nacional de Desenvolvimento Econômico e Social website. Available at: http://www.bndes.gov.br/SiteBNDES/export/sites/default/bndes_pt/Galerias/

that the majority of street vendors are the heads of poor households (53.1%). For the researcher, that data represents something important to reflect upon: “Belonging to poor families reduces the chances of an individual gaining salaried employment in the formal sector, especially a good quality job, since the social network in which he or she participates tends to be less capable of helping him or her reach that goal”.

Faced with such a reality, the stories of these street vendors demonstrate that the context of social vulnerability characterised by low family income, difficult access to education and the necessity of additional contributions to the family income, were overwhelming factors for the premature entry into the informal and precarious labour market. This reality collaborated in the fragmentation of their life trajectories, as well as in the impossibility of reconciling work and study. Also deserving consideration is that there are cases in which the street vending tradition is passed from parent to child.

The data from PED-DIEESE illustrates the difficulties of these workers’ access to education, since 43.4% of street vendors haven’t finished primary school; 21.3% didn’t finish middle school; and 27.5% didn’t finish high school²².

Besides the patrimonial²³, exclusivist model not being recent, informal workers are subject to urban segregation. As an example, in the city of São Paulo, there was an attempt to extinguish street commerce from public spaces in 2012 by mayor Gilberto Kassab, when large urban development plans and mega-events were being discussed to be implemented in the city, such as the Lapa-Brás Urban Operation, the Nova Luz (“New Luz,” in reference to the Luz neighbourhood) project and the 2014 World Cup. Prior to this attempt, there were only 5,137 licenses granted for street commerce, a laughable number in relation to the total count of street vendors in the city. In 2013, entities representing street vendors believe this number to be less

Arquivos/produtos/download/PDE2009_PUCSP_Pamplona.pdf. Accessed in October, 2013.

²²Data gathered by DIEESE from the project *Pesquisa Emprego e Desemprego (PED)* in the metropolitan region of São Paulo, apart from the municipal area of São Paulo, in 2010-2011. This tabulation was done by DIEESE in 2011 at the request of the Gaspar Garcia Centre for Human Rights and was not published.

²³Patrimonialism, for Faoro (2001), is the combination between land concentration, economic power and political power, that structures a profoundly unequal society. Is it manifested in the capture of the public sphere and accumulation of land and real estate by private interests and is sustained, overall, with the contribution of the State. The country maintains this patrimonial standard both in its transition from a predominately rural country to an urban majority, and in its cycles of economic growth. Thus, from this matrix the Brazilian cities are constructed and maintained. Ref: FAORO, R. **Os Donos do Poder**. São Paulo: Globo, 2001.

than 1,000 licenses.

In sum, the historic patterns and systematic exclusion from the formal labour market, added to the recent patterns of productive restructuring and urban segregation have maintained many workers on the margin of wealth appropriation, access to urban land and the right to work.

3.7.2 Work: dignity vs. prejudice

The life stories of the six street vendors demonstrate the ambivalence between the self-recognition of the social function of the work they perform and the little recognition that society and the State lend the activity.

Street commerce is still subject to all sorts of prejudices: association of the vendor with “pirate” or low-quality merchandise, non-payment of taxes, inadequate hygiene and causing of disorder in the occupation of public spaces. Such prejudices result in a series of contradictions in society and in the regulatory role of the State.

Brazilian society is marked by profound inequalities. In that context, certain sectors impose a conjunction of values on all of society and define what should be socially acceptable, with the objective of maintaining their privilege. In relation to street commerce, it is possible to see the use of instruments to delegitimise and criminalise street vendors. The mass media and the State have reproduced this prejudice.

Moreover, the State has historically overlooked the creation of norms compatible with the reality of street vendors, imposing an impossible burden on them in order to formalise their activity. The State should offer conditions that allow workers to abide by legal demands, offering technical support, orientation, training and assistance. There is an abyss between the outline of norms and the socioeconomic reality of a large portion of informal workers, which is exactly what generates the mentioned prejudices.

Not only by omission, but also by action, does the State reproduce prejudices on the part of public agents who utilise questionable methods and submit street workers to dehumanising conditions. Various reports have pointed out that these agents “combat” street commerce with the following practices: taking and tearing documents; fining workers for not being present, whether because they went to the bathroom or a medical appointment; prohibiting the use of umbrellas to protect the workers; and, in extreme situations, the use of threats and physical violence in the apprehension of merchandise or removal of vendors from public spaces. Thus, they are exposed to the most varied arbitrary acts, such as physical and verbal aggression, disrespect, threats, inappropriate confiscations and fines, summary license revocations,

among others, which reinforce even more the violations these workers suffer.

Even with the prejudice and stigmatisation, the street vendors interviewed sought various means of overcoming these, and, through their work, reaffirm their dignity and that of their relatives, as the following systematised narratives illustrate:

- informal labour did not impede the worker from raising their family, getting his or her own house and giving his or her children more favourable conditions for study and work;
- the adversity and violence in the work environment did not impede the worker from having access to high school education and becoming a representative leader of other workers;
- the powerful testimony shows an occupational trajectory marked by more than twenty years of street commerce and the unsuccessful search for formal employment. Despite the removal of the only source of income via informality by the State, they continue the collective struggle to believe in the dignity of this occupation;
- the workers stressed the importance of socialisation in the streets, through connections with their customers, as well as services such as, for example, offering citizens information about the city.

Street commerce serves an important social role in the generation of income, a raw fuel to proportion dignity and subsistence to the worker and his or her family. It represents an opportunity to guarantee rights to families, though often of a precarious form. Thus, these workers' perception of their activity contrasts radically with the dominant prejudice.

The reality of Brazilian society's consumption reveals that a portion of citizens seeks products and values that are accessible and compatible with their incomes. Street commerce responds to this demand, allowing for certain products to get to the working classes as well. Furthermore, street commerce possesses the capillarity and accessibility to allow for products to arrive close to the consumer.

The generalisation that all street workers are necessarily associated with illegality and social and urban chaos and, therefore, should be fought and eradicated, contributes to the permanence of stereotypes and criminalisation of the activity. The negligence and discrimination committed by agents of the State and sectors of society end up collaborating to the non-inclusion of this sector in urban planning, in employment and income, labour support and social assistance programs, among others.

The stories expressed in this book look to collaborate for a change in perception on the part of society and the State in relation to street vendors, recognising the important and legitimate contribution this occupation makes to society.

3.7.3 Building the future

In the workers' stories, a contradiction between the desire and perseverance to continue in the activity and the total absence of (legal and economic) guarantees appears.

According to the workers' reports, migration was for many years the only alternative for survival and improvement of living conditions by means of work. São Paulo was seen as the land of opportunity and many, upon arrival, were only able to secure work in the informal sector. Currently, it can be noted that the profile of the street vendor is increasingly heterogeneous, characterised by diversity of origin, ethnicity and length of residence in São Paulo.

Independently of their origin, everyone recounted achievements through street vending, even if minimal, allowing for improvement in their family's quality of life. These achievements range from affording adequate education for children to the financing of their own property. Such dreams have a strong symbolic weight of personal realisation via the sweat of their very brow. With a lot of effort and daily struggle, they try to guarantee a better future for their children, different than the opportunity they themselves were afforded.

Meanwhile, a secure future is well beyond the material achievements granted by such proceeds. The existence of the right to work in the Constitution as a social right hasn't guaranteed the universalisation of access to formal employment and adequate working conditions. Furthermore, this right is also a means through which others can be reached: right to adequate housing, quality health care, full education, etc. The future of these workers and their families is often compromised by the fact that they aren't recognised as citizens deserving rights.

In this sense, it is important to mention that the overlap in vulnerabilities and precarious settings isn't only associated with income insecurity, but with recognition of the minimum rights proffered in the Decent Work Agenda elaborated by the International Labour Organization (ILO). Decent Work is understood to mean "work adequately compensated, performed in conditions of freedom, equity, human security and capable of guaranteeing dignity"²⁴.

²⁴ILO. **Agenda Nacional de Trabalho Decente**. Brasília: ILO, 2006, p. 5.

The ILO launched the Decent Work Agenda looking to take on the perverse, suppressive transformations of rights in the labour world and place the onus on the State, corporations and workers organisations to affirm fundamental labour rights. Issues such as quality job creation for men and women, extension of social protection, promotion and strengthening of social dialogue and respect for the fundamental principles and rights of labour are the main points of the Agenda.

For the street vendor, building the future, in this sense, isn't only earning enough for one's daily bread, but the effectiveness of the rights of this Agenda, such as participation in discussion and public policy formation channels, access to social security, safety and health care in the workplace and the eradication of all forms of violence, discrimination, moral harassment and child labour.

Aside from the ILO's Decent Work platform, there is another challenge to be overcome, which is the strengthening of these workers' power to make demands. Without the organisation of workers, they have no way to apply pressure in order to attain means of discussion, formulation and negotiation of public policies without depending on clientelism to achieve their demands. Furthermore, participatory processes require the utilisation and consolidation of democratic decision-making instruments, so that collective needs can be contemplated and brought forth by their representatives.

3.7.4 Solidarity and Struggle

The interviews show that all these workers consider organisation and mobilisation to be extremely important for their sector. However, a large gap can be noted between the desire to organise and effectively having an organisation that empowers workers. This difficulty to organise is often a reflection of rights violations on the part of the State and the conflicting relations between the vendors themselves.

The history of rights violations, the precariousness of living conditions and the stigmatisation in relation to street vending are obstacles that block an awakening of the collective consciousness that these are political, rights-bearing subjects. Furthermore, clientelist political relations, the fragmented channels of dialogue with public authorities and the absence of public policies for street commerce are factors that complicate the organisation of workers.

In street commerce, the individual work environment, the competition of sales and the dispute for public space constitute elements that impede the aggregation of workers around the same ideal. Furthermore, Brazilian society has stimulated individualism as a means of conflict resolution, distancing the

structural context that affects the entire sector of workers, complicating the perspective of a collective struggle.

Despite this challenging panorama, the workers put solidarity into practice daily in protection and defence of their work and form spaces for socialisation for the sector's common struggle. In the process of solidarity and struggle, leaders emerge among the street vendors with distinct experiences in popular organisation, in different degrees and political perspectives.

In the workers' accounts, the pointed differences and challenges of collective organisation are evident. Additionally, such organisations present difficulties in terms of renewing leadership in their ranks and in recognition of the political and economic dimension into which informal workers have been inserted.

The policies implemented by the public authorities create a scenario of insecurity and disinformation about street workers. This is often by way of electoral political interests, who favour clientelism, personality-based leadership, the delegation of representation, guided partisan affiliations and the absence of democracy in organisational decision-making processes.

There is a discrepancy between worker participation in the formulation of policies to further their rights and the unilateral formulation of the same on the part of public authorities. This discrepancy has made impossible any advancement in the consolidation of public policies on street commerce that allow for an increase in work opportunities.

In the current trajectory of organisation, certain street vendors collectives have attempted to network with other sectors that are seeking the realisation of their rights. Such networks have allowed workers to perceive that socio-territorial segregation equally affects different segments of society, allowing for the growth and strengthening of the collective struggle for rights. Networking and forums allow street vendors to resist, dialogue and organise proposals for the construction of public policies.

4 Part II – Collective experiences of organisation and networking

4.1 São Paulo

4.1.1 Contextualisation

Street commerce is referred to in Municipal Law 11.039/1991, published during the administration of Mayor Luiza Erundina, which sets guidelines for the exercise of commercial activities and services in the public streets

and pathways of São Paulo, and which had its last regulation via Statute 42.600/2002, published during the term of Mayor Marta Suplicy.

Despite the legislation that regulates street commerce having originated in 1991, the persecution, discrimination, violations of street vendors' rights and, especially, their exclusion from public spaces, have continued throughout the years. The term of Mayor Marta Suplicy (2001-2004), for example, began with twenty-three thousand licenses for street commerce and ended with just six thousand.

Beginning in 2006, street vendors suffered an intense and arduous process of license repeals. Licenses were even totally prohibited in May of 2012, when then-Mayor Gilberto Kassab signed Statute 53.154, annulling the previous statute that had regulated street commerce. This arbitrary action was the final blow of legal extinction for an activity that has existed for at least a century in the city of São Paulo, under the generic justification that:

[. . .] adopting measures to improve urban life and well-being of the local population, allowing the restoration of order to public space, assuring accessibility for pedestrians and preserving urban landscape and cultural patrimony. (Statute 53.154/12)

As well as:

[. . .] of the difficulties faced in the regulation and control of street commerce, leading the Administration to solutions more consistent with human dignity, through the articulation of actions and public policies integrated in the municipal arena, aiming at the formalisation of entrepreneurial activity in the City. (Statute 53.154/12)

Thus São Paulo municipal government, under the justification of solving urban issues, tried to cause the exclusion of street workers. Only after intense organisation among the workers, street protests, intervention of council members and legal action brought against the violations and prohibition of street commerce, City Hall declared the existence of projects to reallocate and insert street vendors into the formal labour market.

Meanwhile, there was no fulfillment of the local government's promises, which lacked viability and executability. One example was the job offer of pedestrian crosswalk guides to street vendors with visual deficiencies. That

proposal was not viable and was considered extremely disrespectful and humiliating by the workers²⁵.

In the beginning of 2011, facing unfavorable conditions for street vending due to the Kassab administration, the workers began the organisation of their movement, utilising strategies that led to the creation of the Street Vendors Forum of the City of São Paulo, known as the Street Vendors Forum. This context of repeals and persecution of the sector led to the strengthening of their organisation, making change possible: from a predominance of individual defensive actions to collective actions.

Faced with various violations, there was no other way but to take their case to the Judiciary. By exercising the right to justice, the Gaspar Garcia Centre for Human Rights and the São Paulo State Public Defender gathered evidence and documents presented by associations, trade unions and collectives of street vendors, and proposed a Public Civil Suit (ACP)²⁶ in May of 2012 against the local government.

This legal action's urgent measure, handed down by the judge of the 5th Court of the São Paulo State Department of the Treasury, was the immediate abstention by the public authorities from removal of street vendors who had their licenses repealed or revoked in the year of 2012, and authorising yet the return to activities of these workers.

4.1.2 Organisation process, causes and struggles

To the extent that the local government promoted the license repeals in a series of different regions throughout the city, the Street Vendors Forum became an instrument of struggle and organisation, a space of refuge for workers excluded and whose rights had been violated by the public authorities. At the peak of the persecutions, with repeals and revocations of all Permission of Use Terms (TPU) of street workers in the city of São Paulo, the Forum, together with other organisations, trade unions and movements, began promoting weekly public protests, protesting against the arbitrariness of the administrative processes, the lack of dialogue and the abuses in supervision of the activity.

²⁵This information was extracted from the text of the Public Civil Suit number 0021030-15.2012.8.26.0053, proposed by the Public Defender of the State of São Paulo and the Gaspar Garcia Centre for Human Rights.

²⁶Legal Process number 0021030-15.2012.8.26.0053. Public Civil Suit against Administrative Actions. Authors: Public Defender of the State of São Paulo and the Gaspar Garcia Centre for Human Rights. Defendant: Public Treasury of the Municipality of São Paulo.

The Street Vendors Forum of São Paulo is a municipal network composed of associations, trade unions, collectives and entities that represent the sector, with the participation of workers from several regions of the city, among them: Butantã, Brás, Centro (City Centre), Conceição, Jabaquara, Lapa, Santana, Armênia, Santo Amaro and São Miguel. Its goal is the recognition, planning and organisation of street commerce in the city of São Paulo, as well as the development of strategies and collective actions that focus on public policies to improve living and working conditions for street vendors.

In the organising of these workers, other participation and support deserve mention, such as specialists from universities and research centres, entities that support workers, social movements and public agents.

In the months of May and June, 2012, due to intense police repression ordered by the local government, street vendors staged protests at the City Hall building, the City Council and the São Paulo State Courthouse, which included participation of around one thousand five hundred vendors. The protests marked the history of these workers' struggle.

During these public mobilisation process, the use of media was important, strengthening the resistance and raising awareness among civil society of the innumerable rights violations that had been occurring.

The participation in the Forum is also a channel to strengthen the vendors, since various subjects are brought up, decided and forwarded collectively, making the force of the struggle and the collective organisation overshadow the fragility of individual defence. It is a space for effective participation, where all can express their opinions, hold democratic debates, with the opportunity to listen and be heard.

To guarantee democratic and participatory processes among the street vendors, after discussion and debates at the Forum, a Congeniality Pact was celebrated, with the following guidelines:

1. mutual respect in treating others exactly how one wishes to be treated
2. valuing the people present, knowing when to listen and when to speak at the right time
3. necessity of understanding the street vendor cause as common to the sector, for the strengthening of the group
4. respect for diversity and singularities, within a democratic environment for participation
5. unity and collective construction, conscientious that discussion is welcome within the agreed-upon guidelines.

It is within that perspective that the Gaspar Garcia Centre for Human Rights have been working together with the Street Vendors Forum, offering opportunities for reflection, stimulating the organisation of workers and strengthening the confrontation of rights violations. The Gaspar Garcia Centre, according to its principles, works with the Forum to contribute, promoting the autonomy of political subjects – the vendors – through stimulation of knowledge building around their reality and focus on public policies to overcome adversity. To that end, the entity is present with support and legal assistance that aren't only restricted to the Public Civil Suit. The project also has an Informal Worker Reference Centre where workers are assisted and their demands are forwarded to the competent public organs.

Furthermore, training activities were held, focusing on popular education and political organisation from the perspective of collective, democratic struggles. In this way, dialogue was encouraged between the vendors and other movements, such as the Popular World Cup Committee, Popular Movements Centre, Housing Movements Union, National Street Vendors Network and StreetNet²⁷.

The process of networking among Forum participants empowered important actors to defend street vendors against violations of their rights. The participation of both the State Public Defender's office and the Gaspar Garcia Centre for Human Rights strengthened the ties between vendors. For the leader of the vendors and president of Street Vendors Commerce Association of São Paulo (AVACCISP), Whelington Belas da Cruz:

The Forum is 100% important for street commerce. It was through partnership of the Forum with the Gaspar Garcia Centre that we were able to file a public civil suit, which today guarantees the right to street commerce. If it weren't for this union of street vendors throughout the city [of São Paulo], the authorities probably would have removed everyone from the street. There's no way to measure the importance of the Forum.

In immediate response to City Hall's actions, the São Paulo Public Defender submitted a Public Civil Suit²⁸ in May of 2012 against the municipal government to prevent the expulsion of around two hundred street vendors

²⁷StreetNet International, founded in 2002 in South Africa, is an alliance of informal vendors from various countries. It is structured as a federation and brings together organisations founded in the principles of association and direct organisation of street vendors, such as trade unions, cooperatives and associations.

²⁸Public Civil Suit number 0017584-04.2012.8.26.0053.

in the region of São Miguel Paulista, in the eastern part of São Paulo. On May 24, the 5th District Treasury Court judge granted an injunction authorizing the two hundred workers affected by the revocation in the commercial district of São Miguel Paulista to remain working.

Knowing that the measure adopted by City Hall would apply to the entire city, the Gaspar Garcia Centre for Human Rights and Public Defender filed a public civil suit of wider scope, with contributions from workers from regions throughout the city of São Paulo, who brought together information and evidence proving irregularities that occurred during the proceedings.

The importance of this public civil suit was described thusly by public prosecutor, Dr. Bruno Miragaia:

I think the public civil suit had two objectives. The first was to stanch the action of the previous municipal administration, who abruptly and carelessly ruptured the history of TPU (vending license) concessions to street vendors. The second objective is currently to force the current administration to treat these workers with dignity, because street commerce will always exist in the city, be it formally or informally. A law isn't going to make street vending disappear. The suit looks to, with the demand for a municipal plan for street commerce, make the local government treat these workers who will always exist with dignity.

