

CAUSE FOR HOPE IN THE BATTLE FOR LIVING SPACE IN ASIA'S CITIES

Fifteen years ago, 800,000 people were forcefully evicted from their homes in Seoul to "beautify" the city for the Olympic Games. It was the worst situation the city's urban poor and their supporters had ever faced. In the middle of this eviction crisis, a large number of grassroots groups and housing rights activists from all over Asia gathered in Korea to focus attention on these and other forced evictions happening in cities around Asia. It was the first attempt to find ways for a regional network to assist a local housing struggle like this one. It led to the first fact-finding mission, which opened the plight of Korea's urban poor to international attention, and it inspired the formation of ACHR.

Since then, a lot of serious work has gone into the eviction issue, helping millions to secure land, housing and infrastructure, and getting government and development institutions to acknowledge that the poor have to be part of the urban development process in Asian cities.

But that doesn't mean the evictions have stopped. Sadly, they are increasing algebraically, causing a colossal displacement of people around the globe. Here in Asia, hefty contributions to the global eviction statistics are being made courtesy of speculation, market forces, urban development and infrastructure projects. There is more than ever an urgent need to find workable alternatives to this most impoverishing practice, which is the antithesis of development.

As professionals, we can gather and disseminate information about evictions, organize letter-writing and media campaigns to express outrage, citing all the UN covenants. But what do poor communities do? How do they manage when the bulldozers come? And how, when they are supported, linked together and given a little space to think about it, can they cultivate long-term strategies for fighting eviction and finding long term answers to their housing problems?

**SPECIAL
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HOW POOR
PEOPLE
DEAL WITH**

HOUSING

byPeople

IN ASIA

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PREVENTING EVICTION WITH INFORMATION :

Instead of waiting for them to be evicted, the Philippines Homeless People's Federation is surveying vulnerable communities living in environmentally dangerous areas and using their information to negotiate resettlement or upgrading options with local governments. In several cities around the country, these surveys have led to major breakthroughs in land and support for community-managed resettlement.

PREVENTING EVICTION WITH ALTERNATIVE PLANNING :

In Karachi, community organizations, NGOs, professionals and civic groups are joining forces to stop the Lyari Expressway, a mega-project nobody wants which would cause the city's largest-ever evictions of poor communities. But instead of just shouting no, their best weapon against this fantastically expensive and ill-conceived boondoggle has been a series of alternative plans, prepared by the OPP, the URC and local engineers.



PREVENTING EVICTION WITH COLLECTIVE ACTION :

The big lesson Mumbai's footpath dwellers learned, after years of watching their houses being torn down and their belongings confiscated, was that as individual families, or as individual settlements, they had no power to arrest this hopeless cycle of demolition and impoverishment. But when they joined together into a movement with *critical mass* and began developing better alternatives to that cycle, the city gradually began to listen.



EVICTED

THAILAND :

Thailand's fast-growing community movement takes full advantage of a long lull in evictions :

It usually happens that evictions follow the ups and downs of a country's larger economic fortunes, going up in times of boom and slowing down in times of bust. Thailand is a textbook example of this see-saw rhythm. When the 1997 economic crisis hit, it brought 30 years of growth to a crashing halt: the Baht lost half its value over night, banks collapsed, building stopped, unemployment skyrocketed and millionaires started selling sandwiches on the pavement. The crisis hit the urban poor as well with lost jobs and dwindling incomes, but it also meant that evictions almost completely stopped.

But even though the juggernaut of market forces has slowed down a little, it hasn't stopped. The construction industry is regrouping, its bad debts are being restructured and to prime the economy, the government is bullying nervous bankers into financing a new generation of mega construction projects. At the same time, it is shamelessly enriching state coffers by pawning off public land - much of it occupied by informal settlements - to the highest bidder, and forget about planning or the common good! There are clearly a lot more displacements to come.

But Thailand has a deeply entrenched culture which prizes conflict avoidance and compromise. This has made the practice of negotiating compensation or resettlement a much commoner way of resolving land conflicts than forced eviction - which happens far less frequently these days. Thailand also has a national community movement which is growing in strength, scale and sophistication, and it has made good use of this long lull in evictions to save, to gather information, to experiment, to strengthen its networks and to expand its repertoire of viable, long-term alternatives to eviction. There are also many more tools available to poor communities now to back up these efforts, in the form of cheap loans, development funds and institutional support.

In the following pages, we'll take a look at the eviction situation in Thailand and see how poor people's organizations and their NGO and government supporters are taking big steps towards making Thai cities eviction-free.

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When countries like India, Sri Lanka and Indonesia won the struggle against their European colonizers and became independent states, vast areas of land in their cities which had been appropriated by the colonial administrations became public land in these newly independent states. Thailand managed to remain independent during Asia's long colonial era, and as a result, most urban land still tends to be under private ownership, with public land in relatively short supply.

Diminishing tenure options for the urban poor : The life and death of Thailand's land rent system . . .

The pattern of land ownership in Thai cities comes out of a long feudal tradition in which aristocratic families and a wide spectrum of smaller land-owners - and not the state - owned most urban land. The common practice was to subdivide and rent out unused land to people to build houses on. The land rent system allowed land-owners to earn a modest income on property which wasn't otherwise in great demand, while it created a wide range of affordable housing options for the urban poor. There were no regulations governing how you could or couldn't subdivide land, and so land-rent communities were often crowded, badly serviced and decidedly slumish.

But in this case, the lack of standards worked in the poor's favor and made for a rich, flexible market of affordable housing in which almost everyone - no matter how poor - could find some kind of room or shack or bit of land to rent.

Land rent continued to be the chief housing supply system for the urban poor right up to the 1970s, when the economic boom began changing the land supply and demand equation for ever. This was the era of big real estate projects, when all that land which had been available to rent cheaply started shooting up in value. An upcoming generation of land-owners, who had no relationship with these old tenants and were more profit-minded than their parents, were eager to cash in on their newly valuable land assets and wasted no time in throwing out tenant families that had been living there for generations, to make way for hotels, shopping malls and up-market housing estates.

In the absence of any rent control laws or legal protections, evictions started happening on a large scale in Thai cities. When one land-owner would put up a condominium tower, land all around it would shoot up in value over night, and neighboring land-owners would catch the development bug and begin evicting the low-income tenants on their land as well. In these ways, instances of eviction spread out around the nodes of intense development. At the same time this traditional system of affordable, inner-city housing was being wiped out by market forces, huge numbers of poor migrants were flooding into the city to fill the exploding demand for cheap labor in the factories and shops, on the construction sites and in the hotels. All these jobs were the upbeat side of the boom, but these new economic migrants, whose hard work underpinned the country's growing prosperity, were finding fewer and fewer affordable housing options. More and more people began to make shelters for their families in squatter settlements, where they found themselves increasingly vulnerable to eviction.

Squatting gradually began to replace the land rent system as the prevailing housing supply system for the urban poor. In this system, first the brave ones would come and settle on a piece of land - sometimes public, sometimes private land. If nobody chased them away, they'd call friends and relatives to come stay with them, or even subdivide the land and sell off plots or finished shacks to incoming migrants. The entrepreneurial spirit reigned and these mini-land-grabbers learned how to pay off the police and to finagle electric and water connections from nearby buildings.

What was the government's response to this growing crisis? Many government agencies became energetic speculators themselves and began evicting poor land-renters and squatters by the thousands to make way for commercial developments on the public land they occupied. When communities fought hard enough to win relocation packages, the government would channel subsidies to the National Housing Authority to construct blocks of rental flats or to acquire peri-urban land and develop fully-serviced relocation colonies. The NHA also received government subsidies to upgrade informal communities *in situ*, on a relatively small scale, but was not able to slow down the large-scale evictions going on or to affect the underlying land-use conflicts which caused them. But while macro-economic changes were heaping troubles on the urban poor, a new atmosphere of democratic openness was replacing the dark era of military dictatorships in Thailand. Poor people in cities were linking with each other like never before, forming organizations and forging alliances with NGOs, local authorities and supporting organizations to develop innovative approaches to securing shelter for the urban poor.

Eviction protocol in Thailand . . .

How different kinds of land-owners do their dirty work and how poor communities deal with it :

Nearly a third of Thailand's urban population of 22.3 million people live in the country's 5,500 informal communities, some as land-renters and increasing numbers as squatters. 3,750 of these communities (of which about 60% are on private and 40% on public land) are facing some threat of eviction. It isn't easy to evict poor families in Thailand, though. For both private and government land-owners, eviction is messy, time-consuming, expensive, bad for the conscience and bad for the image. Communities understand this very well, and so when eviction situations arise, their first tactic is to delay (to buy time to prepare themselves, to negotiate, to rally assistance and to explore other options) and their second is to appeal to the land-owner's conscience (to strengthen their negotiating position).



Choose your foe : eviction by lawyers vs. eviction by developers

Private land-owners who are squeamish about doing the deed themselves often hire expensive lawyers specializing in eviction to send notices, file court cases and handle the compensation process. Negotiations about compensation are usually carried out in secrecy with individual families, and this gives the lawyer ample room to cheat everybody. He may tell the land-owner that one family is demanding 10,000 Baht, take the money, then give the family only 3,000 Baht and pocket the rest. The longer an eviction takes, the higher the compensation goes and the more the lawyer stands to earn in fees and "cuts" from these transactions. So he's got an incentive to drag the process out, and there's also no guarantee he'll ever be able to hand his employer a cleared site.

It's very different when a developer does the evicting, as often happens on government-owned land. Since he's paying a hefty rent for the land, a developer's got a big incentive to resolve the eviction issue quickly, so he can clear the site and go ahead with his project. Plus, developers may be a ruthless lot with links to gangsters and crooked politicians behind the scenes, but they've also got a public image to maintain. All this makes them readier to compromise. Communities with no organization may still get a bad deal, but when communities are noisy, well-organized and the process is transparent, people are more likely to win a reasonable compensation or relocation package.

1 Eviction of communities on private land . . .

Eviction on private land often comes up when land prices go up or land rights are transferred to a younger generation more likely to kick people out to develop or sell their land. The first steps are to issue eviction notices - to individual families or by public notice - and to stop collecting rent, which ends the legal relationship. These formalities make people uneasy, but very few will actually move at this stage. The next step is for the land-owner or his lawyer to offer some cash compensation to individual families to leave. Everyone knows the longer you hold out, the higher the compensation will go, or the readier the land-owner will be to negotiate, so it's usually only the softest people or those with no other options who take the money at this stage and leave.

To intimidate families who hang on, landlords will then resort to stronger tactics - using black magic on the community or starting rumors of ghosts to scare them away. They may try to buy-off a few community leaders to help divide the community, send in thugs to threaten people or even start clandestine fires - or rumors of fires. A combination of continuing intimidation and increasing offers of compensation are usually enough to persuade more people to go at this stage. Some landlords may eventually file a court case against the really tough families who still refuse to leave. There's a strong reluctance to resort to this extreme tactic in Thai culture, though. If a landlord wins the case - and they usually do - there will be more eviction notices, and the court can send police to demolish the houses by force or to back up the hired thugs from private eviction firms.