The suit ended up causing the judiciary to intervene in the expulsion ordered by the executive, the very authority that had originally granted permission to use public spaces. Besides dealing with the right of permanence of the licenses, violations of the principles that guide the city to the city, to popular participation and to work were also brought forth. A legal action sought the annulment of all the municipal government's administrative actions relating to street commerce that demonstrate the declared intention of extinguishing the activity in the city.

The street vendors' legal defence strategy brought discussion of social rights into the traditional judicial structure of the state of São Paulo. Initially the 5th Court judge ruled, in an urgent manner (through an injunction), to suspend the prohibition of street commerce imposed on the workers who had their permissions revoked in 2012, while also keeping City Hall from impeding the return of these workers to public spaces.

Following the injunction, the municipal government, through the attorney general, presented to the president of the São Paulo State Court, Judge Ivan Satori, a request to suspend the injunction granted by the 5th Court

judge. On June 11, 2012, the request to suspend the injunction was accepted with the opinion that the judiciary could not interfere in the actions of the executive branch and authorised the local government to continue its policy of street commerce removal, highlighting the justification of a “serious impediment to order”.

To revert the decision of the Court president, the Public Defender and the Gaspar Garcia Centre presented a legal recourse known as a Special Appeal²⁹ to uphold the effects of the injunction by the 5th court judge. This recourse caused the issue of street vending to repercuss in an historic manner all the way to the Special Organ of the Court, a body composed of 25 judges, competent to analyze the recourses against the decision of the president of the Court.

The result was in favour of the street vendors, with twenty-two votes in favor and three against. The votes in favor pointed out the social and economic aspect of the issue and stressed the necessity to provide a reasonable, nonviolent solution to the issue, protecting the rights of those without the means of maintaining the sustenance of their families. The following is taken from the decision:

The suspended injunction only reestablished the legal dictates related to the issue, in a way that avoids urban social conflicts of inestimable proportions set off by the arbitrary removal of workers, vendors, allowing these people to continue having a source of income until City Hall adopts appropriate measures, under the terms of legal order, and proves that the proceedings are legal, publishing the minutes. Moreover, it is verified as illegal that, from one day to the next, all workers who were in possession of a Term of Permission of Use of public spaces, find themselves in illegality on the grounds that they did harm to the public order, when in fact, they exercise activities regulated by municipal law and administrative acts based thereupon, through which these spaces were allocated by the municipality itself. Furthermore, the bill being debated harms the principle of legal security inherent in administrative acts, which emanated from a competent authority, as in the case of the autos. Finally, an offence to the principle of human dignity is noted, since these citizens were blocked from the legal exercise of their activities, through which

²⁹Special Appeal number 0117398-51.2012.8.26.0000/50000. Court of Justice of the State of São Paulo. Plaintiff: Gaspar Garcia Centre for Human Rights and Public Defender of the State of São Paulo. Defendant: Municipality of São Paulo.

they derive, with dignity, the sustenance of their families.

The municipal government insisted on political intervention through the judiciary to revert the 5th Court judge's decision and, in October of 2012, presented another claim to suspend the injunction, this time directed to the Supreme Court, against the decision of the Special Organ of the Court of São Paulo. The claim was denied by the minister in charge of the case, who reaffirmed the validity of the São Paulo Court's actions.

Through this brief history of legal actions, it is possible to see that advocacy constitutes an important tool for the defence of street vendors, holding necessary debates together with the judiciary to halt repressive actions of the executive branch.

- Political Journey: municipal elections

The result of the public civil suit in May, 2012, which introduced a new conjuncture to the electoral political scenario, allowed the Street Vendors Forum to bring forth a propositional agenda. Thus there was greater dedication to the elaboration of affirmative, pro-street commerce proposals, which contributed to public policy guidelines and urban planning.

The proposal elaboration and political networking processes were helpful in the construction of a project to create a municipal street commerce plan in the city of São Paulo. The set of proposals was presented to mayoral candidates, consolidating an inclusive development agenda for street commerce, divided into the following five axes:

- Axis 1: Street Vendors and the Right to the City:
 1. Participatory Diagnostics of the spaces;
 2. Urban and Economic Planning;
 3. Utilisation of Urban Political instruments for Popular Commerce's access to urban land;
 4. Schedule and financial policy for working spaces.
- Axis 2: Street Vendors and the Right to Work:
 1. Advancement in the regulation of authorisation to exercise activities which includes guarantees of space and time to the workers;
 2. Right to Social Protection (adapt micro-entrepreneur program (MEI));
 3. Business support, micro-credit;

- 4. Integrated management of the activity.
- Axis 3: Street Vendors and the Right to Popular Participation:
 1. Regional dialogue: Permanent Street Vendor Commissions (CPAs);
 2. Municipal-level dialogue: Municipal Street Vendor Council.
- Axis 4: Street Vendors and Human Rights:
 1. End of “Operation Delegated”;
 2. Pact between CPAs on regulation and control mechanisms for the sector;
 3. Creation of an Street Commerce Ombudsman;
 4. Monitoring of reports to the Municipal Street Vendor Council Ombudsman.
- Axis 5: Street Vendors and the Right to Popular and Solidarity Economy
 1. Agreement with Municipal, State and Federal Secretaries of Solidarity Economy.
 2. Pilot Program to support the popular commerce clothing production chain: worker empowerment; networking of workers in the chain: vendors, tailors and seamstresses and recyclers.

- (cont)

With the election of Mayor Fernando Haddad, whose term began in January, 2013, other actions were promoted by the Street Vendors Forum so that campaign promises were upheld and in order to influence the agenda of social change for workers.

In March of 2013, the Street Vendors Forum, with its Mobilisation Committee as intermediary, held a public meeting with Mayor Haddad. The workers again presented the Street Commerce Municipal Plan proposal, with an agenda that valued the participation of workers at all stages and reaffirming the end of persecution and repression. The mayor and the secretary of Regional Coordination promised to create a working group to discuss the street vendors’ situation in the city of São Paulo, and to create dialogue between vendors and the authorities, until then nonexistent. After many years of persecution and repression, there was finally a channel for dialogue that brought hope. The leader of the vendors of Brás (a São Paulo neighbourhood) and president of the Street Vendors of Brás Association (ACABRAZ), Fran-

cisca Vânia Maia, presented some important considerations on the new municipal administration:

I believe that Haddad will set things right for us, put the right people to work, new people, with good minds and who desire the right of workers and vendors. I believe that Haddad is a little bit lost, because he got into City Hall with it in chaos, with a lot of disorganisation and several regional administrators left over from Kassab's term. So, to create an organisation to streamline street commerce, we need to have people who are prepared, structured and wish to help the vendors.

The street vendors were a little more trusting of the new municipal administration, seeing that it was a government led by a party of popular ideology and politics, with a tradition of social compromise and popular participation. The workers believed in the possibility of re-establishing Municipal Law 11.039/1991.

- The Unfolding of the Public Civil Suit: conflict mediation between the municipality and street vendors

Believing that the most democratic and participatory path is dialogue, instead of the judicialisation of social conflicts, in May of 2013, a conciliatory meeting was held between the parties – the São Paulo Municipal Government, the São Paulo State Public Defender and the Gaspar Garcia Centre for Human Rights.

The meeting was proposed by the 5th Court judge Carmen Cristina Teijeiro, at the request of the São Paulo State Public Prosecutor. As a result of the conciliation, the legal process was suspended for a period of 180 days so that the parties could elaborate, together with the workers, a municipal street commerce plan.

The authors of the suit presented to representatives of City Hall a set of elements and methodology for the participatory construction of a Municipal Street Commerce Plan, which was constructed in regular meetings of the Street Vendors Forum:

1. **Improvement and transparency in management:**

- (a) participatory definition of the criteria for general registration per sub-region;
- (b) registration with social control;

- (c) publication and digitilisation of the administrative procedures;
 - (d) transparency in management;
 - (e) transparency in regulation;
 - (f) training for regulatory enforcement agents;
 - (g) standardisation of regulation actions with publication of procedures;
 - (h) creation of a specialised coordinator.
- 2. Planning:**
- (a) participatory research by subregions with consolidated areas of street commerce potential;
 - (b) definition of the perimeters of the Permanent Vendor Commissions;
 - (c) holding a thematic public hearing on demarcation and perimeters of the Master Plan for street commerce.
- 3. Participation in the elaboration and implementation of the plan:**
- (a) installation of a committee composed of an inter-secretarial group, street vendors and representatives of civil society for discussion, consolidation and monitoring of the municipal plan;
 - (b) participatory definition of the new guidelines for the function of Permanent Vendor Commissions.
- 4. Bolstering business and solidarity economy:**
- (a) technical qualification for business;
 - (b) bolstering business;
 - (c) solidarity economy.
- 5. Improvement of specific legislation:**
- (a) social protection;
 - (b) creation of a Municipal Street Commerce Council;
 - (c) revision of the role of the vendor's assistant³⁰;
 - (d) discussion about transfer of TPUs.
- 6. Participation in megaevents:**

³⁰An assistant is one who works to support the street vendor named by the license, as authorised by municipal law 11.039/1991.

- (a) social dialogue and transparency;
- (b) creation of a Municipal Plan for the 2014 World Cup.

In order to realise the conciliation accord, a tripartite Working Group on Street Commerce³¹ was formed, composed of representatives of the street vendors, the public authorities and organised civil society.

Historically, street vendors have participated in other political spaces in the formation of laws, both as intermediaries of the councilpersons involved, as well as through direct participation in public hearings, in Permanent Vendor Commissions (CPA) and in the revision of the Strategic Master Plan of the City of São Paulo.

Through the constitution of the Vendor Working Group, with periodic meetings, there was progress in the recognition by the municipal government of the necessity of building a plan containing the dimension of the right to work, right to the city and popular participation. A path was created for social dialogue between different actors, who have diverse views and interests on the reality of street commerce, signifying an area for political debate as well.

- Master Plan and other fronts in the struggle

In relation to the urbanistic legislation that deals with the use and occupation of the ground, it can be seen that street commerce was never recognised as a planned activity, despite having an urban dimension on the municipal scale. In the São Paulo Master Plan there is no demarcation of area nor legal instrument that assures stability for the permanence of workers in public spaces.

The Master Plan is a municipal law that determines guidelines for the organisation and planning of the city, necessarily elaborated with popular participation. Therefore the Street Vendors Forum recognised the importance of participating in this law. For the vendors, the insertion of their activity in the Master Plan could proportion safety for their family economy and future planning.

Thus, street vendors participated in public workshops and other spaces for debates, raising proposals and contributions focused on the revision of the Master Plan in its treatment of issues related to street commerce. To equip the vendors for the participatory processes of revising the

³¹The Working Group was made official on September 4, 2013 (four months after its constitution) through the intermediary of publication in the Official Record of the Municipality in the Intersecretarial Portal number 04/SMSP/SGM/SMSU/SMDH/2013.

Master Plan, the Gaspar Garcia Centre promoted debates in the Street Vendors Forum and throughout the regions, resulting in the following proposals:

1. **For public spaces:** areas of street commerce, which are consolidated and denominated as “Pockets of street commerce”, can be marked as “Areas of Urban Intervention” or Special Perimeters of Urban Intervention (PEIUs), being destined to street commerce and receiving a specific number for each place.
2. **For public or private lots:** for lots that belong to the government (municipal, state or federal), street vendors can propose “Popular Neighbourhood Markets”;
3. **For authorisation of the activity:** authorisations must cease to be precarious to become guarantees in time and space. To that end, instruments such as the Special Concession for ends of Street Commerce can be a solution for street commerce.

It is important to highlight that the participation of the street vendor made it possible for those proposals to be selected and recognised in the Master Plan revision workshops.

On the official, exclusive webpage for Strategic Master Plan revision³², the São Paulo Municipal Government presents the most debated objectives, where it can be verified that the item “Increase work opportunities with distribution throughout the city” has the highest percentage (14.9%) of proposals presented at the workshops, equal to 524 proposals from a total of 3,522. This demonstrates that the proposals forwarded by the street vendors reinforce the necessity, already noted by the population at large, of increasing and decentralising jobs in the city.

To realise the city work function, not only street vendors, but many other citizens who participated in the Master Plan revision workshops, presented and approved the following proposals:

- Proposals presented in the Strategic Master Plan Workshops that refer to the right to work
 - Aricanduva, Mooca, Ipiranga, Vila Prudente/Sapopemba Workshops (06/07/2013)

³²Source: Prefeitura de São Paulo, official website. Available at <http://gestaourbana.prefeitura.sp.gov.br/relatorio-de-participacao/>. Accessed on October 15, 2013.

- * Mooca
 - 3 - Better use of lots along principal collective transport routes with housing and work
Decentralise the functions of the city, especially the employment-generating poles, through the creation of enterprise incentive initiatives of all sizes, stimulating the generation of work opportunities in the neighbourhoods the farthest from the city centre, contributing to the increase in the right to the city and the improvement in urban mobility.
 - 1 - Increase of work opportunities, distributed throughout the city
Create commercial poles in urban operations, with fiscal incentives.
- * Vila Prudente/Sapopemba
 - 3 - Better use of lots along principal collective transport routes with housing and work
Prioritise social interest occupancy in abandoned areas along the principal axes of collective transportation, aside from reclassifying routes for installation of economic activities.
- Casa Verde, Freguesia do Ó, Perus, Pirituba/Jaraguá Workshops (06/15/2013)
 - * Perus
 - 1 - Increase of work opportunities, distributed throughout the city
Creation of employment in the region. For this to be possible, there must be alterations made to the current macro-zone of the region.
 - 1 - Increase of work opportunities, distributed throughout the city
Zoning that creates incentives for job and income generation in the neighbourhood, close to residential areas.
 - * Pirituba/Jaraguá
 - 1 - Increase of work opportunities, distributed throughout the city
Jobs close to residential neighbourhoods of the region.
 - 1 - Increase of work opportunities, distributed throughout the city

- Increase job opportunities with distribution throughout the city.
- Cidade Ademar, Jabaquara, Santo Amaro and Vila Mariana Workshops (06/22/2013)
 - * Jabaquara
 - 1 - Increase of work opportunities, distributed throughout the city
Special perimeters of urban intervention (PEIUs) in public spaces for street commerce, with legally secure licenses: concession of special use for street commerce.
 - * Cidade Ademar
 - 8 - Improvement of living and housing conditions in shantytowns and irregular settlements with title regularisation
Reaffirm the policy of shantytown urbanisation with concern for job creation in the region.
 - * Jabaquara
 - 3 - Better use of lots along principal collective transport routes with housing and work
Popular Neighbourhood Markets (MPBs) together with the axes of collective transportation, tourist locations and expositions, with opportunities for handcrafted goods and local culture.
 - * Santo Amaro
 - 1 - Increase of work opportunities, distributed throughout the city
Creation of centres with enlarged mixed-use areas including low-impact neighbourhood commerce, reducing the use of automobiles for home-work traffic. Promotion of social integration and regularisation of activities, increasing job offers.
 - 1 - Increase of work opportunities, distributed throughout the city
Adjustments to urban zoning in favour of work and residential regions. We suggest the stimulation of employment activity in regions situated in heavy-use thoroughfares, of linear centrality, in which low-density service or commercial use can be contemplated to attend to strictly residential regions, in order to create small commercial and service nuclei nearby.

- 1 - Increase of work opportunities, distributed throughout the city
Balance in relation to housing/employment/services: establishing well-defined pockets of low-impact commerce and service (offices, health clinics, education, entertainment) in each neighbourhood in the city, with priority of access to employment in these pockets and nearby, minimising the impact on traffic via the implementation of integration of several types of transportation (train, metro, bus, bicycle, etc). It will also minimise the impact of pollution and security issues.
- Campo Belo, Capela do Socorro, M'Boi Mirim and Parelheiros Workshops (06/29/2013)
 - * Capela do Socorro
 - 3 - Better use of lots along principal collective transport routes with housing and work
Generation of employment and housing inside the neighbourhood, lowering the costs of transportation, offering better quality of life.
 - 1 - Increase of work opportunities, distributed throughout the city
Bring employment closer to housing: take jobs to the outskirts of the city, reducing the displacement in the city. The government should concede fiscal incentives to attract companies and industry, adjusting zoning and respecting local vocations.
- Cidade de Tiradentes, Guaianases, Itaquera and São Mateus Workshops (07/13/2013)
The street vendors did not present any proposals.
- Emelino Matarazzo, Itaim Paulista, Penha and São Miguel Paulista Workshops (07/20/2013)
 - * São Miguel Paulista
 - 10 - Improvement of service, equipment and urban infrastructure in neighbourhoods
Rescue the popular shopping centre project at the Municipal Market of São Miguel Paulista, where there are small-scale entrepreneurs (vendors), market merchants, a food court, a small public registration centre, theatre

and parking lot (nonexistent), creating employment and income.

– Butantã, Lapa, Pinheiros and Sé Workshops (07/27/2013)

* Lapa

- 1 - Increase of work opportunities, distributed throughout the city

Proposal to include legalised street vendors in public spaces. That nontransferable permission of use terms be conceded and that the precariousness of the licenses cease, as well as regulation of the spaces to be utilised.

* Sé

- 1 - Increase of work opportunities, distributed throughout the city

Create mechanisms in urban legislation that generate pertinent, viable spaces for the development of local commerce and services, whether formal or informal.

- Special Perimeter of Urban Intervention (PEIU)
- Concession of Special Use for Street Commerce (CUECR)
- 1 - Increase of work opportunities, distributed throughout the city

Assure that all urban requalification projects do not eliminate one's only job post; recognise that spectacles like Kassab's projects extinguish jobs that will never return.

- 1 - Increase of work opportunities, distributed throughout the city

Create, in the central region, specially zoned spaces for 24 hour businesses (24 hour streets). This would stimulate the job supply and qualify the city centre, effectively developing society as a whole.

* Butantã

- 3 - Better use of lots along principal collective transport routes with housing and work

Add flexibility to commercial and services to attend to residents of exclusively residential zones (ZERs), through rules on the use and occupation to serve objectives such as: employment opportunities, traffic reduction and vacant lot utilisation.

- 1 - Increase of work opportunities, distributed throughout the city
Increase low-impact job opportunities in all regions of the city, maintaining local vocations in residential neighbourhoods.
- Santana/Tucuruvi, Jaçanã/Tremembé and Vila Maria/Vila Guilherme Workshops (08/06/2013)
 - * Santana/Tucuruvi
 - 2 - Improvement of collective transportation quality and conditions for cyclists and pedestrians, reducing traffic
One form of diminishing negative impacts of enterprise is better utilisation of lots along bus lines (or light rail) – to be created together with bicycle lanes that interconnect commercial centres (one per district), where there would be public markets to serve the population and demand for street commerce, which would be transformed in micro-entrepreneurs (MEI). In this way, we will be increasing the job supply near housing, lessening the burden on the metro, by using circular transportation between districts. The best use of these lots would be through a better constructive potential, with incentives for mixed use buildings, and at the endpoints of circular lines, the creation of nurseries for childcare and health and leisure equipment.
 - 1 - Increase of work opportunities, distributed throughout the city
Requalify street vending, returning its dignity through the exercise of the universal right to work and also making possible its constitutional right to use city space.
- Despite street vendors having made an effort to participate in the process, only one of the proposals presented was included in the executive branch minutes that were forwarded to the legislature on September 24, 2013. The Municipal Government of São Paulo only accepted the possibility of setting up public markets with spaces for street vending, especially in locations with large pedestrian traffic and close to train and metro stations and bus terminals³³.

³³Ref: Article 59, Section XII, of the minutes from Mayor Fernando Haddad in office number 166/2013, published in the Official Record of the City on 09/27/2013, p. 87.