But when the rare demolition does happen, it's usually just another scare tactic. A team of reluctant officers may pry off a few roofing sheets or dismantle a token house, but an angry mob of community people will be there crying, "Why are you doing this to poor people who have nowhere to go?" The law will usually retreat, warning "Next time, it'll be a REAL demolition." It's not clear whether this is evidence of inefficiency or some vestigial human kindness, but in the end, communities are almost *never* forcefully demolished, and negotiations go on.

Wimps, hesitators and fighters . . .

In most evictions, about a third of the people will move out early, with or without compensation. They're too honorable to stay, too thin-skinned to fight or too poor to say no to the cash. Another third will be worried but stay and see what happens, on principle or in desperation because they've got nowhere else to go. The remaining third are the difficult lot who aren't easy to budge or buy off. These fighters will see the problem through to some resolution. These proportions vary from place to place and are a good indicator of how well organized a community is. Stronger ones will have more fighters, while the weaker ones will have more early-movers.

2 Eviction of communities on public land . . .

Different government agencies have different procedures for evicting people from land under their control, but they all share an increasing aspiration to "improve the value of state assets" by replacing slums with commercial developments which generate much bigger revenues. In these cases, people have a strong set of moral arguments on their side: *Public land is supposed to be for solving problems and answering the needs of the larger society! How can the government profit from land taken from poor workers who have lived here for so long and who cannot afford formal housing in the city?* It's trickier when people are being evicted to make way for public works projects like expressways, power plants or hospitals. In these cases, it's easy to cast poor communities trying to stay as selfish obstructors of the public good. But these are also the projects which usually come with built-in budgets for compensating or relocating displaced people.

Most state agencies with big landholdings under informal settlement (both land renters or squatters) such as the Crown Property Bureau, the Port Authority, the State Railways or Treasury Department - like to avoid getting their hands dirty pushing poor people out. To save face, they'll often lease out already-occupied land to developers and let the developers handle the eviction. Then, when angry communities come demonstrating against the eviction, the government agency can protest innocence - *it's not our project, go talk to the developer*. But savvy communities aren't so easily put off and know to keep pressing the government at the same time they organize themselves to push for resettlement. Developers use all the same eviction techniques as private landlords, but they have bigger eviction agencies and larger compensation purses at their disposal. Unorganized communities will usually get only cash compensation and will have to find their own new housing, but organized communities will almost always be able to negotiate for alternative housing in resettlement sites or subsidized rental apartments, organized by the NHA, using government subsidies.

THAILAND :

Eviction in a context where the culture of negotiation and compromise is far more powerful than any written law . . .

No community in its right mind would ever dream of going to court to protect their right to stay on land they've been renting or squatting on. They'd find no help in Thailand's land laws, which have almost nothing to do with how land-use systems have developed historically or how land is used now. A community might have occupied land for 200 years, but because they don't "own" it, by current legal definitions, some guy can suddenly show up with a piece of paper which gives him the legal right to throw 500 families off that land. In Thailand, squatting is not only illegal, it's a criminal offence, and there are no laws protecting squatters (or land renters whose contracts have expired) from eviction. Nor does Thailand's constitution contain any articles relating to the right to housing.

But even though the laws in Thailand are stacked in favor of private and state land owners, and even though court judgments almost always go in their favor, the legal avenue almost *NEVER* resolves an eviction situation alone. If anything, it prolongs the conflict, and costs everyone dearly in time, energy, money and peace of mind. People know this, landlords know this, and that's why the pragmatic Thais are more inclined to negotiate a compromise solution than enter what can become a very long battle of attrition. The following story makes a good example of how even after the court affirmed a landlord's right to evict, it was the strength of community networks and the culture of negotiating compromise which finally resolved the problem.



The moral of the story : Tepsita's 10-year long eviction conflict certainly wasn't resolved by legalistic means. But once this small, isolated, battered community linked to the city and regional community networks, it became part of a much larger whole and could draw on a broad range of assistance and eviction experience to help find a practical solution to problems laws alone could not solve.

The case of the Tepsita community : How networking, negotiation and planning could accomplish what 10 years of legal stand-off couldn't . . .

Tepsita is an informal settlement in Nakhon Pathom, just outside Bangkok, where 45 families lived for over 25 years on land owned by a temple. In 1991, the temple's abbot asked the people to leave. He claimed the land was needed to expand the temple school, but community members suspected plans to develop it commercially and asked to be allowed to stay. To strengthen his case, the abbot called the community a hot-bed of drug-addicts and anti-social elements and posted eviction notices. When the people still refused to leave, the monks went to court - an almost unheard of step for a Buddhist temple to take - and won the case. But still the people held on, and eventually the police came in to demolish the settlement. Like most demolitions in Thailand, this was a half-hearted affair, and only a few symbolic planks and roofing sheets were pried off some houses. In the coming years, community leaders at Tepsita appealed to several organizations for help, but remained on their own, locked in bitter combat with the temple.

Then in 2001, Nakhon Pathom's newly-constituted Urban Community Network was surveying all the poor communities in the city, with the Bangkok Regional Community Network. When the survey team came to Tepsita, they found a weary and seriously demoralized community. The city network immediately launched a savings group, surveyed the settlement and with support from CODI, rallied the resources of the national community movement to help Tepsita resolve its long eviction struggle. Letters were sent to the provincial governor, who set up a committee to look into the problem and arranged a stay on the court-ordered eviction, which was still in place after all these years! A group of tough women on the *National Eviction Task Force*, veterans of eviction battles themselves, were called in to help re-open negotiations with the monks and persuade them to give the community time to explore resettlement options. Tepsita community members traveled to Bangkok and Ayutthaya to meet with other communities who had dealt with eviction crises and had used planning, preparation and network assistance to negotiate secure housing for themselves.

Meanwhile, the people began searching for alternative land, identified nine potential sites and finally chose a 1-hectare resettlement site 10 kilometers away, which they purchased themselves for a haggled-down price of 900,000 Baht, with their savings and a loan from CODI. One community leader who'd become paralyzed during the long struggle found the strength to get out of bed again, and after visiting the new site, declared, "*The air is so sweet here! We are free!*" and moved onto his plot the very next day!

Transforming Tepsita from an eviction basket case into a showcase of resettlement innovation :



The people from Tepsita have now moved to their new community, which has become a much-visited pilot project in self-sustaining settlement planning, one of the first urban communities in Thailand to try to produce most of its food and treat all its waste on site. The people worked out a plan in which half the land is used for houses and half is kept for vegetable gardens and fish ponds. Rashid Khatri, a community sanitation technician from the *Orangi Pilot Project (OPP)* in Pakistan, has worked with the people to design an inexpensive, underground sewer system with an organic sewage treatment system, which is now in op-

eration. Toilet waste is collected first in individual 2-pit septic tanks behind the houses. The partially-treated waste then drains into a network of underground sewer pipes, along with waste water from bathing and kitchen use, and drains into an oxidation pond planted with papyrus reeds and other naturally water-purifying plants. From the oxidation pond, the water then flows into fish-growing ponds, which in turn irrigate surrounding garden plots, where organic vegetables and medicinal herbs are being cultivated. This admirable system is up and running now. In the mean time, several young architects from Bangkok have helped the people to design inexpensive house types which make use of materials recycled from their old houses.

The case of the homeless :

How a high-profile eviction from Bangkok's historic parade ground became a launching pad for a homeless people's movement in the city

For two centuries, the *Sanam Luang* (parade ground) in front of Bangkok's Grand Palace has been Thailand's premier public space, the venue for coronations, royal funerals, festivals, democracy demonstrations. For the city's homeless, this vast expanse of turf has offered a safe shelter in an increasingly hostile concrete mega-city. But in August, 2001, the city announced plans to close *Sanam Luang* from 11 PM to 5 AM, effectively evicting hundreds of homeless people and vendors. The closing was part of a much larger plan to clear the entire historic center of Bangkok of virtually everything built since 1910, and turning the area into a kind of tourist park. If this mad scheme ever actually happens, it will mean the eviction of slums, housing colonies, ministries, universities, theaters, public buildings and entire neighborhoods (*but that's another eviction story...*). Over the past few years, the *Human Settlements Foundation (HSF)*, a Bangkok-based NGO, has worked with the *Four Regions Slum Network* to use eviction crises to organize large numbers of communities living along the railway tracks and under traffic bridges to come together, form networks and develop their own on-site and resettlement housing programs with which to negotiate long-term secure housing solutions. When plans of the *Sanam Luang* closure were made public, they decided to try using the same networking techniques with Bangkok's homeless groups.

1 MAKING CONTACT : The first step was to make contact with homeless groups in different parts of the city. This was no easy task, since most have had bad experiences on the streets, are reluctant to trust anybody and quick to move on. The only contact most homeless people have with officialdom is with the police, who hassle them, or with staff from the Social Welfare Department, who herd them into vans and transport them to *rehabilitation centers*. So they were understandably wary when some young activists began coming around to talk about the government's plans to close *Sanam Luang*.

2 SURVEYING : Once they'd made some friends among the homeless groups, the next step for the HSF was to carry out a survey, which they had to conduct in a single night, so nobody was counted twice, using several teams to cover 13 inner-city locations where groups of homeless people congregate. They counted 630 people, which they estimate represents about half the homeless people in Bangkok.

3 MEETING : In July, 2001, before the planned closure of *Sanam Luang*, the HSF organized a public seminar to discuss the issue. Sirinamad, a homeless woman leader, presented the survey information to an audience of academics, officials from the Bangkok Metropolitan Authority (BMA), media people, activists and homeless people. "*Homeless people are not criminals,*" was her message to this historic meeting, "*We want to have a better life, but what we are lacking is opportunities.*"

4 NEGOTIATIONS WITH BMA : The HSF and the newly-formed homeless network were unable to persuade the city to postpone the closing of *Sanam Luang*, but they were able to get the city to provide a temporary homeless shelter, first in a tent close to *Sanam Luang*, later in a space offered by community people in a railway settlement at Talingchan. The streets and open grounds offer little in terms of safety or amenities - especially for women and kids. So the first task was to set up a shelter for the homeless. The city also agreed to construct the city's first permanent homeless shelter on a piece of railway land at Bangkok Noi, which the people found and negotiated for themselves. The HSF is now working to strengthen the homeless network, expand the savings groups, and begin exploring longer-term shelter options which work for this extremely poor and vulnerable group, such as subsidized rental rooms or transitional housing in vacant buildings.

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The prevailing myth is that Bangkok's homeless people are drug addicts, beggars or mental cases. In fact, most are workers from Bangkok who've lost their jobs during the economic crisis, but because they lack family or support networks end up becoming homeless and isolated. Some earn their living collecting recyclable waste, some are daily laborers, some are vendors. Most are working-age men, but the survey also revealed that there are homeless families, whose children, as they grow up, become vulnerable to the drug scene and prostitution.