Another front for street vendor participation is the Popular World Cup Committee of São Paulo, which is a space for organising social movements, entities and human rights defenders with the goal of elaborating collective strategies to take on the impacts and violations generated by mega-events.

Besides the Committee's general meetings with the municipal government, the Street Vendors Forum requested a discussion mechanism specifically on the insertion of street commerce into the 2014 World Cup games. On September 3, monthly meetings began with the goal of mapping and defining areas where street vendors could set up during the 2014 Cup³⁴.

Again on the theme of the World Cup, the Street Vendors Forum of São Paulo participated in the creation of a network of workers in cities affected by the games, through the StreetNet initiative. The National Network of Street Vendors of Brazil is a result of a worldwide campaign by StreetNet, which began in South Africa in 2006, called City for All, which was extended to India and now to Brazil. The goal of the campaign is to map the impacts of sporting mega-events (World Cup and British Commonwealth Games) on street vendors. Furthermore, StreetNet lends support to vendor organisations so that they can network and strengthen themselves in national scale to deal with the impacts of these events.

Aside from strengthening the workers to take on these events, StreetNet understands that a network can be the beginning of a process that culminates in a permanent legacy, through the creation of federal regulation on street commerce and the consolidation of social dialogue channels. The City for All campaign in Brazil had its first meeting in São Paulo in 2011.

- Training: popular education and the street vendor collective
During the process of strengthening the Street Vendors Forum workers, one important tool was the workshops and training meetings based on principles of popular education.

Since the beginning in 2011, with the help of the Gaspar Garcia Centre, more than twenty workshops and educational meetings were held, with

Also available on the website of the Municipal Legislature of São Paulo: <http://www2.camara.sp.gov.br/DCE/PL0688-2013.pdf>. Accessed on October 15, 2013.

³⁴Source: Portal da Prefeitura. Available at <http://www.prefeitura.sp.gov.br/cidade/secretarias/copa/noticias/?p=153977> Accessed in October, 2013.

an average participation of thirty-five people from diverse regions of São Paulo, such as Brás, Rua 25 de Março, Jabaquara, Conceição, Lapa, São Miguel Paulista and Butantã.

The workshops dealt with issues such as: structure and powers of the State; citizenship and rights; right to work and right to the city; popular organisation; political participation and social control; norms of street commerce; master plan and instruments to affirm street commerce; legal, political and urban planning instruments.

This capacity-building process contributed to the empowerment of workers, the growth of new leaders, a greater perception on urban issues and political dynamics, among other themes that go beyond the discussions on street vending licenses.

4.1.3 Outcomes and challenges

Despite the advancements made in the organisation of street vendors in the city of São Paulo, the Street Vendors Forum faces challenges that often complicate its consolidation and cohesion across members of the sector.

Among the challenges presented, it can be verified that historically, the representatives of street vendor organisations have passed their demands on to political agents, acting as intermediaries, especially council members with influence in certain parts of the city. The result of this political relation is the perpetuation of a fragmented, clientelist relationship with the State, often hampering direct contact with the executive branch for the advancement of public policies that meet the needs of the entire category.

Another consequence brought about by this type of political relation is the fragmentation of street vendor organisations, inhibiting unification of the challenges and agendas to promote street commerce in the city and, when necessary, for the confrontation of arbitrary acts committed by the public authorities. Another challenge is the fact that the street vending sector lacks the necessary support of central trade unions to strengthen its organisations and disseminate its agenda to workers in general.

Regarding the current state of dialogue between the vendors and the authorities, though a Street Commerce Working Group has been created, its development presents many challenges, due to disputes between vendors and the role of the authorities.

Among the workers, there are still some conflicts regarding the legitimacy of the representatives, and also due to the length of the struggle, knowledge of the issue, the capacity for dialogue with the majority of workers, gender

issues and the formalisation of workers organisations. Furthermore, territorial disputes weigh heavily, which implies the maintenance or increase in the power of influence that a certain representative has over the constituency.

In relation to the authorities, there are two challenges that must be equated. First, the municipal government doesn't present a single position on the issue to guide its agents. For example, there are sectors that desire criminalisation and prohibition, while there are others that urge the defence and regulation of street commerce. Second, the government has run into difficulties when exercising its role as a mediator in the dispute between various interests, in the construction of consensus and has been characterised by its limited effectiveness in advancing the proposals that have been presented.

Despite these difficulties, the workers continue their mission to consolidate the organisation of the sector and increase their connections. Among the most important outcomes of this organisation of street vendors in the city of São Paulo are these, specifically:

1. the creation of the Street Vendors Forum, bringing together different worker organisations (trade unions, associations and collectives) from several regions of the city, as well as entities from civil society and specialists. This is an important accomplishment, considering that the sector has been fragmented, historically;
2. the fact that workers, through their participation in the Street Vendors Forum, have recognised the specifics and differences between regions and organisations. It was possible to verify that, aside from the specificities of each street vendor organisation, several points on their political agenda were in common, which allows for bridges between organisations;
3. the growth in the sector's struggle, not only restricted to those workers who possess Permission of Use Terms;
4. individual perception of the changes that have occurred in their treatment by the authorities due to the intervention by the Street Vendors Forum, valuing the collective struggle for the achievement of rights;
5. opening of dialogue with the executive branch in a centralised and systematic form, no longer decentralised and fragmented by sub-region. An example in this sense was the creation of the Street Commerce Working Group;

6. workers became conscientious of the fact that they could send their demands forward in an organised manner directly to the executive branch, without depending on the legislature as a “bridge”;
7. the perception of street vendors of the importance of the judiciary, the Public Defender and Public Prosecutor’s office as institutions that can guarantee the right to the city, to work, to popular participation and social control;
8. continuous accompaniment and social control by workers over municipal management, especially on the issue of street commerce;
9. participation by street vendors in more diverse political discussion spaces, such as, for example, the Master Plan, the Popular World Cup Committee, the Popular Movements Centre, CUT (trade union confederation), National Network of Street Vendors, StreetNet, DIEESE and the University of São Paulo, among others, increasing the scope of their struggle and forging partnerships with other popular sectors.

4.2 Rio de Janeiro

4.2.1 Contextualisation

In the city of Rio de Janeiro, street vendors face a situation similar to that of the city of São Paulo. Despite the existence of Municipal Law 1.876, from June 29, 1992, signed by Mayor Marcello Alencar, which lays out guidelines for street commerce in the city, the Rio de Janeiro municipal government has confronted street commerce on several occasions.

Maíra Vannuchi, from StreetNet, highlights that

[...] there is non-compliance by the authorities with the municipal legislation regulating the professional activity of informal vending, as well as a strong presence of the use of coercion, either through physical force or the imposition of bribery to allow irregular urban commerce³⁵.

With this panorama and the existence of a policy that doesn’t serve all street vendors, the Rio de Janeiro municipal executive branch is limited to maintaining the legal number of active street vendors, without presenting

³⁵VANNUCHI, M. Rio de Janeiro. **Copa do Mundo para Todos: o retrato dos vendedores e vendedoras ambulantes nas cidades-sede da Copa do Mundo de 2014.** Rio de Janeiro: StreetNet, 2012, p. 113.

any programs or services to attend to vendors, whether fixed or ambulant. Thus, it is easier to maintain a fixed number of registered vendors, although that number is less than the reality, and, consequently, maintain repressive supervision, with the Municipal Civil Guard (GCM) as intermediary.

The Center for Citizenship, Conflict and Urban Violence Studies (NECVU), from the Federal University of Rio de Janeiro (UFRJ), in fulfilling its role to produce information on this reality, stages research on the dynamic of so-called illegal, informal and illicit markets, being a centre of reference on the issue of street vendors in Rio de Janeiro.

In studies produced by researcher Daniel Hirata, of NECVU, it can be seen that street vendors in Rio de Janeiro are situated in regions of enormous social conflict due to surrounding wealth and territorial disputes in the city. Hirata affirms that, “[...] the Urban Conflicts Map of the City of Rio de Janeiro shows that a large portion of the conflicts in the city are connected to street commerce, which demonstrates the magnitude of the issue”³⁶.

The current Rio de Janeiro municipal administration of Eduardo Paes began its term in 2009, with the operation “Shock of Order”, meant to effect *social hygiene* in the city centre and several other regions. Officially, the local government carries out supervisory activities in the city centre with the objective of ending urban “disorder”, utilising the force of the Civil Guard under orders of the Special Secretary of Public Order (SEOP). As can be seen on the Rio de Janeiro website:

Urban disorder is the great catalyst of the feeling of public insecurity and the generator of conditions which lead to the practice of crimes, in general. Since one thing leads to another, these situations squeeze people and good principles out of the streets, contributing to degeneration, unemployment in these areas and the reduction of economic activities³⁷.

The recently created SEOP extols, in its institutional public relations material, the fact that it has existed for less than a year and already “accomplished returning order to the city”. The examples of repression are many,

³⁶Citation taken from an exclusive interview with the Gaspar Garcia Centre for Human Rights in August, 2013, for this publication. For more information on the Conflict Map of Rio de Janeiro, see: <http://www.observaconflitosrio.ippur.ufrj.br/ippur/liquid2010/home.php>

³⁷Source: Prefeitura do Rio de Janeiro, official website. Available at: <http://www.rio.rj.gov.br/web/guest/exibeconteudo?article-id=87137>. Accessed on September 23, 2013.

such as combating informal commerce, irregular parking lots, irregular occupation of public space and the practice of small crimes. The force of public agents that carries out supervision is formed of fiscal agents, military police, urban control coordinators, undersecretaries or administrators, special guards of public order from the GCM, among others.

The Shock of Order reflects a form of militarised management, in which the ostensible use of force by security forces predominates, for the resolution of social conflicts. The militarised management of urban issues, defended with arguments of “maintaining order” and “enforcing the rules”, in fact gives cover to a strategy of vigilance, oppression and the removal of barriers for the advancement of capital. Trying to justify authoritarian actions against the population, mainly vulnerable groups, the State uses arguments of repairing public order, while creating conditions that serve private interests and thus diverting from its role in guaranteeing and promoting rights.

Such conduct by the public authorities intensified in the context of mega-events, such as the 2014 World Cup and 2016 Olympics, in the city of Rio de Janeiro. To pull off large projects for these events, the State has begun adopting strategies of fencing off popular participation in decision-making and utilising violence in urban management to occupy and control territory. These interventions in specific urban areas of interest to capital serve to create new business opportunities in detriment to investments in social rights, such as basic sanitation, housing and public transportation.

In the scope of the Municipal Legislature, simultaneously with the actions of City Hall, the revision of Municipal Law 1.876/1992 was proposed³⁸, which, according to researcher Maíra Vannuchi:

Aside from modifying a few points, it revealed the need for a new law to regulate street commerce in the city. The new street commerce bill still hasn't been presented to the plenary, but was developed together with the Permanent Street Commerce Forum of the State of Rio de Janeiro³⁹.

In contrast to the experience in São Paulo, the Permanent Street Commerce Forum of the State of Rio de Janeiro is not a network of vendors, but a mechanism instituted by the public authorities to discuss legislation.

The new bill would make the inclusion of street vendors in public streets viable. Meanwhile, the apparent omission of council members to approve the

³⁸Bill 779/2010 pending approval in the Municipal Legislature of Rio de Janeiro, still awaiting decision by parliamentary commissions at the time of publication.

³⁹Citation taken from an exclusive interview with the Gaspar Garcia Centre for Human Rights in August, 2013 for this publication.

bill in reference reveals that the access to rights isn't granted in relation to the workers' collective, but through individual negotiation – case by case – over the license, in a clientelist manner. This relation functions to maintain the political influence of the council members over the street vendors, stimulating the exchange of votes for licenses and harming the political organisation of entities that go after the rights of street vendors.

This is the context in the city of Rio de Janeiro: street vendors are treated with repression by the instituted powers and by the absence of an effective and inclusive regulation mechanism for street commerce.

4.2.2 Organisation process, causes and struggles

The Shock of Order operation became a common enemy of the street vendors of Rio de Janeiro. It resulted in several confrontations, among them: the realisation of a protest from Candelária to Cinelândia; the delivery of documents to the mayor and leader of the government in the municipal legislature, containing demands such as the end of the belligerent repression by public safety agents; coordination in the legislature to revise Law 1.876/92; the forwarding of complaints to the State Public Prosecutor on the violation of the right to work and the violence of the Municipal Guard; among others.

It is known that Mayor Eduardo Paes exerted himself in the creation of the SEOP, whose goal is to discipline public space with the use of actions destined principally to repress those considered illegal, instead of promoting rights for all citizens. In the words of leader Ângela Rissi, president of the Association of Art Fair Exhibitioners and Others (AEFO), “[. . .] the Shock of Order is a group of supervisors created by the Secretary of Public (Dis)order that stages supervision operations and the removal of street vendors who lack permission to sell in public street.”⁴⁰

Among the activities of the Shock of Order program, there are repression of street sellers, new and bold, through a registration done in 2009. The promise of the mayor and his Secretary of Public Order was to remove the sellers, register them and, finally, authorise them to sell in the city centre. The Municipal Legislature reinforced the legal requirement to do the registration – tied to the participation of the sellers in a commission to be created to accompany the process – which should occur transparently. However this process was not respected by the municipal administration.

Aside from the constant, arbitrary actions of the supervisors, street vendors face the failure by City Hall in the organisation of street commerce in

⁴⁰Citation taken from an exclusive interview with the Gaspar Garcia Centre for Human Rights in August, 2013 for this publication.

the city in accordance with Municipal Law 1.876/1992. Among the irregularities committed by the government are the absence of training for the Street Vendors Commission, complicating access to the right to participation by the workers in the management of political decisions. It's safe to say that, among the leadership of the street vendors, there is a consensus that "there is no participatory process in the management. There was a re-registration without the participation of the Street Vendors Commission, nor the accompaniment required by law", says Maria dos Camelôs, the leader of MUCA⁴¹.

In summary, among the complaints lodged by street vendors against the behaviour of the public authorities, there are: the non-creation of an accompanying commission; lack of transparency of City Hall actions; violence practised by the supervision enforcers; omission of council members in the approval of the new bill; and clientelist relation of the council members.

Ângela Rissi describes the registration, known as the Single Registration of Street Commerce (CUCA), thusly:

A promise was made, reaffirmed by several public representatives, that the municipality would regularise the street vendors. It happens that there should have been a collection of information on who was already working for some time and, according to the evaluation, they would deliver the authorisations and later with the remaining allotment, they could issue a general call for applicants, the unemployed, throughout the entire city. However, with political campaign season nearing, there was much confusion: many registered because they had the right to and there were not enough licenses for everybody and, what's worse, not even the licenses promised were made available. There was a considerable reduction in their number, with the total of 23,000 workers, only 18,700 were able to be authorised by the CUCA. We never had access to the real numbers and there was no transparency in the criteria. Administrative regions such as the southern part of Rio de Janeiro, Ipanema, Leme, Leblon, São Conrado, Barra da Tijuca and Recreio, I think they didn't even get a third of the registrations. This is really sad.

About the quantity of workers registered in relation to those who obtained a license to work, in an interview with the Gaspar Garcia Centre,

⁴¹Citation taken from an exclusive interview with the Gaspar Garcia Centre for Human Rights in August, 2013 for this publication.

Maíra Vannuchi provides a clarifying account:

The proposal executed by the municipal government foresaw the registration (CUCA) of twenty thousand street vendors in the city. Four thousand and five hundred would be re-registrations of those who already had licenses (there were only that many licensed vendors in Rio until 2010), and fifteen thousand and five hundred would be for new vendors. In the meantime, the opening for licenses was published widely with electoral motivations inviting any unemployed citizen, and there was no criteria to favour workers who were already active in street vending. Furthermore, Law 1.876/92 says that licensing should occur after consulting a commission composed of various social actors, including representatives of the street vendors, which never occurred. /The result was that many vendors that had been selling for years without authorisation were not licensed/⁴². (Emphasis added)

Vannuchi also relates, in the same interview, that after the registration:

Whoever wasn't registered and licensed would have to get out of the streets. With that, several "settlements" (areas with street commerce) were removed by the Shock of Order, heaving many without work. This situation generated a large protest in front of City Hall and raised the pressure on the State Public Prosecutor to act.

Another facet of the Shock of Order policy by the Rio de Janeiro municipal government is verified in the way that public markets were implemented. In this sense, taking from research by Fernando Rabossi, a UFRJ professor cited by Hirata in interviews, the fact is that the Leonel de Moura Brizola Public market was criticised repeatedly by street vendors, since it was built in a nonstrategic location for sales, far from pedestrian traffic, doesn't have enough space for all the vendors that were present in neighbouring streets, and was not economically viable for the vendors. The space allocated for the commercialisation of products did not take into account the demand of the street vendors, as their real number was much greater than the number of spaces offered. Furthermore, not all the vendors that had worked close to the Central Market of Brazil, which caught fire in 2011, were able to find

⁴²Citation taken from an exclusive interview with the Gaspar Garcia Centre for Human Rights in August, 2013 for this publication.

spots inside the new market. Several street vendors were left out of the new space.

On that topic, Ângela Rissi remembers:

[The street vendors] were very excited about the registration and held capacity-building activities during that time. There were also four hundred and fifty street vendors trained in the south of Rio with the same NGO and everybody was happy. But afterwards the dream ended when they inaugurated the Market, where you had to pay and couldn't sell anything. It's a veritable desert and it's sad. And for those who stayed away, I can't say anything.

In a scathing testimonial, Maria dos Camelôs reports that during the implantation of the market, “there was no public discussion, the project is bad, it's far from where people walk. Those that weren't involved have to run around in the streets and those that were, earned less than enough to pay their costs”.

- Main organisations and demands

The oppression of workers caused organisations and movements to emerge that, in various ways, try to build and influence the execution of policies together with the public authorities. Among the principal organisations and networks of street vendors in the city of Rio de Janeiro are the United Street Vendors Movement (MUCA), the Association of Art Fair Exhibitioners and Others (AEFO), the Permanent Street Vendors Forum of the State of Rio de Janeiro, Federation of the Street Vendors Associations of Rio de Janeiro (FAAERJ), Street Commerce Association of the Centre and Nearby (ACAC), among others.

MUCA was founded in 2003 for the defence of street vendors and “continue to wage systematic struggle against the abuses of authority practised by the Municipal Guard and municipal supervisory agents, when they conduct apprehensions and confiscations of merchandise and beat up informal workers.”⁴³. It also presents various reports on confronting institutional violence practised by the Municipal Civil Guard. In the process of resistance and organisation of workers, MUCA finds it essential to work with the base and democratise decisions and actions by the vendors. Due to the perennial challenge of maintaining its mobilisation

⁴³Source: MUCA website. Available at: <http://movimentounidodoscamelos.wordpress.com/about/> . Accessed in August, 2013.

and the frequency of vendor meetings, it focuses its collective actions on emergency actions, such as defending imprisoned street vendors or pressuring City Hall when necessary.

The Association of Art Fair Exhibitioners and Others (AEFO) is presided over since 2010 by Ângela Rissi. From information presented on the entity's site and in an interview held with her, the AEFO's focus is the search for "the right of each man, each woman, each father and mother of a family to guarantee its sustenance through this (street) commerce, which is so traditional throughout human history"⁴⁴. The association tries to promote the mobilisation of workers against the violation of the right to work. It also tries to give recognition to the activity of street commerce and handicraft selling in the city of Rio de Janeiro, through constructive dialogue with the public authorities. Furthermore, among the causes of daily struggle are the right to the city and to mobility. Street protests and political coordination with council members are forms of mobilisation used by AEFO. The entity demands the creation of "a specific law guaranteeing the right to work for those who are prohibited from working."⁴⁵

In relation to its work with the majority of the group, AEFO looks to permanently consult the vendors, along with the support necessary for the organisation of public protests and raising the visibility of violations against vendors. For Rissi, there is a process of dis-coordination among the vendors, including the leaders. Many show a signs of attrition, lacking hope of better times and self-confidence, individually and collectively.

The Federation of the Street Vendors Associations of Rio de Janeiro (FAAERJ), founded in 2002, tries to focus politically on the affirmation of the dignity of street vending⁴⁶. Among the actions coordinated by the federation is Bill 2.141/13, calling for the institution of "Street Vendors Day" to be commemorated on May 7 every year in the state of Rio de Janeiro.

The Street Commerce Association of the Centre and Nearby (ACAC)

⁴⁴Source: Associação dos Expositores da Feirarte e Outros website. Available at: <http://aefo.wordpress.com/about/> . Accessed in August, 2013.

⁴⁵Source: Associação dos Expositores da Feirarte e Outros website. Available at: <http://aefo.wordpress.com/about/> . Accessed in August, 2013.

⁴⁶VANNUCHI, M. Rio de Janeiro. **Copa do Mundo para Todos: o retrato dos vendedores e vendedoras ambulantes nas cidades-sede da Copa do Mundo de 2014.** Rio de Janeiro: StreetNet, 2012.

has a history of activity in the centre region of the city of Rio de Janeiro. The ACAC was born in 1994, being:

[...] representative of workers at the popular Uruguaiana market, and with experience in the organisation of workers in informal commerce, its principal demand is the urbanisation and organisation of the public market which brings improvement⁴⁷.

However, due to an increase in Chinese and Koreans, who besides offering merchandise, had several stalls in the market that they were renting at abusive prices to part of the “needy” vendors, the local government removed the ACAC from the management of the public market in the city centre. As presented by Lenin Pires, “There were charges it [the ACAC] was suspected of irregular sales of posts and stalls to merchants of Asian origin”⁴⁸.

According to Pires, the Uruguaia Public Market Union arose to occupy the space left by the removal of the ACAC and, with the support of City Hall, sought to reconfigure the public market, removing some Chinese middlemen, but maintaining the “poorer” Chinese merchants. The Union defended the regulation of the public market by the public authorities, at the same time as it protected the interests of those that were within the imaginary limits of the public market. Without this regulation, police repression would reign. However both associations are being investigated for facilitating “piracy” and the payment of bribes to supervisors to abstain from investigating⁴⁹.

Finally, there is the experience of the Permanent Street Vendors Forum of the State of Rio de Janeiro. A space created just for vendors to

⁴⁷VANNUCHI, M. Rio de Janeiro. **Copa do Mundo para Todos: o retrato dos vendedores e vendedoras ambulantes nas cidades-sede da Copa do Mundo de 2014.** Rio de Janeiro: StreetNet, 2012. p. 119.

⁴⁸PIRES, L. **Arreglar não é pedir arrego: uma etnografia de processos de administração institucional de conflitos no âmbito da venda ambulante em Buenos Aires e Rio de Janeiro.** Doctoral thesis, Niterói, 2010. Universidade Federal Fluminense, Instituto de Filosofia e Ciências Humanas, Programa de Pós-Graduação em Antropologia. p. 342.

⁴⁹Source: O Dia (online version). Polícia cumpre mandados para combater pirataria na Uruguaiana. Published on 06/14/2013. Available at: <http://odia.ig.com.br/noticia/rio-de-janeiro/2013-06-14/policia-cumpre-mandados-em-associacoes-de-comerciantes-na-uruguaiana.html>. Accessed on September 26, 2013.

discuss Law 1.786/1992 together with some council members, in hopes of improving it. There still haven't been many concrete improvements, according to Maria dos Camelôs, leader of MUCA.

The forum represents a reduced number of street vendors, with little popular participation. For Ângela Rissi, the Forum "didn't add much. The sector has been in the hands of the politicians". Among the demotivating factors for participation is the authoritarian role of some leaders, the limited stimulus and reception of new members and the lack of institutional policies for mobilising collective struggle. Many leaders came to participate in the Forum and, little by little, became demotivated, since there was no effectiveness and they weren't able to understand the discussions.

The defence role of social movements and street vendor organisations has intensified to take on oppression and struggle for the formulation and execution of public policies aimed at street vendors in the city of Rio de Janeiro. In this context, despite the adversity, many efforts are made to unify the struggle. There are common causes among the street vendor organisations and entities in the city of Rio de Janeiro:

1. the suspension of apprehensions of the merchandise and work materials of vendors by the Municipal Guard;
2. the invalidation of the terms of retention of merchandise emitted by the Municipal Guard and the apprehension and infraction stemming from the same;
3. the prohibition of the use of weapons of any nature, lethal or not, by municipal guards.

The plurality of representations demonstrates that the street vendors are looking for various instruments and spaces to defend their rights. In the meantime, sometimes there are vendors who reproduce rhetoric that reaffirms their individual authority, to the detriment of the collective construction. Nevertheless, despite the existence of different associations, trade unions and collectives of street vendors, in the opinion of Maíra Vannuchi, "apparently they aren't able to break with the individualism and don't want to make their energy and time available for the construction of a collective".

4.2.3 Outcomes and challenges

Several actions were carried out by street vendors in defence of the right to work in public space and against the violence of the Municipal Civil Guard (GCM), such as individual actions against police belligerence, the authoritarian process and the lack of transparency in registration. A representation together with the Public Prosecutor's office resulted in bringing a Public Civil Suit (ACP)⁵⁰ aiming to remove the GCM from supervision of street vending and prohibit the utilisation of "non-lethal" weapons, and is underway in the 6th Court of the Public Treasury in the Rio de Janeiro capital.

In support of the ACP, a joint note was launched by several entities, among them MUCA, Global Justice, the Network of Communities against Violence and the Popular Committee of the World Cup and Olympics. As told by Maria dos Camelôs, "the workers were happy about the ACP, which was well done and included a lot of evidence". In the report, there was questioning of "the incorrect form of undertaking registration and re-registration of street vendors and we ask for solutions".

The regulation of street commerce must consider the current diversity and contradictions found in administration of the issue, which involves the method of sales in public space, the specificity of political manoeuvres, the form of single registration that was done without the participation of the street vendors and the political posture of stimulating corporate employment as a condition for access to credit. In the evaluation of researcher Daniel Hirata, expressed in his interview with the Gaspar Garcia Centre:

The role of the Special Secretary of Public Order, the alteration of Shock of Order operations I and II, the Rio in Order program and all the policies of securitisation and militarisation of urban spaces don't seem to be good ways of dealing with the problem of the use of public space.

In this context of the absence of inclusive regulation by the executive, there are several political practices that permeate the relations between street vendors and city council members. Such practices go from clientelism to the search for strategic alliances with the public authorities in the operation of programs that deal with the sector, as occurred in the implantation of public markets.

From a general view, despite the difficulties of systematic mobilisation of street vendors, the organisations are recognised for the trajectory of their

⁵⁰Legal process number 89.2013.8.19.0001, 2013.

struggles and, often, serve as an instrument that brings together workers to resist the violations imposed by the public authorities. And they resist, overall, the individualism and fragmentation perceived in authoritarian and immediatist postures on the part of the vendors themselves.

4.3 India

4.3.1 Contextualisation

In the beginning, it was women workers that carried bundles of cloth on their heads and received low incomes, since they were paid by the trip and not by the weight or the distance they travelled. The low and inadequate payment led them to precarious living situations and, consequently, the necessity arose to construct a collective to demand better living and working conditions. The first demand was for access to housing. Despite not having been able to find housing, with the help of the textile workers association, informal workers were able to negotiate hot food close to their place of work.

The workers continued to meet periodically and carry out actions to make the violations of their rights more visible. One landmark in the media was the report of non-payment of workers by a textile factory and the lying denial by the exploiters. With that, they decided to distribute pamphlets that reported the exploitation. These reports made the exploiters withdraw and the tactic was copied with success in other cities.

Following this experience, they founded the Self Employed Women Association (SEWA) in 1972 in the city of Ahmedabad and continued disseminating their organisation's experiences, enlarging the collective struggle in other cities until it became a national network of informal labourers.

SEWA aggregates urban and rural workers and includes four categories of informality: street merchants, household workers, service providers and rural producers. The objective is to serve women and support the collective organisation. In 2013, SEWA is constituted by nearly seven hundred workers in six states throughout India.

In a country with 93% of the workforce working informally and 94% of Indian women economically active, although poor and informal, SEWA is an important initiative of an organisation of only women in a country whose constitution determines equality of rights, however, in practice, possesses inequality of gender.

4.3.2 Organisation experiences, causes and struggles

The priority given to the process of organisation is “from bottom up”, by way of the constitution of collectives of workers and a process of leadership training and regional coordination.

The central strategy is to recruit new members, organise them in local groups and bring them together regularly in meetings to make them aware of necessities, limitations and opportunities. Throughout the process, organisation and training workshops are held to reunite the local workers and build the capacity of community leaders. In this context, new local leaders emerge and are trained and incorporated as members of the local coordination to help conduct the SEWA’s organisational activities.

Organisation of the membership is composed of the following stages:

- STAGE 1: recruitment and mobilisation of members to build consciousness and solidarity, identify necessities, limitations and opportunities and hold training activities;
- STAGE 2: organisation of members in primary local groups (commerce group, cooperative, production, savings and loan, community association, campaign committee);
- STAGE 3: training and capacity-building for leaders who emerge from local organisations;
- STAGE 4: training and coordination among leaders to help implement SEWA activities through a system of decentralised management on two fronts - organisationally, as members of the local coordination in the implementation of campaigns and projects; and administratively, as legal and technical assistance to the workers;
- STAGE 5: organisation of elections of representatives among the leaders to serve on the executive committees of the SEWA Union, SEWA Bank, Federation of Gujarat Cooperatives and the sister organisations to SEWA.

Grassroots organising focuses on the identification of community leaders as those who give voice to the demands of women. The needs are not only work-related, but also related to their environment, which is seen as an issue of urban infrastructure: access to water, sanitation, etc.

SEWA is composed of the following divisions: the SEWA Union, SEWA Bank, the Gujarat Federation of Cooperatives and other grassroots organisations in the provinces. These divisions are composed exclusively of workers.

The SEWA Union offers the following services: access to health services, housing programs, insurance, legal assistance, records of actions and violations against women.

While all workers are members of the SEWA Union, many are also affiliated with other grassroots organisations established by SEWA:

- SEWA Bank: all customers are partners in the bank and some are elected to be part of the administrative commission of the Bank;
- SEWA Cooperatives: SEWA organised approximately one hundred cooperatives of various types, including services (childcare and office cleaning), production and sales;
- Federation of SEWA Cooperatives: responsible for the organisation and support of various SEWA cooperatives;
- Rural grassroots organisations: commercial groups, cooperatives, producers, savings and loan and other grassroots organisations;
- SEWA District Associations: composed of the rural grassroots organisations that are not in the SEWA cooperatives or union;
- Sales Organisations: rural or urban commercial organisations with specific products;

Each one of these grassroots organisations has its own statute, norms and administrative structure, founded as a cooperative or other legal entity. The priority is the constitution of regional leaders that can serve to multiply knowledge and training of new leaders and disseminators of SEWA information. In this sense, the focus of the leadership training is divided along two axes: leadership skills to develop self-confidence, competency and responsibility; and training in forming and maintaining the constituency of collectives.

Inside the SEWA umbrella there are also institutions that offer technical assistance with specialised services, called sister organisations. Among them, one stands out: a centre for education and communications of the members, called SEWA Academy (study centre). Aside from this sister organisation, there are others: SEWA Insurance, SEWA Social Security, SEWA Housing, SEWA Trade Facilitation Centre, SEWA Research, SEWA Manager School, Video SEWA, SEWA Ecotourism, SEWA Homenet.

Throughout the more than forty years of its history, SEWA ended up creating an institutional design with criteria and steps for representation and

leadership that go from grassroots (general membership) to local coordinators (active members) to region leaders (leaders) all the way to institutional representatives. This design is divided into the following hierarchical levels:

- General Members: those that participate solely in the SEWA Union, SEWA Bank and the cooperatives, because they are new (up to three years of membership) or haven't yet assumed responsibilities within the organisation;
- Active Members: those who have participated actively in SEWA for three years or more, using the various services, participating in one or more worker organisations (besides the union) and participating in various events or activities organised by SEWA;
- Leaders: are leaders of various groups and activities organised by SEWA that, besides participating in the services offered, receive special training, as well as opportunities to travel, meet with governments and speak at public meetings. They are long-time members;
- Representatives: are elected representatives in various commerce groups affiliated with SEWA, who form the many councils in the administrative structure of the organisation. Like leaders, they receive training and speak in public. Among the representatives, there are four levels: the district commerce committees (mobilisation, training), regional commerce councils (mobilisation, training and advocacy), executive committees (coordination, monitoring, planning) and general secretary (general coordination).

SEWA simultaneously calls itself both an “organisation and movement”. In this sense, these two fronts don't manifest themselves separately, since, in order to act on demands, workers must be organised.

The two main objectives of its political agenda are: decent work and autonomy. Decent work is understood as the full access to “income generation, income security, food security and social security (at least access to health services, child services and housing)”⁵¹. For SEWA, autonomy is only possible if it is achieved collectively. Furthermore, SEWA also has two important causes, which are social dialogue, through negotiations, and a focus on public policies.

⁵¹Source: SEWA website. Available at: <http://www.sewa.org>. Accessed in September, 2013.

Besides the focus on the constitution of collectives, training of leaders and growth of the organisation itself, as a fortification of a struggle on a national scale, another political cause is access to housing together with a focus on housing politics. In 1992, the SEWA Bank verified that more than a third of its loans were destined to housing and, of this total, 80% were related to improvements to existing housing, such as sanitation, water, etc.

To that end, SEWA created two sister organisations that could provide services to the workers to facilitate access to housing programs: one, consisting of technical assistance on housing, SEWA Housing, and another, credit, the Mahila Housing SEWA Trust. SEWA Housing also looks to contribute to building public policies that influence access to housing and urban and rural infrastructure.

4.3.3 Outlook and challenges

Martha Chen⁵² conducted a rigorous analysis of SEWA's impact according to social and economic indicators (income, financial and food security, health, housing and child support) and the impacts on the community after the process of organising workers and training leaders.

In relation to socioeconomic indicators, Chen verified that 66% of women who are members or leaders advanced in, at least, one of the indicators such as income, work security, savings, child support, access to housing and urban infrastructure. One experience deserving of note was in the city of Ahmedabad, birthplace of SEWA, where *bidis*⁵³ cigarette workers got better wages due to collective negotiation and bargaining with the municipal authorities for better infrastructure, security and legality in the workplace. Such accomplishments also resulted in the reduction of violence and corruption on the part of the police.

Of the impacts of leadership training, Chen confirmed that the advancements can be found in the constitution and consolidation of regional collectives through community representation. SEWA's forty-year history made it possible to verify that the training of leaders improved their recognition in the community, developing the ability to speak in public and stimulated dialogue with public authorities in demanding their rights. Furthermore, Chen found that leaders also engaged in technical improvement courses in

⁵²CHEN, M. **Towards economic freedom:** Impacts of SEWA. Harvard University. Cambridge: SEWA, 2005.

⁵³Bidis are a type of cigarette made from dried *tendu* or *temburmi* leaves, quite common in Southeast Asia. Source: Wikipedia. Available at: <http://pt.wikipedia.org/wiki/Bidi>. Accessed in October, 2013.

commerce and services, as well as progressed scholastically.

One of the goals that distinguishes SEWA from other feminist collectives is the class struggle. According to Chen, the classic feminist models tend to focus on the identity of women in gender relations both domestic and professional. SEWA's model focuses on their identity as workers and their class relations, especially outside of the domestic context. Furthermore, in the search for better working conditions, it reinforces that the process be collective.

Despite this collective conception of struggle, SEWA's founder, Ela Bhatt, argues that just as important as focusing on collective strength is taking on individual dramas and dealing with them as elements that also strengthen the organisation. In her own words:

God created us all as being one. We, as human beings, create so many difficulties. There are environmental crises. Now, we need to walk far for water and firewood. Factory pollution contaminates the food we eat. These are all crises we face.

We at SEWA have worked to face individual crises that our members suffer. We also face collective crises. We have had dialogue with public authorities and other organisations, but we need to make others aware. The world out there hasn't united with us to understand what these disasters are like⁵⁴.

Meanwhile, Chen's research finds that, despite decades of struggle, there are still many challenges to be overcome: the organisation processes still don't respect all of the stages; the decision-making processes aren't amply democratic; the collective negotiations are still incipient; the low level of schooling complicates more effective participation; the majority of women are not the owners of the means of production; the advocacy effort hasn't produced the expected results; and economic, urban, social and normative public policies are still far from being all-embracing and effective.

The decentralisation of SEWA's activities, such as the deliberate strategy of granting region units autonomy to organise and mobilise, caused difficulty in coordinating actions. Furthermore, SEWA hasn't been able to monitor the impacts and challenges regularly in order to respond with strategic actions.

For Maíra Vannuchi, besides the challenges related to institutional barriers, whether legal or administrative, there is also socio-spatial segregation.

⁵⁴CHEN, M. **Towards economic freedom:** Impacts of SEWA. Harvard University. Cambridge: SEWA, 2005. p. 70 (translated from the original English).

One of the examples studied by Vannuchi⁵⁵ was the realisation, in 2010, of the mega-event known as the British Commonwealth Games, which caused the expulsion of large numbers of informal workers from public spaces in New Delhi. The Velodrome market was removed to make way for the construction of a stadium for the games. This market had been opened for legal commerce by street vendors in 1999 and lasted until 2009. Other markets were also removed: Red Fort, Tagore Street and Qutab Street.

4.4 Organisation beyond confronting violations

4.4.1 Struggle from the perspective of structural transformations

The struggles and achievements, conflicts and violations are instances that pervade the history of informal workers. In working in a socially criminalised activity, informal workers suffer much discrimination and persecution, especially by governments.

The reality was always challenging for informal workers that, throughout their history, have strove to resist social exclusion through their work, although they are submitted to risks and deprived of rights such as, for example, the prohibition of using public space and the non-existence of labour rights.

The capitalist system, with its great capacity to make adjustments that privilege the interests of capital, has perversely and corrosively affected the popular classes, demanding new forms of social organisation in the current context.

Beyond the risks and lack of social protection, the value of land and the dispute for public space are additional costs of informality. In this sense, the workers suffer a double segregation: they are marginalised in terms of labour rights and, simultaneously, the right to the city. This obliges them, almost naturally, to organise themselves as workers collectives to make their citizens' rights valued.

Meanwhile, it was possible to see in the organising experiences of street vendors in São Paulo and Rio de Janeiro that the constitution of collectives and the coordination of the struggle for immediate confrontation of rights violations did not guarantee long-lasting unity in the sector. To the extent that, in India, the experience of SEWA's four decades shows us that the organisation goes beyond emergency issues, in the sense of a permanent

⁵⁵VANNUCHI, M. **A Report on SEWA's 10 years of work with street vendors: achievements, challenges and issues.** Tata Institute of Social Sciences. MA Globalization and Labour 2008-2010. Advisor. Sharit Bhowmik.

class struggle.

In the context in social inequality and exclusion, workers face many challenges to transform the collective struggle into something long-lasting and organic. One of the challenges is to bring together the large number of workers affected, who find themselves dispersed and with different demands. Another challenge is seeking, in diversity, the recognition of agendas and struggles in common within the sector. There is also the necessity to increasing participation in other fronts of the struggle and social movements in order to strengthen the popular struggle.