The case of fires :

How fast-thinking communities sidestep legally-sanctioned eviction after fires ravage their settlements ...

In 1994, a devastating fire leveled the community at Rom Klao, part of the sprawling Klong Toey settlement, on Port Authority land. Thai law stipulates that land leases cease to be valid after a fire, so it's no surprise that arson is often used to remove unwanted tenants. But after decades of eviction and arson, Klong Toey residents have found ways around this rule: build a new house, *FAST*, right over the ashes of your old house, so the next morning, when the authorities show up, you can say "*What fire?*"

Rom Klao residents used the crisis as an opportunity to negotiate a more secure future for their community. In the subsequent months, the community worked with the *Human Development Center (HDC)* and National Housing Authority to negotiate a land-sharing agreement with the Port.

In exchange for giving back some of the land to the port, the community got a long-term land-lease (without payment) to redevelop their community. After long negotiations with HDC, NHA and the Port, they came up with a "re-blocking" plan, with equal plot sizes a neat grid of lanes, a community center and pre-school. NHA used its 17,000 Baht-per-family subsidy to build raised concrete walkways and drains and bring in electricity and water supply, according to the community's layout plan (but using NHA's contractors).

The Port continues to try to clear various portions of Klong Toey of its settlers, and the battle against eviction persists. But when you ask any of the people in Rom Klao what is the length of their lease, they'll smile and say, "*As long as we are strong!*"

THAILAND :

10 Eviction Busters:

Ten ways poor community organizations in Thailand are using information, network-building and long-term planning to carve out “win-win” alternatives to eviction . . .

It's certainly possible to negotiate after eviction conflicts have already begun: some of Bangkok's ground-breaking land-sharing agreements have been thrashed out under the red-hot pressures of messy, dramatic eviction stand-offs. But situations of crisis are never the best time to think, to formulate plans or to negotiate with a cool heart. Once the fire has broken out, poor communities targeted for eviction are forced into the defensive position. If they're not prepared, if they don't have information or alternative ideas, and if they haven't rallied allies or started a dialogue with the authorities, the tools available to them to deal with the situation will be very limited. It's always, *always* much better and much easier to deal with eviction *before* eviction actually starts - the longer in advance the better - when communities can develop their own proposals, bring them to the table and push for them from a position of strength and preparedness.

Experience in Thailand has also shown that tackling the housing crisis of a single individual or community is a waste of time. But when communities with specific housing problems in common link with each other and start looking at those problems together - in a systematic way - it's a completely different story. From linking and recognizing commonality, the next step is analyzing those problems and working on resolving them as a group, at large scale and as a united force. With this kind of networking, no community needs to struggle on its own and the collective scale and expertise of all those linked communities becomes a powerful bargaining chip in the process of negotiating common solutions.

As such community networks gain in strength and numbers, their activities become *visible, unignorable* parts of the city, and it becomes much easier for them to find solutions to *invisible* problems, like eviction. In the next few pages, we'll take a look at how different community networks in Thailand are showing that linking, planning, saving, discussing, preparing, negotiating and generally doing lots and lots of hard work - long before the fire breaks out - are the most effective eviction busters.



1 Use surveys to find out who's who and what's what, long before anybody starts talking eviction.

Surveying has become the Thai community movement's number one tool for creating a collective understanding of who the poor are, how they live and what are their problems. If poor communities are to formulate collective solutions to those problems and negotiate for them from a position of knowledge and preparedness, there are many things they need to know about their settlements, their population, their problems and their tenure situation - who owns the land and what is their policy, what are the future plans for the land. Accurate, detailed, up-to-date information is a community's trump card in negotiations with land-owners, formal agencies and city governments, which are notoriously ill-informed about the poor. In some cases, a survey of all the settlements in a city or a particular district might be needed. In others, a survey might cover settlements living under the same land-owner or sharing a common tenure problem. Besides gathering crucial data, the survey process is a powerful way for communities to meet each other, to understand their constituency and to kick off a process of linking and preparation which grabs the initiative long before eviction problems come up at all.

EXAMPLE: Nakhon Sawan

The city of Nakhon Sawan makes a good example of how a survey can push community networks and cities into tackling the larger structural problems which force people to live in squatter settlements. In 1999, an eviction sparked the city's new community network to survey and map all 53 slums in the city, identify tenure conditions and land-owners and group communities according to land-owner, to negotiate in blocks. Before the survey, the municipality officially recognized only 19 of the 53 slums, and the survey was the first step in creating a common understanding about the slum situation. Using this information, the network began a collaborative process to create a city-wide master plan for providing secure housing and improved living conditions for all 10,030 poor households in Nakhon Sawan, in which settlements without land problems get secure tenure and redevelop *in situ*, and settlements in flood areas or in the path of development projects relocate to a “People's Town,” which the network is now designing and developing themselves, on public land they chose and negotiated to use.

2 Keep busy with a constant stream of preparations and activities which generate alternative solutions.

If poor communities want to take the offensive position and put forward their own proposals to make their living situation more secure, they've got lots of homework to do. The survey is just the beginning: once the information is in their hands, they need to analyze their situation, forge links with other communities and with allies in other sectors, save their money and plan alternatives. There's no short-cut for all this vital preparation, but there's a lot of help available within a network process. Through direct, community-to-community exchange, people can learn how other groups have managed to transform eviction crises into secure shelter solutions. If it's possible to stay in the same place, how have other squatter groups regularized their status by obtaining land-lease contracts or bargaining to buy or to share the land they occupy? And if it's not possible to stay, how have other communities negotiated compensation or re-settlement packages which meet their location and budget needs? There is a wealth of experience and planning options and negotiating tricks to be drawn from, around the country, as communities begin making their own plans to make their own housing situation more secure.