4.4.2 Diversity of contexts and organisational processes

The particular details of the street vendors' experience with organisation in São Paulo, Rio de Janeiro and India respond to their respective political contexts. Each one has elements that can serve as valuable experience for informal worker organisation. However, applying them in different contexts must, necessarily, take into consideration important aspects of the local reality. Among these are the role of the State, relations between workers and public agents, the organisational design of the workers and territorial aspects.

In SEWA's experience in India, the organisation springs from grassroots work that reached a national scale with unified causes. The fact that the work carried out in the community allowed for an organisational design in which leaders were, at the same time, both union and community members. For that reason, the leaders know the locale very well and have a strong sense of belonging. The fact that India is a country of large territorial and populational dimensions offers the deliberate option of a decentralised organisational model with district associations and cooperatives in various provinces. However, SEWA has some centralised decision-making organs. Still, there are other forms of organisation in the country, revealing that this is not the only experience.

The experiences in São Paulo and Rio de Janeiro reveal a different organisational design from the Indian context, influenced by the relations between workers and the public authorities. Historically, when the executive branch deliberates the policy of expulsion and repression, the legislature spurs clientelist practices and the judiciary omits itself from dealing with social conflicts deriving from rights violations and illegal practices. While the policy of rights violations affects the capacity of the worker to resist over time, clientelist practices fragment the street vendors and harm the struggle for universal rights.

Specifically in São Paulo, the municipal legislation determined that di-

dialogue between the executive branch and workers should happen in a decentralised manner in each municipal sub-region. There was a political and social context that sought to bring the public administration closer to citizens in each territory. However, opportunist politicians have treated the right to work in public spaces as political merchandise. This contributed to the fragmentation of workers and the fragility of any central coordination effort.

The Indian model presents a high degree of organisational development and brings important elements for reflection, especially the grassroots work and the fortification on a national scale. However, for these elements to become paradigms in Brazil, that would depend on various adaptations such as, for example, the reconfiguration of political relations with the goal of consolidating workers' autonomy and the recognition by the government of the necessity of national public policies.

To guarantee that the coordination and political training result in a sustainable process of worker organisation and fortification, it is necessary to bring together knowledge of effective political actions for guaranteeing rights, which go from legal assistance with advocacy to protests and political networking, offering conditions that allow workers to act with autonomy.

4.4.3 Challenges to participation and public policy advocacy

Popular organisation is fundamental to resisting rights violations, as well as pressuring the State for their enforcement and for the creation of public policies. Necessary for political advocacy on behalf of the vendors is a democratic institutional environment, with spaces for effective participation.

Participation and social control are instruments designated in the Federal Constitution for the exercise of active citizenship and for popular agendas to have influence in the government. Meanwhile, in general, the spaces for participation are places for decisions about issues without social relevance and utilised merely to legitimise the actions of the government. Structural issues are relegated to more central decision-making spheres in cabinets and social control revolves around issues of little impact on the distribution of power and income, such as urban groundskeepers, etc.

5 Part III – Experiences with public policies

5.1 São Paulo

5.1.1 Context of municipal policies

Currently, Municipal Law 11.039/1991 regulates street commerce in the city of São Paulo. Though it provides a legal framework for the activity, it lacks aspects that make up a municipal plan; that is, it doesn't contain actions and goals for the planning, encouragement and organisation of street commerce, nor support or value workers and their families.

The history of management of this activity of street vending in the city reveals that mayors have had distinct postures in relation to application of the Municipal Law. In certain periods, affirmative policies prevailed, while in others, there were more repressive policies, violating the very terms of the law.

The term of Mayor Luiza Erundina (1989-1992) was a watershed moment in the relationship between the public authorities and street vendors. The mayor, who had come from grassroots social movements and trade unions herself, played a decisive role in the issue by creating Law 11.039/1991, which established a channel for dialogue between the vendors and the government called the Permanent Street Vendor Commissions (CPA).

The administrations that followed, Paulo Maluf (1992-1996) and Celso Pitta (1997-2000), were marked by the involvement of the executive and legislative branches in mafia-related schemes of corruption and extortion practised against street vendors, as well as the lack of planning and control of the activity. During these two terms, there were several congressional investigations (CPIs, in 1991, 1995, 1997 and 1999), initiated by council members connected to leaders of the street vendors who reported the corrupt schemes.

The administration of Marta Suplicy (2001-2004) recuperated the Erundina policies by systematically activating the CPAs in each city sub-region. During the term, the CPAs, even with all the contradictions stemming from political disputes, were legitimate spaces for demands and pressure on the part of the vendors.

The administrations of José Serra (2005-2006) and Gilberto Kassab (2007-2008; 2009-2012) were characterised by a relentless persecution of not only vendors without licenses, but also those who had been authorised. Kassab's last term, especially, involved a policy already mentioned in Part II, which prohibited the issuance of new licenses as well as the indiscriminate repeal of existing licenses in every part of the city. Thus these two

administrations were characterised by the violation of municipal law.

In response to Kassab's administrative illegalities, the State Public Defender and the Gaspar Garcia Centre, representing the collective interests of street vendors, presented a Public Civil Suit⁵⁶. The goal was to legally confront the absence of public policies and the violation of the street vendors' right to work by the municipal authorities.

The current administration of Fernando Haddad (2013-2016), still in its initial period, affirmed that it would honour the municipal law, allowing that only those with licenses could practise street vending. Of note were the creation of the Street Commerce Working Group, composed of representatives of the government, civil society and street vendors, charged with presenting a municipal plan for the activity.

The policy on street commerce, in the city of São Paulo, has suffered directly from the impact of political compromises by municipal administrations with certain sectors of society. It can be noted that some administrations were characterised by their representation of the interests of sectors that saw, in the occupation of public space by street commerce, a threat to the development of their economic interests, such as undertaking public and private construction projects and appreciation of real estate investments.

In certain municipal administrations, such as that of Luiza Erundina for example, street commerce was reaffirmed to be an alternative for income generation for a large contingent of those excluded from the labour market. It was a policy of recognition of the street vendor as a rights-bearing citizen. The law was applied and the space for dialogue was valued so that workers could participate in policy discussions.

Meanwhile, the existence of severe disputes among different sectors within the same government often made for contradictory treatment of the street commerce issue within the same administration. And, besides the application or not of the municipal law, no administration was able to elaborate and implement a municipal plan for street commerce as a State policy, with permanent actions that last several administrations.

- Municipal law and contradictions

In the absence of a municipal plan for street commerce, what regulates the activity is Law 11.039, effective as of August 23, 1991, during the administration of Mayor Luiza Erundina, and last updated via Bill 42.600/2002, published during the administration of Mayor Marta Suplicy. This law regulates street commerce or services, while at the

⁵⁶For more information on this Public Civil Suit, see the text on São Paulo in Part II of this publication.

same time bestowing the individual right to utilise public space to vulnerable groups, reserving two-thirds of the available spaces to people with disabilities and the elderly.

When the municipal law mentioned above was passed, society was searching for different ways to include those with disabilities and the elderly in the labour market. At that historical moment, there was no Statute of the Elderly, nor an International Convention on the Rights of People with Disabilities⁵⁷ or any other legal instrument that would guarantee the participation of these people in the formal economy. The development of the Social Security Policy, through the Organic Social Security Law ⁵⁸, was also an important legal landmark for the municipalisation of services for people in socially vulnerable situations, including the elderly and disabled, aimed at the inclusion of these people in the labour market.

Law 11.039 even contains the inclusion of workers referred to as “physically capable”, reserving 1/3 of available licenses for these people. This is also a response to the large number of workers that have difficulty entering the labour market, since the number of formal jobs is less than the number of workers available. From this perspective, the use of public space becomes an alternative to guarantee the right to work and, consequently, to obtain income and meet one’s personal needs and those of one’s family.

Despite the political and social motivations that guide the creation of municipal laws for street commerce and services, their enactment always remained dependent on the municipal executive branch, like many other laws. However, in the case of street commerce, added to the shortcomings and problems that street vendors face, the majority come from the working classes, who face difficulties due to the absence of the State in a large part of their lives.

The current law has two noteworthy characteristics that are the fruit of popular struggles: inclusion and social participation. However, despite these progressive aspects, compared to other cities in Brazil and the world, the law showed several contradictions.

The first has to do with the absence of legal instruments that overcome

⁵⁷Ratified by the Brazilian government on August 1, 2008, following approval by the National Congress, in Legislative Bill number 186, from June 9, 2008, and promulgated in Law 6.949, from August 25, 2009.

⁵⁸Federal law 8.742/1993

the precarious conditions associated with private use of public pathways and streets, of the people's common use. The law determine that the authorisation conceded by City Hall to workers can be repealed unilaterally. So workers have no security in terms of the time they can exercise their profession in public spaces and, consequently, in their income. In case the public authorities need to use the space conceded to street vendors, there is no legal obligation to relocate them. This expressed vulnerability in the law is a principal source of the executive branch's arbitrary actions, often backed by the judiciary.

Aside from legal instruments, also needed are urbanistic instruments to guarantee that certain public spaces be delimited and used primarily for street commerce. In fact, public space is, in principle, a space for exchange, where people meet each other and relate to each other.

Public authorities can offer common-use goods to encourage income generation through street commerce, either with or without charges, as long as there are adequate legal and urbanistic instruments to provide security for the activity.

Another contradiction is related to the abyss between the limited offer of licenses and the great demand of workers, which is one of the main dilemmas that cause corruption, violence and clientelism in management of the activity⁵⁹.

Finally, of special note is the contradiction related to participation in the policy by the street vendors, through a channel for dialogue, as was previously cited, called the Permanent Street Vendors Commission (CPA). In its original proposal, the CPA was a consultative space where irregular situations, legal infractions and necessary readjustments could be settled with participation by the vendors.

The CPA, as a quadripartite⁶⁰ instance of social dialogue, differs from municipal councils in the way that it relates to the public authorities. On the Housing and Education Councils, for example, there is one single space for collective negotiation between its actors, while the CPAs work in a more fragmented manner, in each city sub-region. This format doesn't allow for workers to see whether there is different

⁵⁹ITIKAWA, L. Vulnerabilidades do Trabalho Informal de Rua: violência, corrupção e clientelismo. In: **Revista São Paulo em Perspectiva**. Fundação SEADE. Vol. 20 number 1, p.136. São Paulo, 2006.

⁶⁰According to Municipal Law 11.039/1991, CPAs must be composed of street vendor representatives; storekeepers; civil society and social movements; and the public authorities.

treatment by City Hall in relation to the different political actors and complicates their coordination around a common agenda.

5.1.2 Content of the São Paulo Municipal Street Vending Plan proposal

The Street Vendors Forum of the City of São Paulo, as a coordination space for workers and entities and people who defend the vendors, developed an effective role both on the legal and political fronts, with the presentation of proposals for government plans to executive and legislative candidates for municipal government.

The legal accomplishments of the street vendors, by way of the Public Civil Suit previously mentioned and the electoral victory of Gilberto Kassab's opposition in 2012, served to minimise repressive and prohibitive practices. The alteration of the political panorama of municipal management reinforced the street vendors' struggle for regularisation of the activity and construction of a municipal plan.

After extensive debates, the many members of the Street Vendors Forum systematised elements for the participatory construction of a Municipal Street Vending Plan. These elements were divided into guiding axes, containing the guidelines to be put in place, their goals, indication of those responsible and possible recommendations (See Annex 1's table with all of the axes and guidelines).

These proposals were presented again to the new municipal administration, Mayor Fernando Haddad, on April 9, 2013, who promised to maintain dialogue with the street vendors through an intermediary, the Secretary of Sub-Regional Coordination, and agreed to the creation of a working group to discuss alternatives for the issue of street commerce.

In the legal sphere, on May 16, 2013, a deal was agreed to with City Hall to suspend the process resulting from the Public Civil Suit (ACP) for one hundred and eighty days, in order to make it possible to hold periodic meetings between the parties and other leaders of entities that represent the street vendors, with the goal of constructing a proposal for a municipal plan. Despite the suspension of the process, the initial decision by the judge in the ACP, in favour of the street vendors, it continued to produce results, blocking the executive branch from removing all vendors from the streets.

As a result of the open dialogue between the public authorities and the street vendors, hope was re-ignited for the improvement, increase and enactment of a public policy meant for the vendors. Besides the traditional path of dialogue, by way of direct pressure on the executive or the litigation

of rights violations, the vendors could intervene together with the municipal authorities through the popular participatory instruments guaranteed in the Statute of the City (Federal Law 10.257/2001).

In this sense, the Street Vendors Forum participants use the revision of the Strategic Master Plan of the City of São Paulo to present their proposals, in the hope of consolidating the activity of street commerce in the city. The proposals aim for the creation of legal and urbanistic instruments to guarantee the exercise of the activity in time and space (See the proposals defended in Part II of this book).

Meanwhile, the process has proven tiring, with the energy spent and the results attained, and challenging, since the restriction is continuous and the insecurity, permanent.

5.2 Porto Alegre

5.2.1 Context of the municipal policy

In the city of Porto Alegre, there is a history of laws meant to regulate street commerce via authorisation of interested workers and control of the activity. In 2006, Municipal Law 9.941 was passed, bestowing a new denomination on vendors, who came to be called popular merchants, and who could exercise their activity exclusively in areas defined by City Hall. That law also instituted the Popular Shopping Centre (CPC).

In 2008, Municipal Law 10.605 was passed, which consolidated the regulation of street commerce and services in public streets and pathways. In relation to the Popular Shopping Centre, this law transferred its organisation and development to private enterprise, through a Public-Private Partnership (PPP)⁶¹.

The two laws mentioned demonstrate that, from 2006 on, the Porto Alegre municipal government chose a policy of restriction of the use of public spaces and privatisation of the administration of street commerce in the Popular Shopping Centre.

Currently, the only Popular Shopping Centre, open since February of 2009, is located at Rui Barbosa Plaza, in the city centre. Having been developed via a PPP, “[...] the Porto Alegre municipal government didn’t

⁶¹A Public-Private Partnership is a contract wherein the private partner assumes the responsibility of providing public administration or the community a certain measurable utility through the operation and maintenance of a project previously designed, financed and constructed. In exchange, there is a periodic remuneration paid by the State and connected to its performance during the period in question. Source: Federal Law 11.079/2004, which regulates Public-Private Partnerships.

need to make any financial investment”⁶², since the company that won the bid earned the right to develop commerce in the location and administer the enterprise.

To carry out the transfer of the street vendors to the Popular Shopping Centre, the city created a registry. In parallel, the City Council held public meetings to accompany the City Hall’s actions. It should be stressed that the registration process prioritised and offered good locations for sixty visually impaired vendors.

Meanwhile, the Popular Shopping Centre included a small minority of vendors. According to Juliano Fripp, from the Rua da Praia Market Association (ASFERAP), prior to 2008 there were nearly four thousand street vendors throughout the centre of Porto Alegre. However only eight hundred (20%) were relocated to the Popular Shopping Centre.

Several actions by City Hall worsened the segregation of the street vendors. Of note is the utilisation of registration as an instrument for the definitive removal of the workers from the streets of the city centre. At the same time, the privatisation of the administration of the Popular Shopping Centre caused the exit of the first relocated vendors, especially due to the high rent charged by the concessionaire, making room for their substitution by shop owners from the region. In Fripp’s evaluation, practically half of the initial vendors had to leave the spot because of financial issues. The private management of the Popular Shopping Centre generated several conflicts due to the lack of transparency, charging of undue interest, charging workers and customers to use the bathrooms, precarious installations and infrastructure, among others.

According to the ASFERAP’s Fripp, the private administrator signed rent contracts with the vendors in the Popular Shopping Centre that are renewable annually. A small portion became micro-entrepreneurs (MEI), as part of the national program of the same name, and have received CNPJ (business identification) numbers.

5.2.2 Content of the policy

The municipal street commerce policy is currently quite restrictive. The execution of this policy is the province of the Municipal Secretary of Industry and Commerce (SMIC), with the support of several executive branch organs. Thus, both regulation and supervision and application of penalties are carried out by the SMIC.

⁶²Source: Porto Alegre official website (June 2007 news). Available at: http://www2.portoalegre.rs.gov.br/smic/default.php?p_secao=215. Accessed in October, 2013.

Municipal Law 10.605/2008, regulated by Statute 17.134/2011, which regulates street commerce, tried to consolidate even street services in public streets and pathways, as in the case of newspaper sellers, locksmiths, shoe shiners, florists, fruit and vegetable sellers, food vendors and artisans. Furthermore, it also regulates publicity for street commerce activities.

The policy presented by the legislation mentioned seeks only to regulate the activity, but does not promote it. There is no mention of professional qualification, popular financing, guarantee of social security rights. There are four peculiar aspects of the law: a variety of types of authorisation, commercial restrictions in the city centre (in an area deemed the “Central Quadrant”), transfer of authorisation and urbanistic standards for the locations of stalls. At the same time, it conditions authorisation upon proof that the vendor is a member of the appropriate sector’s union.

In fact, the actions meant to regulate street commerce were focused on liberating public spaces – streets and plazas – with the transfer of street vendors to real estate designated for so-called “popular commerce”.

Noteworthy is that the treatment of the street vendors of Porto Alegre is primordially focused on repression and exclusion from public space, as the reports on the City Hall webpage and Porto Alegre newspapers show, with headlines such as these recorded during the period of 2007 to 2010: *SMIC bans São Paulo street vendors event in the Capital*⁶³, *SMIC notifies offices of street vendors*⁶⁴, *SMIC removes vendors from Sady da Conceição plaza*⁶⁵, *SMIC places irregular vendors in the Historic Centre*⁶⁶, *Actions guarantee a centre free of vendors during Christmas*⁶⁷, *Liquida*⁶⁸ commemorates one

⁶³Source: Porto Alegre official website (Article from 06/20/2007). Available at: http://www2.portoalegre.rs.gov.br/cs/default.php?reg=75344&p_secao=3&di=2007-06-20. Accessed in October, 2013.

⁶⁴Source: Porto Alegre official website (Article from 07/11/2007). Available at: http://www2.portoalegre.rs.gov.br/cs/default.php?reg=75344&p_secao=3&di=2007-06-20. Accessed in October, 2013.

⁶⁵Source: Porto Alegre official website (Article from 03/16/2009). Available at: http://www2.portoalegre.rs.gov.br/cs/default.php?reg=104427&p_secao=3&di=2009-03-16. Accessed in October, 2013.

⁶⁶Source: Porto Alegre official website (Article from 07/28/2009). Available at: http://www2.portoalegre.rs.gov.br/acessibilidade_smarty/default.php?projeto_sec=144&p_secao=3&pg=3613&p_reg=111407. Accessed in October, 2013.

⁶⁷Source: Porto Alegre official website (Article from 12/24/2009). Available at: http://www2.portoalegre.rs.gov.br/acessibilidade_smarty/default.php?%20projeto_sec=144&p_secao=3&pg=3326&p_reg=120323. Accessed in October, 2013.

⁶⁸A period when local commerce offers sales and liquidations

*year without vendors in the centre*⁶⁹, *Resolution bars gas sellers*⁷⁰ *from street vending*⁷¹.

There was a clear effort by the Porto Alegre City Hall to remove street vendors from the Historic Centre, creating exclusion zones and leaving aside the possibility of conceding authorisation for roving itinerant vendors, termed ordinary, and for vehicle-based and stand-based sellers, termed special.

In relation to the restriction of activity in the historic centre of the city, there are three limitations: 1) restriction of the number of authorisations per type of merchandise or service⁷²; 2) spatial criteria for placement; and 3) non-emission of new authorisations in the historic centre for certain activities.