EXAMPLE: Uttaradit

During the process of making it's first survey of poor settlements, the new community network in the provincial city of Uttaradit used one map to mark all the slums and pockets of squatters and identify land owners, and another map to indicate slums that can stay where they are and slums that need to relocate. With support from two young Bangkok architects and an enthusiastic mayor, they then set out to find sustainable solutions for the 1,000 families in the city (10% of the population) who were living in insecure and degraded environments. Instead of thinking in small bits, they developed a comprehensive, city-wide plan which made room for all those families, within the fabric of the city, using a range of planning techniques in a kind of planning micro-surgery: land-sharing in one area, reblocking in another, relocation here and *in-situ* upgradation there. Plans are ambitious and include infrastructure improvements, urban regeneration, canal-cleaning, wasteland reclamation, park development, the creation of amenities to be enjoyed by the whole city and - most important of all - *an eviction-free Uttaradit*.



3

Create a network which links communities under some kind of common threat of eviction.

The immediate threat of eviction can be one of the most powerful bonding forces between communities. Usually, the more dire the problem, the greater the incentive is to seek help, and in the case of eviction, horizontal links between similarly vulnerable and traumatized people can be an enormous source of mutual support and encouragement. Networks of communities threatened by eviction (or having already been evicted) such as the *United Slum Dwellers Association (USDA)*, and the *Four Regions Slum Network* were some of the earliest community networks in Thailand, and some of the first examples of how dealing with a shared problem can be transformed into a national movement. Having such a fundamental problem in common and knowing each other allows communities to put their heads together to craft better solutions. This way, when one community faces an eviction crisis, they're not alone: another 20 communities who've faced similar crises can come back them up in their negotiations or add bulk to their demonstrations. Everyone learns in the process, each community's armory of stratagems and negotiation tricks for dealing with eviction is enlarged.

EXAMPLE: Underbridge slums

Over 800 families once lived in damp, squalid conditions under 68 traffic bridges in Bangkok, in constant fear of eviction by administrations unhappy with this highly visible manifestation of poverty in Thailand's capital city. They worked as laborers, vendors, junk collectors and were among the city's poorest. Seven years ago, these communities joined forces and formed the Under-bridge Community Network, with support from two NGOs, the *People's Organization for Participation and Human Settlements Foundation*, started savings groups, surveyed all the city's under-bridge settlements and negotiated first for electricity and water connections and then for resettlement. As part of the landmark agreement, the network selected three resettlement sites, the government bought the land, NHA provided infrastructure, CODI provided housing loans and families built their own houses using cost-saving building ideas they showcased at a model house exhibition in 1999. With support from UCEA, these new communities have now become living laboratories of experiments in sustainable community development.

4

Break the "my rights your rights" impasse by compromising and haggling with pragmatic solutions.

Most eviction cases in which people fight for their *right* to housing, while land-owners fight for their *right* to benefit from the land they own end up in a stalemate. Poor communities adopting that legalistic line of defense don't stand a chance in Thailand, where the rights of property owners are *always* held above any abstract right to shelter, no matter how many UN declarations the government signs. Poor communities have found it much more effective to forget about the legal and moral currency of "housing rights" and haggle instead with the more pragmatic currency of *compromise*. What kind of alternatives allow both land-owner and the people who have lived there for so long to benefit? Forging this kind of *middle path* is made easier by the Thai inclination to ignore inconvenient and hard-edged laws and to barter on practical terms to find solutions which allow everyone to benefit. Such solutions call for a finer grain of planning and professionalism and might involve a community's purchasing some or all of the land they occupy, working out a land-sharing scheme, or agreeing to relocate to land the people choose, with compensation or land purchase assistance from the land-owner.

EXAMPLE: Klong Toey

With over 12,000 families, Klong Toey is Bangkok's largest slum and its most notorious symbol of urban squalor and poverty. But Klong Toey is also the source of some of the most innovative answers to how the "illegal" poor and the "official" city can find terms which allow both to benefit. After years of eviction, arson and violence, the community began organizing in the 1970s. With help from several voluntary agencies, the people learned to counter eviction threats by the Port Authority, which wanted the land for expansion, and began negotiating a variety of options for their own rehabilitation in:

- **NHA-built rental flats** on one edge of Klong Toey for resettling 1,440 families (1981).
- **Serviced plots on long-term lease** for 1,300 families in a "land-sharing" agreement in the center of Klong Toey (1983).
- **In situ "reblocking"** projects for 950 families who adjust their houses a little to make way for drains, sewers, water supply and footpaths in the same place (1986-2003).
- **Free serviced plots** with land title for 400 families in resettlement sites 20 kms away.

5

Create a network of communities living on land owned by the same land-owner or government agency.

Having the same landlord can be another powerful organizing point when communities face eviction. When communities on land belonging to the same government agency link together into networks, they can negotiate as a large and noisy block for individual communities which could be easily thrown out if they were alone. Such networks can also be powerful conduits for sharing news about development plans or passing on strategies for dealing with eviction policies that are specific to their land-owning agency. But most importantly, they can put their heads together to analyze tenure problems they share, develop resettlement or on-site redevelopment housing options which cover large numbers of communities and then negotiate for those options as a package, all at one go. For land-owners interested in reducing their headaches and preserving their public image, this can be a welcome means of resolving land conflicts (and a difficult force to ignore!). Such networks can stretch across the country, across a city or involve a cluster of communities in a single district, and they can choose to develop and lobby for solutions in discrete pieces or on a very large national scale.