With the first limitation, for example, up to twelve authorisations for locksmiths and twenty for grilled food vendors would be granted in the Central Quadrant. According to the second, there would be no authorisations granted wherever the sidewalk's width was less than 1.80m. The third deals with limiting the number of licenses; that is, the law determines that there would be no new authorisations for newsstands, except by substitution, when the retirement of one can be proven.

On the other hand, the legislation increases opportunities to utilise public space in neighbourhoods. In these cases, mobile point vendors that use vehicles can choose a maximum of two locations in the same neighbourhood at different times of day, in which the vehicle will be parked. This authorisation is called "Neighbourhood Wandering". However, when they are stopped in order to carry out market activity, the vehicle must maintain a distance of fifty metres from commercial establishments or other street vendors.

As for the validity period of authorisation, there are two types: annual or event-based. The latter authorises commerce or services on beaches or locations where there will be events, such as celebrations or shows, among others, but cannot be conceded for a period longer than ninety days.

For vendors that sell food, one legal requirement is the obligatory participation in seminars on hygiene and preparation of foodstuffs, organised by

⁶⁹Source: Porto Alegre official website (Article from 02/03/2010). Available at: http://www2.portoalegre.rs.gov.br/acessibilidade_smarty/default.php?%20projeto_sec=144&p_secao=3&pg=3461&p_reg=122273. Accessed in October, 2013.

⁷⁰Sellers of 2kg gas tanks.

⁷¹Source: Jornal do Comércio (online version). Article from 08/27/2010. Available at: <http://jcrs.uol.com.br/site/noticia.php?codn=38588>. Accessed in October, 2013.

⁷²Ordinary authorisation (itinerant vendors): lottery tickets, vegetables and household items, ice cream, popcorn and meat skewers. Special authorisation (vendors fixed and mobile locations): newspapers and magazines, fruit, vegetable and legume sellers, hot dogs, popcorn, churros, meat skewers, cotton candy, flowers. Services: shoeshiner, photographer, clerk and shoemaker.

the Sanitary Authority of the city, with a certification given.

About the transfer of authorisation, the law determines that it cannot be transferred, except to a partner whose spouse sells flowers and they have worked together for more than a year, or when a seller of newspapers and magazines, through a request made sixty days prior.

Lastly, there are a series of urbanistic norms that define the size of stands according to the dimensions of the surrounding public space. For example, there are three sizes for stands, depending on their placement in narrow pathways, wide pathways or plazas and parks. For smaller stalls, there are five different sizes.

The penalties prescribed for those that violate the legislation vary, gradually, from admonition to repeal of authorisation or apprehension of merchandise.

5.3 New York

5.3.1 Context of the municipal policy

There are many laws in New York City that regulate street commerce, with the majority, however, of a restrictive, punitive character. There is no municipal plan that establishes guidelines for inclusive planning of this type of commerce. On the contrary, throughout the history of the city, many mayors have tried to standardise and further restrict the activity.

The first law to pertain to street commerce came about in 1691 and, since then, no municipal administration has been marked by an inclusive policy. Currently there are only around four thousand licenses conceded since 1979 for a total of twenty thousand street vendors⁷³. From there, the most recent actions have been to decrease the number of a licenses and stiffen the rules, as well as increase taxes and fines to further restrict the activity.

During the administration of Mayor Rudolph Giuliani, from 1994 to 2002, the Street Commerce Revision Committee was created, connecting different secretariats who manage the activity (Department of Small Business Services, Urban Planning, Transport), as well as representatives from civil society (the majority of which are conservative and opposed to the activity⁷⁴) and from the Business Improvement Districts (BIDs). This committee started the “Quality of Life” campaign that harshly attacked several activities and

⁷³URBAN JUSTICE CENTER. **Peddling Uphill**: A report on the conditions of street vendors in New York City. New York: UJC, 2006.

⁷⁴BROWNE, R. et al. **New York City Street Vendors**. Columbia University Graduate School of Architecture Planning and Preservation (GSAPP). Report funded by the Street Vendor Project, Urban Justice Center. New York, 2011.

popular manifestations considered “inconvenient” for the government, criminalising the activity.

Among the measures approved by the Committee is the restriction of street commerce in certain areas and thoroughfares, closing more than one hundred and thirty streets and creating a restriction zone called the “Financial Zone Box”, save for a few exceptions designated for war veterans⁷⁵.

Faced with the outlook of criminalisation and exclusion promoted by the State with the support of certain social sectors, the Urban Justice Center⁷⁶, a civil society organisation, carries out specific actions for the defence and organisation of street vendors in the Street Vendor Project (SVP)⁷⁷.

Research done by the Urban Justice Center in the central region of New York, the area of greatest concentration of street vendors, revealed that 83% of the total who are legal are immigrants, from twenty countries and four continents, among them: 18% from Bangladesh, 16% from China and 12% from Afghanistan. A small minority is American, and of that, the majority are war veterans. The street vendors of New York have high levels of schooling: 43% are university graduates, whose majors varied from engineering to social assistance to medicine⁷⁸.

As previously mentioned, the vendors are regulated by not just one law, but by a series of laws and municipal, state and federal codes. Different government agencies and departments control the activity.

There are three classifications of street vendor: general merchandise ven-

⁷⁵Social group composed of former war soldiers, who have difficulty entering or staying in the labour market due to physical or mental issues. For this reason, the U.S. government applies specific policies for their social inclusion. Ref: BROWNE, R. et al. **New York City Street Vendors**. Columbia University Graduate School of Architecture Planning and Preservation (GSAPP). Report funded by the Street Vendor Project, Urban Justice Center. New York, 2011.

⁷⁶The Urban Justice Center was created in 1984, together with the City University of New York (CUNY) to provide legal assistance to the street-dwelling population and today has extended this service to other areas, such as human rights, domestic violence, refugees, mental health, among others. Source: UJC website. Available at: www.urbanjustice.org. Accessed on October 16, 2013.

⁷⁷Almost ten years ago, the organisation founded the Street Vendor Project of the Urban Justice Center, an NGO that provides legal assistance and coordination to workers. The SVP provides legal support and resources for the creation of a municipal network that unites nearly two thousand workers. The project accompanies the vendors’ participation in public policy, has a database with information and research, while also coordinating universities to develop research on the activity.

⁷⁸This fact is in contrast to the profile of street vendors in São Paulo. According to PED/DIEESE research, in 2010-2011 there were no vendors who had completed college working in the city. Nearly half of the total did not complete grade school and among the other half, 21.3% did not finish high school, and 27.5% did not finish college.

dors, food vendors and so-called first amendment vendors⁷⁹. Within these categories, there is a particular case: war veterans, who possess special privileges and advantages with regard to restrictions imposed by the authorities.

Each type of street vendor has different regulations, which are complex. The main restrictions on general merchandise vendors are with regard to times of activity. On any street, for example, there are blocks with three types of time restrictions: prohibited from 8:00 AM to 7:00 PM, prohibited at all times, and free of time restrictions.

If vendors sell food, they are subject to the Administrative Code of the Department of Hygiene and Mental Health of the Consumer Department, which possesses conflicting rules. There is no concern about resolving such contradictions within them.

The complexity of the rules and amounts charged also make up a selection of restrictions that demonstrate the segregating and exclusive character of recent administrations. The management of street commerce, carried out by seven different City Hall departments, is bureaucratic and imposes many obstacles. Furthermore, the laws are difficult to interpret or contradictory. According to research by the Urban Justice Center, the laws are “arbitrary, confusing or simply unreasonable”⁸⁰.

Restrictions on the occupation of space differ in relation to the type of equipment the vendor uses, whether it is a stand or a food truck⁸¹. The complexity and contradiction of the norms complicate compliance by the vendors, resulting in the application of fines by the New York City Police, responsible for supervision of street commerce. The growth in number and amounts of fines results in the dysfunction of this system: only 6% of fines are paid⁸².

The fines received can be challenged through the Environmental Protection Department, through administrative processes. But these decisions

⁷⁹The first amendment to the Constitution of the United States of America prohibits any law that impedes the freedom of religion, speech, the press, the right to peaceable assembly and prohibits restriction of a citizen’s right to complain about the government.

⁸⁰BROWNE, R. et al. **New York City Street Vendors**. Columbia University Graduate School of Architecture Planning and Preservation (GSAPP). Report funded by the Street Vendor Project, Urban Justice Center. New York, 2011.

⁸¹In any case, to occupy the sidewalk, it must have a length of at least 3.65m and width of 45cm. Furthermore, they must maintain a distance of six meters from the entrance of any building; three meters from crossings, subway entrances and crosswalks; one and a half metres from newsstands, bus stops and payphones; sixty metres of public or private schools; and one hundred and fifty two metres from public markets.

⁸²The fine is almost equal to the average monthly salary of a street vendor in the city of New York. Source: BROWNE, R. et al. **New York City Street Vendors**. 2011.

invariably rule against the vendors. Since the majority of vendors are immigrants, they have a hard time dealing with these processes alone.

The BIDs have an important role in the segregation of street vendors. There are sixty-four BIDs that administer neighbourhoods, business corridors and tourist locations. The largest BID in New York is the central area, known as the “Centre Alliance”, where real estate values are among the highest and where the new World Trade Center⁸³ is located. Among the difficulties imposed by the BIDs on street workers, a few stand out: putting obstacles in the middle of sidewalks to prevent the installation of stands; the use of private security, with reported cases of persecution and arbitrary expulsions of authorised vendors from public spaces, because they were in front of a certain building or store.

5.3.2 Content of the proposal for a municipal policy

In recent years the SVP has gathered monthly to discuss proposals for public policies with the municipal network of vendors and specialists. The most recent systematisation of public policies, in 2011, resulted in a partnership with the School of Architecture and Urban Planning at Columbia University, with following recommendations:

- increase the number of licenses for food and merchandise vendors. Today the restricted number has created a “parallel market” of license renting, whose value is around US\$15,000 per year, for two years. There are around sixteen thousand illegal vendors, who can be imprisoned if caught by the authorities;
- review the rules of different time restrictions to work in public spaces;
- apply the “2.5m rule”, as a simplification of the complex, contradictory demands of different laws and codes: workers must maintain at least two and a half metres of free space for circulation and should not interfere in the access of any adjacent buildings, fire stations or urban equipment;

⁸³The World Trade Center (WTC) is a building complex under construction in New York, USA in substitution of the original complex of seven buildings that existed in the location of the same name. The original WTC, characterised by the twin towers, was inaugurated in 1973 and destroyed during the September 11, 2001 attacks. Source: Wikipedia. Available at: http://pt.wikipedia.org/wiki/World_Trade_Center. Accessed in October, 2013.

- added flexibility in the use of public space, in a way that allows for street commerce to occur on certain days and times during the week. For example: a space used for vehicular traffic during the week can be closed on the weekend to be transformed in an open-air market;
- lower the amount of fines (today, this amount is US\$1,000.00), considering that the average monthly income among these vendors is less than US\$1,200.00;
- change the sanitary compliance rules for street commerce, which are more rigid and onerous than those for established commerce.

At the same time, there is a peculiar aspect to the New York policy that made possible the inclusion of new street vendors, the so-called “Green Carts”⁸⁴. The project raised the number of licenses granted to one thousand. This project, which curiously aligns the issue of supply to public health, was created in order to take fresh, healthy food to districts with high rates of obesity and diabetes in the city of New York.

Despite the demands⁸⁵, the street vendors receive credit, training and marketing help. The increase in licenses, however, is far from accounting for the total demand of street vendors, according to the SVP⁸⁶. The difference of this project is that the vendor doesn’t need to stop; he or she can move along a perimeter as permitted by City Hall.

5.4 Durban

5.4.1 Context of the metropolitan policy

The impact of more than a century of the racial segregationist regime in South Africa, called apartheid⁸⁷, was a determinant in the formation of a large contingent of informal labourers, predominately black.

⁸⁴Source: BROWNE, R. et al. **New York City Street Vendors**. 2011.

⁸⁵Rules such as: no handling, cutting or peeling food in the street. Source: BROWNE, R. et al. **New York City Street Vendors**. Columbia University Graduate School of Architecture Planning and Preservation (GSAPP). Report funded by the Street Vendor Project, Urban Justice Center. New York, 2011.

⁸⁶URBAN JUSTICE CENTER. **Peddling Uphill**: A report on the conditions of street vendors in New York City. New York: UJC, 2006.

⁸⁷Racial segregation regime adopted from 1948 to 1994 by successive governments of the National Party of South Africa, in which the rights of the large majority of the population were curtailed by a government formed by the white minority. Source: SKINNER, C. Falling through the Policy Gaps? Evidence from the Informal Economy in Durban, South Africa. **Urban Forum magazine**. Vol. 17 Number 2. Durban, 2006.

Historically, access to employment opportunities was based on a hierarchical system divided into four racial categories (white, coloured⁸⁸, Indian and black), which clearly benefited the whites. The other races suffered restrictions with regard to access to professional training in some areas, the right to open and establish businesses, as well as the type of merchandise that could be sold. The greatest restrictions were destined to the immense black population, including the prohibition of many activities.

During the entire apartheid regime, informal workers were harshly repressed and constantly had to flee law enforcement. At the end of the 1980s, the federal government recognised the importance of informality in the national economy and established guidelines so that local governments could craft policies on the issue. In 1991, a national law called the Business Act⁸⁹ established, for the first time, the recognition of informal work as a legitimate activity and kept local governments from adopting restrictive measures. During the political transition and with the adoption of the Federal Constitution in 1996, local governments sought to promote economic development in order to support small economic units, without distinguishing the formal from the informal.

In this context, the metropolitan government of Durban was a pioneer in the elaboration of a specific policy for the informal economy. In November, 1999, it formed a group composed of representatives from various metropolitan departments and counsellors⁹⁰ from two central regions of the metropolis (Southern Centre and Northern Centre) to elaborate an “inclusive and effective” policy. Specialists and academics were also called to present studies that investigated different segments of the informal economy: textiles and accessories, food, etc.

The process of creating an informal economy policy lasted eleven months and was coordinated by the Metropolitan Economic Development Depart-

⁸⁸Coloured in South Africa was the denomination for mixed-race persons. Source: Race in South Africa: still an issue. **The Economist** magazine. Feb 2012. Available at: www.economist.com/node/21546062. Accessed on October 16, 2013.

⁸⁹The Businesses Act was a national law that reduced local powers in the implementation of laws that would restrict commercialisation. It was the recognition of the legitimacy of workers who already practised street commerce, though irregularly. Ref: LUND, F; SKINNER, C. **Integrating the informal economy in urban planning and governance**. A case study of the process of policy development in Durban, South Africa. IDPR, 26 (4). Durban, 2004.

⁹⁰Regional counsellors are similar to council members, but responsible for a reduced area smaller than the entire municipality; that is, regions or districts of the city. Source: Informal Economy Policy. Durban, 2001. Available at: http://www.durban.gov.za/Resource_Centre/Policies/Documents/INFORMAL%20ECONOMIC%20POLICY%20FINAL%20DOCUMENT.pdf. Accessed on October 16, 2013.

ment. The following departments also participated in the process: Planning, Small and Medium Business Support, Health, Safety and Finance.

Among the specialists and academics there were researchers from the University of Durban, who formulated a diagnostic through dialogue with the Self-Employed Women's Union⁹¹ (SEWU). This diagnostic, which received the support of Women in Informal Employment Globalizing and Organizing⁹² (WIEGO), raised socioeconomic aspects of the informal economy, which included issues such as: personal and family data, location of economic units (public or household spaces), working environment conditions (health, safety, access to public transportation, infrastructure and services, construction of markets), income, access to technical support and government credit.

During the last two months of the process, consultations with workers and society were held, through six workshops that involved more than two hundred informal workers and their organisations, and a few interviews aimed at other civil society organisations. The workers' ability to participate in the policy was limited, since the consultation was carried out over a short period of time after the initial proposal was formatted, and due to the fragile organisation of the workers themselves.

5.4.2 Content of the policy

The Metropolitan Informal Commerce Policy of Durban is innovative because of the amplitude of its scope, which extends from urban planning of spaces to incentives for worker organisation to technical and financial support. It was put together to serve as a basis for the programs and laws of cities that make up the metropolitan region, as well as a reference for other regions and cities throughout the country.

The policy reveals a historic change in governmental management: from assistentialist to business-supporting. Furthermore, it identified the consolidated relations between the formal and informal all along the chains of production⁹³ and affirmed the necessity of the government's support for informal labourers. In this way, it recognised the role of the informal economy in metropolitan economic development, in support of workers and their families, in meeting consumer demand for goods and as a cultural expression.

⁹¹SEWU is made up of associations and trade unions of informal women workers, street vendors and household workers.

⁹²WIEGO is a global network of activists, researchers and planners concerned with improving the conditions of informal labour, focusing especially on gender issues.

⁹³Chains of production are the series of economic activities in a certain sector. For example: textile, electronics, automotive, etc.

Also worth highlighting again is the territorial scope of the proposed policy, which reaffirmed the necessity of investing in distant parts of the city and the black neighbourhoods (townships), along with the customary investment in central regions. In this sense, it is one of the few policies that considers the informal economy in an ample way, integrating the different sectors from several chains of production where informal urban labourers predominate: street vendors, household producers and recyclable materials collectors.

The text of the Metropolitan Informal Economy Policy of Durban includes the following points:

1. Policy-making process;
2. Conjuncture of the informal economy;
3. Promotion of diverse economic opportunities;
4. Decentralised management, combined with support for different production chains;
5. Management integrated with support for labourers and regulation of the activity;
6. Integration with environmental health;
7. Support for worker organisation;
8. Safety with regard to work hazards and criminality, through local action;
9. Process of formalisation and coordination of formal businesses;
10. Creation of integrated and inclusive institutional structures;
11. Monitoring and evaluation mechanisms;
12. Pilot projects: integrated management programs and support for Alice Street workers, from KwaMashu and the Umlazi market;
13. Transition arrangements for the implementation of the policy: policies and contingency.

In relation to street commerce, the Durban metropolitan government created a specific management organ and directed resources to provide infrastructure for the activity. Furthermore, it integrated this activity with urban planning through the participatory elaboration of two urban projects. The first was the Renovation Plan of Warwick Junction, a multi-use collective transportation terminal that holds from five to eight thousand workers, offering services such as nurseries and night shelters. The second was the Maritime Cluster renovation project, which designated spaces for the sale of handicrafts and food in a covered market and in kiosks along the beach, so that street vendors could sell to tourists.

For the inclusion of street commerce in urban planning, the policy mentions demands for a placement strategy and mechanisms to provide public or private spaces with infrastructure. It also mentions the necessity of services and government support for the management of markets. For the availability of public spaces, it allows for the demarcation of free, restricted and prohibited areas for street commerce.

In terms of the regulation of the activity, the policy determines that the government should regularise the situation of the street vendors through a registration, with the emission of a card containing a bar code that indicates the following data: region, year and number. Food vendors must also obtain authorisation from the health organ of the city. Furthermore, the policy extends to regulation of the price charged for emission and maintenance of licenses. The price is determined according to the profitability of the location, size of the equipment, location and level of infrastructure nearby, such as roof cover, trash collection, water, sewage, bathrooms, electricity and storage space. Taxes will be collected appropriate to the values and should integrate several charges (sanitary inspection, license, municipal contribution, among others).

To improve the management of the informal economy as a whole, the Metropolitan Informal Commerce Policy of Durban proposes the following actions: integration to overcome fragmentation between different government departments; conflict management; technical business training; legal assistance; worker training in public health norms; awareness of rights and duties; integrated payment, license, supervision and health service management; and monitoring and evaluation instruments.

To guarantee the applicability of the policy, transition strategies were stipulated with prioritised and scheduled actions, with examples including the creation of an implementation working group and inter-departmental auditing to promote managerial transparency and information sharing among departments.

Despite the advancements highlighted, as Skinner and Lund point out⁹⁴, there are many challenges to the implementation of the policy, among which several stand out: internal bureaucracy, conflicting actions in different government departments, clientelism and the monopoly of merchandise middlemen.

5.5 India

5.5.1 Context of the national policy

In November of 1995, representatives from eleven cities from every continent met in the city of Bellagio, Italy, for a meeting that culminated in the formation of an international alliance of street vendors. From this meeting emerged the International Declaration of Bellagio, which was a landmark in the organisation of workers and also the establishment of fundamental guidelines for policies throughout the world.

Following the international meeting, Indian organisations created, in September of 1998, the National Association of Street Vendors (NASVI). One of NASVI's strategies was to sponsor a research project in seven cities that would serve to guide its strategies in defence of the sector⁹⁵. This research looked at the main programs and municipal laws, urban planning criteria, socioeconomic conditions of street vendors and consumer perceptions.

In May, 2001, NASVI presented this study to the Ministry of Urban Development and pressured the federal executive branch to develop a national street commerce policy. In August, 2001, the federal government created the Elaboration Committee for the policy which included the team that carried out the study, ministry workers, mayors and street vendor organisations, such as NASVI and SEWA.

In 2004, with the construction process completed, the policy was launched. That same year, the government created the National Commission for Enterprises in the Unorganized Sector (NCEUS) to examine the problems of small, informal businesses and suggest measures to overcome these.

The Prime Minister asked the NCEUS to revise the national policy as part of its purview. In 2006, NCEUS elaborated a report with the suggestion of introducing dialogue channels called Town Vending Committees

⁹⁴LUND, F; SKINNER, C. Integrating the informal economy in urban planning and governance. A case study of the process of policy development in Durban, South Africa. **International Development Planning Review**, v.26 (4). Durban, 2004.

⁹⁵SINHA, S.; ROEVER, S. India's National Policy on Urban Street Vendors. WIEGO Policy Brief. **Urban Policies**. Number 2. April, 2011. Cambridge: WIEGO, 2011.

(TVC). The TVCs would be composed of local government workers and street vendors and would be charged with generating and monitoring the implementation of the national policy. Following this report, in 2009 the federal government launched the revised National Street Commerce Policy.

Following the legal processes proposed by the street vendors throughout that period, in October, 2010, the Indian Supreme Court ratified the understanding that street commerce is a fundamental right and determined that the federal government must promulgate a law on the issue. This sentence reinforced the necessity of state and local governments also implementing laws based on the national policy. This was the final finding of a group numbering approximately ten million street vendors in the country.

5.5.2 Content of the national policy

The principal aspect of the national policy is the recognition of the positive role of street vendors in the generation of employment and offer of essential merchandise and accessible prices in convenient locations⁹⁶.

The national policy, revised in 2009, has the following specific objectives:

1. Legal status: regularise workers and regulate the activity. Define zones or markets in accordance with municipal plans and guarantee supervision of street commerce;
2. Public services: supply appropriate services and infrastructure according to the location;
3. Transparent regulation: emit licenses connected to the previous occupation of commerce areas historically consolidated, in a transparent way so as to avoid corruption and clientelism. In locations where demand is greater than supply, opportunities can be temporary, according to decisions made by the worker dialogue instances (TVCs);
4. Vendor organisation: support the formation of organisations;
5. Participatory processes: guarantee tripartite dialogue spaces between the workers, public authorities and civil society in a centralised manner in the TVCs and in a decentralised manner through the Ward Vending Committees (WVC). These spaces are for discussion of management, planning, conflict resolution and organisational support;

⁹⁶SINHA, S.; ROEVER, S. India's National Policy on Urban Street Vendors. WIEGO Policy Brief. **Urban Policies**. Number 2. April, 2011. Cambridge: WIEGO, 2011.

6. Self-regulation: specify norms and procedures for hygiene, trash elimination, among others, through the institutionalisation of mechanisms for self-management and self-regulation, both in areas with individual authorisations and the street commerce zones/groups with collective responsibility;
7. Promotion measures: facilitate obtaining credit, technical training for forming cooperatives, housing, social security.

Of note is that the national policy recognises the importance of maintaining street vendors in areas historically occupied by the activity. This goes directly against the global trend of removing vendors from areas due to their eventual economic viability.

Another issue worth revisiting in the policy is the necessity of making the supply of work opportunities compatible with the demand of vendors in the regions, through a reasonable, inclusive distribution in urban planning. The policy mentions, for example, that in neighbourhoods with high demand for workers in new markets, there should be a rotation, to be able to offer opportunities to all.

The National Street Commerce Policy in India is the only that exists on a national scale, the result of more than a decade of struggle by the workers. This policy presents a set of guidelines to be applied by governments at the federal, state and municipal levels. However, since 2004, its implementation has been weak. A study by WIEGO demonstrated that only seven of the twenty-eight states in India have implemented the national policy since 2004⁹⁷. Some cities carried out field research to better understand the reality of street commerce and better implement the policy.

Despite the national policy constituting a normative advancement, specialists from several parts of the world identified several points to be improved or modified:

- Obligation of the government to provide alternatives to street vendors that are removed;
- Transparency in collection and management policies;
- Coordination between selling locations and municipal markets and specialised commerce.

⁹⁷SINHA, S.; ROEVER, S. India's National Policy on Urban Street Vendors. WIEGO Policy Brief. **Urban Policies**. Number 2. April, 2011. Cambridge: WIEGO, 2011.

5.6 A cross-cutting view of the policies

5.6.1 Policy construction and implementation process

Both the Indian policy and the South African policy offer, in their accounts, illustrations of the elaboration, political context, stages and actors necessary in order to build policies.

The Metropolitan Street Commerce Policy of Durban goes further, because it includes a preoccupation with establishing stages in its implementation process, that is, it outlines priorities and the schedule for execution of the policy.

In India, the construction of the policy included the participation of worker organisations coordinated on a national scale. Following the participatory elaboration, the Indian federal government sent along the recently constructed policy to the department created to support the “unorganised” sector, the National Commission for Enterprises in the Unorganized Sector (NCEUS), which contributed proposals such as the centralised and decentralised dialogue channels in the cities.

5.6.2 Management

- Organs, powers and responsibilities

The policies in Durban and in India establish the principal management guidelines for street commerce, with the constitution of a coordinating organ to apply instruments that provide transparency to administrative actions, taxes, supervision and planning.

The Durban metropolitan policy displays the following aspects: 1) decentralisation of management in city regions; 2) support for economic activities throughout the informal production chain; 3) integration between management, support, regulation and public health functions; 4) promotion of work safety; and 5) mechanisms for monitoring and evaluating the informal economy.

Again, the Indian national policy highlights the collective management in work areas, where they can create self-management mechanisms.

- Type and forms of authorisation

In São Paulo and Porto Alegre, the legal relationship between the street vendor and the public authorities in the use of public spaces is precarious, because the Brazilian legislation prohibits the private use of a public common-use area. The legislation is lacking, as is the city master plan, for example, in instruments to make allow for the demarcation

of perimeters for street commerce, without which it is impossible to establish a contractual relationship that provides security, in space and in time, to the workers.

In São Paulo, the street vendors sent along, during the revision process of the Municipal Plan of 2013, the possibility of a Concession of Special Use for Street Commerce that could be an alternative to those precarious authorisations subject to arbitrary repeal: the Permission of Use Terms (TPU).

The experience in Durban introduced authorisation through a registration card, with a bar code that indicates region, year and number. Durban also requires that street vendors have additional authorisation by the health department. The policy mentions the possibility of a rent system for licenses. New York conditions authorisation for the selling of food on the completion of a training course related to public health.

In Porto Alegre, there are two authorisations: the annual one, for all vendors; and the event-based, for a period of less than ninety days, in cases of “celebrations, shows, among others”. This appears to be the norm closest to the current urban context, where street vendors can make an important contribution to providing consumer goods both as wholesalers and resellers during seasonal events.

- Supervision

The experiences in São Paulo, Rio de Janeiro and New York demonstrate that supervision carried out by police or guards (armed or unarmed) has generated a series of arbitrary actions and violence. The criminalisation, by the public authorities, of workers without authorisation, as a result of “exception management”, is emblematic of the incapacity of the State to insert into its planning the large contingent of people that are not included. Beyond the need to train supervisory agents, which should not necessarily consist exclusively of security guards, the policies should make it clear that the priority is inclusion through planning, based on what is agreed upon with the workers.

In this sense, it is not about questioning supervision itself, as a government action directed at monitoring and upholding norms, but about the relation between the massive production of illegality, due to the restricted number of licenses, and the violent repression of those who are illegal.

Though India has opted to make no distinction between legal and illegal work, it still encounters difficulties in finding an equilibrium between

supply and demand of work spaces. It is an equation that involves the subordination of urban planning actions via the relation of many economic activities in municipal plans, as we will see shortly. Furthermore, the demand for income generation must involve an in-depth strategy by the State, to provide support to workers at various points in the informal production chain.

- Taxes

Some of the policies related above demonstrate that the established values need to be related to the workers' economic capacity. Furthermore, Durban's policy is noteworthy for its importance of integrating the services of the tax sector of the government with the other sectors, such as, for example, sanitary inspection and formalisation of businesses, among others.

As for the values, the Durban policy sets out that the values do not need to be singular, and can vary according to the profitability of the location, size of the equipment and existence of infrastructure.

5.6.3 Urban Planning

- Necessity of inclusion of the activity in municipal master plans

The national policy in India recognises the importance of the activity in providing goods and generating income to combat poverty. For that reason, it includes street commerce in urban planning following determined strategies in master plans and regional plans. This policy, when the demand of street vendors is greater than the supply of spaces, is realised through rotation of authorisations in new popular markets.

- Coordination throughout the production chain and urbanistic viability

Among the examples studied, the Durban policy is unique in that it includes a more ample comprehension of the insertion of street commerce throughout production chains. This conception stems from the presupposition that informality is present at different stages of production, distribution and sales. In this sense, an effective policy for the informal economy must focus on support for several activities and, mainly, the coordination of informal labourers.

The Durban metropolitan policy highlights the principal of decentralisation in the allocation of neighbourhood markets in the townships, where there is demand for consumer goods that, at the same time, can benefit household production through income generation.

The national policy in India mentions the coordination of street commerce with traditional commerce and service agglomerations, known as “natural markets”, where there are many pedestrians and consumers.

- Perimeters of fixed and mobile locations

In the New York and Porto Alegre policies, it is possible for workers to exercise street commerce in different places and times, as long as they obtain authorisation for so-called mobile locations.

In New York, the “Green Carts” program makes it possible for vendors to occupy two locations in a determined perimeter. In Porto Alegre, the “Neighbourhood Wandering” program allows for work in different neighbourhoods. These programs allow vendors to incorporate the dynamism of the city’s economic activities and currents.

The New York policy shows the possibility of certain public spaces (streets, plazas and squares) to be occupied on certain days for temporary open markets. This is a solution that also brings with it new alternatives for income generation to street vendors.

Although the municipal law in the city of São Paulo mentions the existence of three categories of street vendors (fixed, mobile and itinerant), there has been no regulation of mobile and itinerant vendors.

- Popular Markets

The policies in Durban, India and Porto Alegre authorise the existence of public markets in spaces outside of public thoroughfares. The Durban Metropolitan Plan mentions the necessity of governmental support in the management of markets, with the allotment of areas for training, coordination with micro-credit programs and nurseries for the children of street vendors. The national policy in India determines the role of the government in providing infrastructure and adequate installations for workers in these markets.

However, the implantation of public markets is not a consensus among the policies presented. In Porto Alegre, the model of the Popular Shopping Centre was used to remove a large portion of street vendors. This model became a policy reference for street commerce in several cities and is now often presented as the only possible solution. However, the experience in Porto Alegre shows that the process of implantation and maintenance of the Popular Shopping Centre was not in agreement with the vendors, excluding around 80% of the street vendors removed from the city streets. Furthermore, those that were transferred to the

popular market encountered difficulties to maintain their work there due to the high fees charged by the private administration.

5.6.4 Dialogue channels

- Centralised and decentralised

The current policy and proposal in São Paulo, as well as the national policy in India, establish two types of dialogue between the government and the street vendors: centralised, via municipal councils; and decentralised, through regional commissions. The existence of these two scales of dialogue can be beneficial to the extent that, in the centralised form, workers can establish planning, monitoring and evaluation strategies at the municipal scale; and decentralised, they can approximate themselves to public administrators and resolve local conflicts and contradictions.

5.6.5 Worker support

- Promotion of business and training

India's national policy and Durban's metropolitan policy both mention the importance of support for workers, whether for their organisation, education and training, or for the sustainability of their business. The experiences in New York and Porto Alegre show that street vendors that sell food are obliged to participate in a training course to adhere to sanitary norms.

In relation to support for worker organisation, in the case of India, the policy establishes guidelines to strengthen workers through cooperatives, trade unions and associations, so that they can participate in the discussion of policies of self-management of the spaces where they develop their activities.

The metropolitan policy of Durban affirms that the role of the State is proactive, in the sense of formalising worker organisations and having permanent technical, training and business promotion programs in their work spaces (service, technical courses, micro-credit, etc.)

5.7 Considerations on the policies

It can be verified, from the five experiences related above, that whatever the established scale for a street commerce policy: municipal (São Paulo, Porto Alegre and New York), metropolitan (Durban) or national (India),

a political reading on the meaning of informality to the urban economy is essential, along with recognition of the goals one wishes to reach with policies directed at the issue.

Experiences in such disparate political and economic contexts as New York, Durban and India, however, must be analysed comparatively with much care. The concepts and methodologies to quantify informality⁹⁸ are distinct, as was mentioned in the introduction of this book.

In this sense, we see that a policy can have different meanings when facing almost the entire workforce, as in India; or half of it, as in Brazil. Depending on the dimension of informal labour and how it relates to the public authorities, it can result in policies that are embracing, timely or “exceptional”.

To define a policy for the informal economy, or specifically for street commerce, means to consider the context of inequality in the respective country, as well as know in what way it is symbiotic with the formal economy and functional in the maintenance of political and economic monopolies. Depending on the context, the public authorities formed policies considering the temporariness of informal labour, justifying formalisation policies with the belief of a possible “eradication” of informality.

The lack of a municipal plan in the cities of São Paulo, Porto Alegre and New York reported in this last section is emblematic of how street commerce is seen as a compensatory policy, reserved to some groups with difficulties to enter the formal labour market: the physically disabled, elderly and war veterans. However, the reality of street commerce in the city of São Paulo shows that this activity is a consolidated alternative for an important portion of employees that don’t fit into any of the three categories mentioned above.

Furthermore, the policies in the cities above vary from the most embracing policies, such as Durban and India’s, because they are government policies, created and implemented via a local, impermanent executive agenda. The policy of the State, in turn, involves more than one public agency, which passes through various instances of processing and consolidates more in-depth norms.

São Paulo’s experience is especially noteworthy for arriving at a near-total prohibition of the activity. Among the justifications given by the municipal administration, then-Mayor Kassab alleged that street vendors would find employment opportunities in the growing Brazilian economy. As was previously mentioned, this view doesn’t correspond to the existing discrep-

⁹⁸SINHA, S.; ROEVER, S. India’s National Policy on Urban Street Vendors. WIEGO Policy Brief. **Urban Policies**. Number 2. April, 2011. Cambridge: WIEGO, 2011.

ancy between economic growth and the demands for entry into the formal labour market.

Eradicating the activity is not viable when informality is functional in the sustenance of monopolies of political and economic power. The gears of power, in the experiences of Rio de Janeiro and São Paulo, have formed policies that place informality in a spot with very little autonomy in its access to rights. This in turn supports clientelist relations as a means of maintaining the power of certain political groups.

Entrepreneurial rhetoric, in turn, is a reflex of the hegemony of neoliberal economic thought, in which worker relations become commercial relations and the costs of labour are transferred from corporations to the workers themselves. The apparent “autonomy” in the management of business, meanwhile, masks the continuity of relations of subordination, including the worker excluded from the corporations.

For autonomous workers, the class relations between workers are broken, pushing them in the direction of individualism and competitiveness. We have seen that government investments in credit, training and technical assistance programs are still insufficient for workers to have better working conditions and overcome social vulnerability.

On the other hand, there are policies that recognise informality as a permanent exception of capitalism, but believe, however, that they can only “manage it” or “domesticate it” if the determined activity doesn’t generate conflicts and disputes among different sectors of society. In this conception, “managing” informality means tolerating it, limiting it arbitrarily to the smallest number of people that can work in a legalised manner, leaving a large contingent of workers at the mercy of the lack of planning and vulnerable to corruption and violence. This “exception management” profile delimits the inclusion of few and omits itself from the planning for many. In the case of the city of São Paulo, the number of active licenses, for example, corresponds in the year 2013 to only 2.5% of the total contingent of street vendors. In New York, despite all the militarised, exclusionary management, the percentage is 20%⁹⁹.

According to this reasoning, “domesticating” informality means restricting street commerce to a few parts of the city, but only those that won’t confront the logic of the reproduction of capital and, consequently, the image needed to maintain the inflation of real estate values. Not only street vendors, but recyclable materials collectors, residents of precarious housing

⁹⁹URBAN JUSTICE CENTER. **Peddling Uphill**: A report on the conditions of street vendors in New York City. New York: UJC, 2006.

areas and street dwellers are obliged to occupy areas distant from the vectors of urban reconfiguration and corporate and media-driven mega-events. The “demarcation” of areas where they can be, work or circulate becomes not a policy affirmative of the right to the city, but of removal of this population to areas out of the view of “progress” and “modernity”. Thus, the systematic campaign of criminalisation and stigmatisation, to attribute to these people the status of illegality, piracy, nuisance, uncleanness, among others.

In summary, the absence of an inclusive policy is itself a policy. The Brazilian cases related here show that the laws that regulate street commerce only apparently serve to include, when, in fact, they are instruments of exclusion of street workers. The experiences in Durban and India reveal that a regional and national treatment are important to guide local approaches, making constitutional rights to work compatible with the right to the city.

In the cities, large disputes occur between interests for the appropriation of real estate and inflation of its value in consolidated areas. In this sense, the use and occupation given to public spaces directly affect the inflation of private property values and their surroundings, which has led to the subordination of government decisions to the interests of the private sector.

Among the five policies presented here, the National Street Commerce Policy of India is noteworthy because it does not distinguish between illegal and legal, assuring that all have an identity card as street vendors. The three goals defined by this policy are: equality, coordination and support.

In relation to the first objective - equality - despite the physical limitation of space for selling in some heavily populated districts, street vendors that were not included must theoretically have their work place defined through the planning of the State. This way, there is no distinction between a first class worker, who has a license; and a second class one, who is illegal.

In relation to the second objective - coordination - the Indian concept shows that it is a role of the State to plan the activity in coordination with other urban economic activities - and in a decentralised manner - in the city. The preoccupation with urban planning comes from the principle of distributing work opportunities through guidelines defined in the master plan and in regional plans.¹⁰⁰

About the third objective - support - the National Street Commerce Plan in India includes a fundamental aspect: assistance for informal workers through legal assistance, technical support and help in organising the

¹⁰⁰India’s national policy refers to city master plans and zonal and local plans. Source: SINHA, S.; ROEVER, S. India’s National Policy on Urban Street Vendors. WIEGO Policy Brief. **Urban Policies**. Number 2. April, 2011. Cambridge: WIEGO, 2011.

workers. This is a distinctive element of affirmative policies, which aren't limited to defining norms and processes for the use and occupation of the land. The Metropolitan Street Commerce Policy of Durban also includes, among its guidelines, the responsibility of the State in lending support to informal workers.