EXAMPLE: Railway slums

Over 20,000 families in 190 informal settlements live in danger, uncertainty and squalor along Thailand's State Railway tracks. In the past few years, as networks of communities with common problems have mushroomed all over Thailand, the National Railway Community Network has become the largest. With support from the NGO *COPA* and the *Four Regions Slum Network*, the network's negotiations with the Transport Ministry have yielded big breakthroughs. In 1998, 10,000 railway families in Bangkok won a landmark relocation package to make way for the Hopewell Elevated Rail project, and others lobbied to get house registration certificates, to get water and electricity connections and enroll their children in public schools. Recently, the network won the biggest prize yet when it negotiated a package of relocation and on-site redevelopment agreements for 6,000 households in 61 railway communities in 13 provinces. As part of the deal, communities within 20 meters of the tracks will resettle on railway land within 5 kms, on low nominal rent, while communities beyond 20 meters can stay on long-term lease contracts.



6 Create a network of communities living alongside a common civic or geographic feature of the city.

Another powerful strategy for consolidating the right to stay is when communities living close to some important civic amenity (like canals, riversides, beaches, historic monuments, traditional market quarters) collectively maintain or make physical improvements to that amenity. This might involve cleaning up a drainage canal which runs alongside several communities, constructing a nicely-landscaped public walkway for tourists along sections of a historic city wall which borders a string of informal settlements, or maintaining a river-side park that is surrounded by communities. When communities plan and undertake such developments, which improve both the community's and the larger city's environment, they are dismantling the old myth that poor settlements are a problem, an eyesore and a drain on city resources. They are demonstrating that the organized poor can be the city's allies in maintaining - and even creating - public amenities which make the city a better place for everyone to live in. This "win-win" proposition pays dividends for everyone. By showing the benefits of having poor people stay where they are, it is in effect a powerful long-term *tenure-consolidator* and *eviction-preventer*.

Example: Canal slums

As in other Thai cities, Chiang Mai's once-vital waterways have become open sewers filled with garbage and pollutants. Poor settlements beside them are often blamed for causing the problem and threatened with eviction. Six years ago, eight informal settlements along the *Klong Mekhaa* linked into a network, started savings groups and organized themselves around solving the problems which united them: the canal, housing and land security. With a small UCEA grant, they initiated a long-term canal improvement process in which people have voluntarily moved their houses back from the canal edge to make room for the city's de-silting barges, developed canal edges as playgrounds and walkways, employed *green* water-filtering systems, reduced pollution through negotiations with municipal and private-sector polluters upstream, gathered ideas from canal networks in other cities and completely redeveloped one community which abuts the historic city wall. Through all these activities, they have shown they are the city's best allies in maintaining the canals and have secured the tenure of over 1,200 households in the process.

7 Create a network of poor communities within the same city to counteract any eviction threats locally.

City-wide networks of poor communities can deal with a big range of issues at the same time: savings and credit, livelihood, basic services, environmental improvement, welfare, housing. Because they are grounded in specific, local political realities and encompass the interests of the whole city's poor people, they can get involved in structural issues of how the city is managed and forge alliances with other actors through collaboration. For most city networks, tenure insecurity is at the top of the agenda, and many have developed short and long-term strategies to address the problem. City networks can rally support for communities under eviction by negotiating with officials or summoning crowds for a demonstration. Some city networks have surveyed their constituent communities, grouped them by land-owners and negotiated with those different land-owners for more secure tenure arrangements - in blocks and long before any eviction. Other networks have developed comprehensive city-wide plans for improving all poor communities, where communities which can rent or purchase the land they occupy upgrade *in-situ*, and land is identified for communities which must relocate.

Example: Ayutthaya

When UNESCO designated the old Thai capital city of Ayutthaya a *World Heritage Site*, it was good news for historic preservation, but a big problem for the city's poor, who were now in danger of being evicted from their city. In the oldest part of Ayutthaya, where the monuments are and where the tourists go, most land is government-owned and the poor's only housing option is in squatter settlements. The Ayutthaya network linked communities around the idea that poor people and historical monuments *can* co-habit in mutually beneficial ways. After surveying the city's 53 informal communities, the network held a seminar to present their findings and began exploring collaborative, city-wide solutions which make room in the historical city for housing the poor. The process of promoting this idea and translating it into several landmark community upgrading projects involved working very closely with young architects, CODI (which provided housing loans), NHA (which provided infrastructure), the Municipality (which provided long-term leases) and the Department of Fine Arts (which looks after the historical monuments).

8 Build alliances with other non-poor groups to back up the poor's long-term struggles against eviction.

Making the very complex and very dirty politics of urban land more democratic is something neither cities nor poor communities can do by themselves. To make change, lots of people need to have their vision of what's possible expanded. Even very strong community networks need like-minded allies among NGOs, civil society organizations, academic institutions, technicians, the media and government agencies. But the issue of alliances goes deeper: we tend to think that problems of the urban poor concern the poor only, but issues of poverty, basic services and eviction are issues which affect everyone in the city vitally. The larger development paradigm which is causing evictions and marginalizing the poor is also heaping problems on the middle classes, who are increasingly unhappy with the bad political systems, bad planning and bad participation that are wrecking their cities. All these problems are interconnected and it's important to undertake collective activities on a variety of issues which link the urban poor's process with these other groups. This is one way to build the alliances and supportive relationships which are crucial in times of crisis - as with evictions.