The experiences underway do not mention, however, the importance of the institutionalisation of channels for reporting corruption, violence and abuses on the part of public agents¹⁰¹. Another aspect missing in the policies mentioned is related to the need for a financial instrument exclusively for street commerce, with a permanent budget and resource allocation plans generated with worker participation.

The proposal discussed by the Street Vendors Forum and the Gaspar Garcia Centre for Human Rights incorporates a few of the concepts studied above and recognised by the workers as appropriate for the city of São Paulo. Among them is the elaboration of pilot projects in chains of production with high instances of informality, such as textiles, coordinating activities and workers from production to sales to the disposal of waste. Particularly in São Paulo, the fragmentation of the chain and the existence of middlemen that exploit the workers are barriers that must be faced with public policies of assistance, support, training, urban planning, etc.

Just as with the National Street Commerce Plan in India, the policy proposal in São Paulo also mentions the need for criteria that connect spaces demarcated for the activity with the other economic activities and urban flows, especially the flow of pedestrians. The history of this city, during different administrations, demonstrates that it always favoured the removal of street vendors and their transfer to areas without economic or urbanistic viability.

Aside from demands to establish urbanistic criteria, the Street Vendors Forum forwarded a proposal to incorporate, in the city master plan, the locations of areas with street commerce that is necessarily connected to collective transportation routes – train, subway or bus.

The right to work and the right to the city are normally placed separately in political agendas with respect to workers and movements for urban reform, when both should always be connected.

In the Habitat Agenda¹⁰², from the United Nations (UN), among the

¹⁰¹Law 1017/1997, the “Street Commerce Statute”, from then-councilman José Eduardo Martins Cardoso, proposes the Street Vending Ombudsman, connected to the Municipal Street Vending Council, for reporting abuses by the public authorities.

¹⁰²The Habitat Agenda was launched in June, 1996 in the city of Istanbul, Turkey. It is a political document resulting from the Second United Nations Conference on Human

seven commitments is the creation of sustainable human settlements, as integration of the “urban planning and management with housing, transportation, work opportunities, environmental conditions and community equipment”¹⁰³. Similarly, the Decent Work Agenda¹⁰⁴, from the International Labour Organization (ILO), also defends the generation of income in local communities for the sustainability of families. In both international agendas, two items call attention for their overlapping intentions: 1) Popular Participation and Social Dialogue; 2) Income generation and participation in the urban economy in sustainable settlements.

In Brazil, the first item is legitimated in the Federal Constitution and in two urbanistic norms: the Statute of the City and Master Plan. In relation to the second item, however, despite both agendas containing concern for the guarantee of access and permanence of informal workers in their work spaces, there are no urban policy instruments in the country that offer them legal and urbanistic security.

The legal framework alone isn’t sufficient: the realisation of the right to the city, proposed by the cited norms, depends on mechanisms such as pressure, participation and social control by social movements. For the movements’ actions to be effective, popular struggles present greater force when they combine: 1) **organisation**, 2) **coordination in networks** and 3) **substantial participation and social control**.

In relation to **organisation**, there are a series of obstacles to informal workers organising themselves. These obstacles exist in the internal and external contradictions related to the design of social dialogue policies, along with political clientelism, corruption, violence by the State and restructuring of chains of production.

As for **coordination in networks**, the trajectory of the Gaspar Garcia

Settlements and adopted by one hundred and seventy one countries. There are seven commitments: 1) “Adequate shelter for all”; 2) “Sustainable human settlements”; 3) “Strengthening and Participation”; 4) “Gender equality”; 5) “Financing of protection and human settlements”; 6) “International Cooperation”; and 7) “Evaluation of progress”.

¹⁰³FERNANDES, M. **UN-HABITAT**. Agenda Habitat para municípios. Rio de Janeiro: IBAM, 2003. Available at: <http://www.empreende.org.br/pdf/Programas%20e%20Pol%C3%ADticas%20Sociais/Agenda%20Habitat%20para%20Munic%C3%ADpios.pdf> Accessed on October 23, 2013.

¹⁰⁴The Decent Work Agenda was discussed in 2007 by its members: the International Labour Organization (ILO), government, employers and workers. It is based on the understanding that work is a source of personal dignity, family stability, peace in the community and growth that increases opportunities for productive employment and business development. There are basically four points defended by the Agenda: 1) income generation; 2) guaranteeing workers’ rights; 3) extension of social security; 4) promotion of social dialogue.

Centre allowed it to conceive of coordination, beyond support for workers organisations alone, but that included dialogue with other social movements. This is very important, seeing that recent protests in June, 2013, that began in the city of São Paulo and grew nationwide to include a broad agenda of demands, demonstrate how closely related the struggle of the street vendors is to other urban movements' demands, as compared to hierarchical union structures. In this sense, the struggle of street vendors is more closely associated with the issue of urban reform and the right to the city than the maintenance of workers' rights, to which the vendors have never had access.

Capitalism's capacity to restructure in the interest of wealth has affected the working classes perversely and corrosively. The great challenge is to join this large number of the affected – and which is currently dispersed – whose key mottos are multiple and more complex: spatial segregation, equality and respect for issues of gender, race/ethnicity, etc. Besides approximating this large mass, it is necessary to find, among the different demands, the recognition of common agendas among those excluded.

In terms of **substantial participation and social control**, the struggle for channels of participation and social control cannot be detached from the meaning of participatory processes. Occupying a space is not an end in itself. Participation in and social control over the State has a political meaning of social transformation, that is, the realisation of the just distribution of benefits and responsibilities of the process of urbanisation and economic growth.

The experiences of social dialogue, however, have shown that the channels are full of participation and empty in terms of political transformations. The autonomy of these spaces is also fundamental, not only in the protection of workers that forward their complaints, but also in the liberty that this space offers to denounce the monopolies of power.

Dialogue spaces also cannot restrict the approval or denial of government decisions: it is the duty of popular movements to struggle for new legal frameworks and propose new instruments for the democratic management of the city.

6 Annex I - Axes and Guidelines for the Participatory Construction of a Municipal Street Commerce Plan

6.1 Guiding Principle 1: Improvement and Transparency of Management

6.1.1 GUIDELINE 1A:

Participatory Definition of Criteria for General Registration by City Sub-region

- **OBJECTIVES:**
Pact of criteria for registration of street vendors for the emission of new licenses
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Street vendors, Shop owners and Civil Society

6.1.2 GUIDELINE 1B:

Realisation of Registration with Social Control

- **OBJECTIVES:**
Registration of street vendors with the emission of licenses
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination and PRODAM, Street Vendors and Civil Society

6.1.3 GUIDELINE 1C:

Informatisation and Digitalisation of Administrative Procedures

- **OBJECTIVES:**
Accessible information online, with implantation of digital administrative processes for making content available to all interested
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination and PRODAM

6.1.4 GUIDELINE 1D:

Transparency in Management

- **OBJECTIVES:**
Publication of Terms of Permission of Use (TPUs) on the City Hall website, with ample, unrestricted access, containing the general list by sub-region
- **RESPONSIBLE:**
Secretary of Urban Safety and Secretary of Sub-regional Coordination

6.1.5 GUIDELINE 1E:

Transparency in Supervision and Enforcement

- **OBJECTIVES:**
Definition and publication, on the City Hall website, of the functions of enforcement and public security agents (Metropolitan Guard and Military Police)
- **RESPONSIBLE:**
Secretary of Urban Safety and Secretary of Sub-regional Coordination

6.1.6 GUIDELINE 1F:

Training for Enforcement Agents

- **OBJECTIVES:**
Offer technical qualification in reference to the procedures and management of conflicts to supervisory agents.
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Secretary of Urban Safety and Special Secretary of General Controllershship.
- **RECOMMENDATIONS:**
Seek partnerships with the Public Prosecutor, Public Defender and Universities.

6.1.7 GUIDELINE 1G:

Standardisation of Supervisory Actions with Publication of Procedures

- **OBJECTIVES:**
Standardisation of supervision: approach, apprehension procedures, protection and restitution of merchandise by public agents.
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Special Secretary of General Controllershship, Secretary of Urban Safety, Street Vendors and Civil Society.

6.1.8 GUIDELINE 1H:

Creation of a Special Coordinator

- **OBJECTIVES:**
Creation of a Coordinator for Specialised Treatment for Street Vendors, meant to manage the activity in a manner coordinated with decisions of the Permanent Street Vendors Commissions.
- **RESPONSIBLE:**
Mayor, Secretary of Sub-regional Coordination, Secretary of Planning and Budget and Secretary of Government Relations.

6.2 Guiding Principle 2: Urban Planning

6.2.1 GUIDELINE number:

Participatory Study of Sub-regions with Consolidated Areas with Street Commerce Potential

- **OBJECTIVES:**
Mapping of the areas of street commerce between 2004 and 2012, with identification of the respective quantities for decentralisation of opportunities for generation of income in municipal territory.
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Secretary of Planning and Secretary of Urban Infrastructure, Street Vendors and Civil Society.
- **RECOMMENDATIONS:**
Create maps with rates of employment, population and centres of popular commerce, transportation terminals, among others, where street commerce areas are identified.

6.2.2 GUIDELINE 2B:

Definition of the Perimeters of CPAs

- **OBJECTIVES:**
Establishment of criteria and consolidation of perimeters where commerce points will exist, both fixed and mobile, for street commerce.
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Secretary of Planning and Budget and Secretary of Urban Infrastructure.
- **RECOMMENDATIONS:**
Submit to the CPAs for approval.

6.2.3 GUIDELINE 2C:

Realisation of Public Meeting on Instruments of Urban Policy: Guarantee of Space and Time

- **OBJECTIVES:**
Inclusion of the results of the meeting in the current revision of Executive Master Plan to be sent to the Chamber of Commerce.
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Secretary of Urban Development
- **RECOMMENDATIONS:**
Submit to the CPAs for approval.

6.3 Guiding Principle 3: Participation in the Elaboration and Implementation of a Municipal Street Commerce Plan

6.3.1 GUIDELINE 3A:

Installation of a Committee Composed by Intersecretarial Group, Street Vendors and Representatives of Civil Society for Discussion, Consolidation and Monitoring of the Municipal Plan

- **OBJECTIVES:**
Establish criteria and frequency of actions and activities for construction of a Municipal Street Commerce Plan.

- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Street Vendors, Civil Society and Shopkeepers.

6.3.2 GUIDELINE 3B:

Participatory Definition of New CPA Guidelines

- **OBJECTIVES:**
Standardisation of the process and installation and functioning of CPAs in regional city offices.
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Street Vendors and Civil Society.

6.3.3 GUIDELINE 3C:

Deliberation, in Intersecretarial Group, on Institutionalisation of Municipal Street Commerce Council

- **OBJECTIVES:**
Standardisation of the process and installation and functioning of CPAs in regional city offices.
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Street Vendors and Civil Society.

6.4 Guiding Principle 4: Promotion of Solidarity Economy and Commerce

6.4.1 GUIDELINE 4A:

Technical Qualification in Business

- **OBJECTIVES:**
Training for professional qualification.
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Secretary of Labour and Entrepreneurship, Secretary of Finances and Secretary of Planning and Budget, Street Vendors, Shopkeepers and Civil Society

6.4.2 GUIDELINE 4B:

Business Promotion

- **OBJECTIVES:**
Specific Lines of Credit with facilitation for obtaining financing and low interest rates.
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Secretary of Labour and Entrepreneurship, Secretary of Finances and Secretary of Planning and Budget, Street Vendors, Shopkeepers and Civil Society.

6.4.3 GUIDELINE 4C:

Solidarity Economy

- **OBJECTIVES:**
Creation of a network of workers in respective chains of production through promotion in popular commerce centres with food, handicrafts, regional cuisine.
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Secretary of Labour and Entrepreneurship, Street Vendors, Shopkeepers and Civil Society.
- **RECOMMENDATIONS:**
Look for partnerships with universities and civil society entities.

6.5 Guiding Principle 5: Improvement of Specific Legislation

6.5.1 GUIDELINE 5A:

Social Protection

- **OBJECTIVES:**
Alteration of Law 11.039/91 or creation of a new law for the inclusion of permission for Micro-entrepreneurs (MEI), assuring the right to social security and business promotion
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Special Secretary of General Controllershship, Secretary of Government Relations, Secretary of Legal Negotiations, Street Vendors and Civil Society

6.5.2 GUIDELINE 5B:

Participatory Definition for Revision of the Role of Assistants

- **OBJECTIVES:**
Discussion to revise the role of assistants for people with disabilities and the physically capable
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Special Secretary of General Controllershship, Secretary of Government Relations, Secretary of Legal Negotiations, Street Vendors and Civil Society

6.5.3 GUIDELINE 5C:

Inclusion of Legal Instrument “Concession of Use” for Street Commerce

- **OBJECTIVES:**
Inclusion of “concession of use” for greater legal security for street vendors
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Secretary of Legal Negotiations, Street Vendors and Civil Society

6.5.4 GUIDELINE 5D:

Discussion about Transfer of Term of Permission of Use

- **OBJECTIVES:**
Inclusion of the transfer of TPU for family members of street vendors quickly for those unable to exercise the activity
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Special Secretary of General Controllershship, Secretary of Government Relations, Secretary of Legal Negotiations, Street Vendors and Civil Society

6.6 Guiding Principle 6: Participation in Mega-Events

6.6.1 GUIDELINE 6A:

Social Dialogue and Transparency

- **OBJECTIVES:**
Access to information online on City Hall projects, participation of street vendor representatives in official commissions (ex: SP COPA) for further events of municipal scale (SP 2020, Virada Cultural Festival, etc.)
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Secretary of World Cup 2014 Coordination, Street Vendors and Civil Society.

6.6.2 GUIDELINE 6B:

Municipal Plan for the 2014 World Cup

- **OBJECTIVES:**
Participation of street vendors in the games of the 2014 World Cup and further events of municipal scale (SP 2020, Virada Cultural Festival, etc.) and social dialogue for the definition of locations and types of products to be commercialised by street vendors and which reflect Brazilian culture (gastronomy and handicrafts).
- **RESPONSIBLE:**
Secretary of Sub-regional Coordination, Secretary of World Cup 2014 Coordination, Street Vendors and Civil Society.

7 Captions

7.1 Page 13

Shoes on display in a street vendor stand in Brás, São Paulo. Photo: Deco Cury, 2013.

7.2 Page 14

João Pereira in his stall at Rua 25 de Março, São Paulo city centre. Photo: Deco Cury.

7.3 Page 16

Luiz Cláudio's mobile stand, on Rua Muller, in Brás, São Paulo. Photo: Deco Cury, 2013.

7.4 Page 17

Bernardo do Nascimento, better known as Piauí, street vendor on Rua Oriente, Brás, São Paulo. Photo: Deco Cury, 2013.

7.5 Page 18

Piauí at his stand on Rua Oriente, Brás, São Paulo. Photo: Deco Cury, 2013.

7.6 Page 21

Geni Vicente da Silva, street vendor at the Conceição subway station, São Paulo. Photo: Deco Cury, 2013.

7.7 Page 22

Geni Vicente da Silva with her açai cart in the area of the Conceição subway station, São Paulo. Photo: Deco Cury, 2013.

7.8 Page 24

Zenilio Ramos de Araújo, stadium food vendor, prohibited from working since 2009, São Paulo. Photo: Deco Cury, 2013.

7.9 Page 28

Juraci Sampaio, street vendor at Vale do Anhangabaú, São Paulo city centre. Photo: Deco Cury, 2013.

7.10 Page 29

Juraci Sampaio with his merchandise near the Anhangabaú subway station, São Paulo city centre. Photo: Deco Cury, 2013.

7.11 Page 32

Francisco Ferreira da Silva, street vendor from the Luz region, São Paulo. Photo: Deco Cury, 2013.

7.12 Page 33

Francisco Ferreira da Silva in his house on the Mauá occupation, in front of the Luz train station, São Paulo. Photo: Deco Cury, 2013.

7.13 Page 36

George Washington Mota Leite, street vendor who worked on the São Miguel Paulista boardwalk, São Paulo metropolitan region. He passed away in September, 2013. Photo: family personal archive.

7.14 Page 41

Luiz Claudio at his stand on Rua Muller, Brás, São Paulo. Photo: Deco Cury, 2013.

7.15 Page 50

National Street Vendors Coordination meeting in Rio de Janeiro. Photo: Mariana Sampaio, 2013.

7.16 Page 52

Street vendors from São Paulo hold signs in a protest in front of the Sub-regional offices, São Paulo city centre. Photo: João Ricardo, 2013.

7.17 Page 55

Street vendors at a regular meeting of the Street Vendors Forum in the city of São Paulo. Photo: Luciana Itikawa, 2012.

7.18 Page 73

Public protest by street vendors in front of São Paulo City Hall, Viaduto do Chá, São Paulo. Photo: Luciana Itikawa, 2012.

7.19 Page 74

Uruguaiana Popular Market, Rio de Janeiro city centre. Photo: Geilson Sampaio, 2013.

7.20 Page 81

Main entrance of the Leonel de Moura Brizola Public Market, Rio de Janeiro city centre. Photo: Geilson Sampaio, 2013.

7.21 Page 88

Street vendor selling shoes in India. Photo: Carolina Ferro, 2005.

7.22 Page 93

Street vendor selling flowers in India. Photo: Carolina Ferro, 2005.

7.23 Page 94

“Grito dos Excluídos” (Shout of the Excluded) march in 2012. Photo: Gaspar Garcia Centre archives, 2012.

7.24 Page 98

Street Vendors Forum protest, in front of São Paulo Courthouse. Photo: Juliana Avanci, 2012.

7.25 Page 100

Panoramic view of Rua 25 de Março, São Paulo city centre. Photo: Luciana Itikawa, 2012.

7.26 Page 106

Protest by Porto Alegre street vendors against the excesses of the “Camel-drome”. Photo: Juliano Fripp, 2013.

7.27 Page 108

Banner by activists at the street vendor protest in front of Porto Alegre City Hall. Photo: Juliano Fripp, 2012.

7.28 Page 112

Street vendor cart in Manhattan, New York, USA. Photo: Luciana Itikawa, 2013.

7.29 Page 115

Street vendor selling food in Manhattan, New York, USA. Photo: Luciana Itikawa, 2013.

7.30 Page 119

Stands with street vendor merchandise in the streets of New York. Photo: Luciana Itikawa, 2013.

7.31 Page 120

Street vendor protest in South Africa. Photo: Pillay, 2013.

7.32 Page 123

Street vendor with her child and her merchandise on display, Durban, South Africa. Photo: Luciana Itikawa, 2006.

7.33 Page 126

Street vendors displaying their merchandise in India. Photo: Maíra Van-nuchi, 2010.

7.34 Page 129

Street vendors displaying their merchandise in stands in India. Photo: Carolina Ferro, 2005.

7.35 Page 131

Buraco do Lume in Rio de Janeiro city centre. Photo: Geilson Sampaio, 2013.

7.36 Page 134

Small piggybanks on display in the street in São Paulo city centre. Photo: Luciana Itikawa, 2002.

7.37 Page 138

Street vendors at the “Grito dos Excluídos” with the Street Vendors Forum banner, Brigadeiro Luiz Antônio Avenue, São Paulo. Photo: Geilson Sampaio, 2013.

7.38 Page 145

Stand in Brás: ready to be packed up. Photo: Juliana Avanci, 2012.

7.39 Page 146

Left to right: Jewelry vendors, Brussels. Photo: Luciana Itikawa, 2013. Seller of political stickers, Los Angeles. Photo: Luciana Itikawa, 2005. Coconut candy seller, London. Photo: Luciana Itikawa, 2012. Glasses vendor, Boston. Photo: Luciana Itikawa, 2005. Handbag vendor, Paris. Photo: Luciana Itikawa, 2012.