Example: Udon Thani

As part of the *Baan Mankong Program*, a local committee was set up in the city of Udon Thani comprising community leaders, municipal officials, academics and NGOs. The idea of this multi-stakeholder process, which is a key element in *Baan Mankong*, is to create an ongoing, local mechanism for resolving whatever housing problems arise, as a matter of course. Udon Thani makes a good example of how support from other sectors within a city can help *un-stick* land problems communities couldn't resolve alone. After surveying the city's 56 informal settlements, the committee launched land negotiations in three under immediate threat of eviction. In one community on temple land, the mayor played a key role in persuading the monks to allow the people to stay and reblock their settlement under a long-term lease. Another community, on Transport Department land, was being threatened with eviction, and the local authority agreed to purchase a piece of adjacent land to give to the community on long-term lease for redeveloping their housing. The mayor again played a key role in personally persuading reluctant families to join the move.



9 Create a task-force of community leaders with first-hand experience dealing with eviction to play the “fire fighting” role.

Even with all these long-term eviction-avoiding strategies, there will still be communities facing eviction. For *fire-fighting* situations, Thailand's community movement has a special team of very tough, very experienced community leaders (mostly women) who have experienced first hand the trauma of eviction. When evictions happen, these leaders are often the first to arrive, bearing the most important message, “*Don't be afraid, you are not alone!*” In such situations, people-to-people support is extremely important. NGOs and support agencies like CODI can boost, mobilize and assist, but when it is other poor people coming to help, it's very powerful. The task force can advise communities how to organize, how to talk with officials, how to negotiate with the police, how to present alternatives, how to understand the legal steps and how to play various roles in the eviction drama effectively. The task force can also summon considerable legal and political assistance at a moment's notice, if need be, getting local politicians to help bring the issue to the national level or coordinating with national network leaders who can negotiate directly at ministry level in Bangkok. The task force collaborates closely with NGOs, CODI and key officials, and in eviction crises, support to communities in trouble can be launched at several different levels at the same time.

Example : Klong Lamnoon

Klong Lamnoon is a small canal-side squatter community in suburban Bangkok. It was far from everything when the people moved there in 1983, but by 1997, the area was gentrifying and the land-owner decided to evict them. Some accepted the cash compensation he offered and moved away, but 49 poor families who worked nearby and had no alternative shelter held on. In 2000, the eviction struggle got very hot - two community members were thrown in jail and the others filed a court case against the land owner, which they lost. Finally, some leaders from the eviction task-force helped the community negotiate to buy a small part of the land, at the below-market rate of 750 Baht per square meter. They also persuaded the landlord to provide 200,000 Baht to build an access road! This wasn't any heavy, institutional intervention, though - just the very quiet, very personal involvement of a few community leaders who had some practical strategies for turning Klong Lamnoon's crisis into an opportunity. The community formed a cooperative, took a loan from CODI to buy the land, using their collective savings for downpayment and are now building infrastructure and semi-detached “core houses” on the new land, with an infrastructure subsidy as one of the ten “*Baan Mankong*” pilot projects.

NEWS FLASH: The Baan Mankong Program : Thailand's biggest eviction buster yet

Ten years of hard work by Thailand's community networks, exploring collaborative, city-wide strategies for solving urban housing problems, has paid off in the biggest breakthrough yet for the urban poor, and a massive scaling up of all these eviction-busting strategies. Upgrading informal communities and negotiating secure tenure in the place they are now, as much as possible, is now not just a sensible idea but a national policy. The Baan Mankong (“Secure house”) Program, launched in 2003, aims to assist communities and community networks to improve the living conditions and secure the tenure of 280,000 households (about half the country's urban poor population) within five years through three components :

- **Infrastructure subsidy** : which allows communities to upgrade their infrastructure and environment according to priorities they set and using budgets they manage themselves.
- **Low-interest housing loans** : To households wishing to improve existing houses or to build new houses after reblocking their settlements or relocating to nearby land.
- **Secure tenure** : Through a range of options, including long-term leases, cooperative land purchase or long-term user rights.

10 Use the process of undertaking small, physical improvements to instill an “attitude” of land security before land is actually secure, and to begin building the collective energy people need to fight their larger eviction fight.

One of the worst things that can grip communities living in extremely precarious tenure circumstances is a belief that their case is hopeless, that there's nothing they can do, no point going through the motions of planning, saving, surveying, preparing. In these cases, the message from the Thai networks is loud and clear: *there's no such thing as a community that is too insecure to take steps - right now - to improve its situation.* No need to set any long-term plans or get into any theoretical discussions about empowerment, the idea is to start some immediate action - painting, cleaning, planting, decorating, improving, *anything* - as a stasis-breaker. Doing something physical like this may not solve the big problems, but it can energize dispirited community members, get people involved, get them talking and scheming, build solidarity and send a message to the world outside that *this is not a dead community.* These are conditions a community needs to create in order to fight the bigger fight together, with energy.

There's no underestimating the power the environment we live in holds over us. When people live in communities that are very dilapidated, outsiders are apt to think the people living there are likewise dilapidated! Such conditions can make community members begin to feel as run-down as their houses. These kinds of communities practically beg to be evicted. Making some improvements in those physical conditions, no matter how small, is an immediate way to change the chemistry, to begin building confidence and hopefulness inside the community and respect from people outside the community. In this sense, tenure security is a frame of mind.

Example : Klong Hualamphong

Under the roaring expressways beside Bangkok's sprawling Klong Toey slum, six densely-crowded squatter settlements are ranged along the Hualamphong Canal. The tenure of these extremely poor households couldn't possibly be more flimsy: they had no legal right to the public land they occupy, no rental contracts, and to district authorities, the untidy back-sides of their tin and plywood shacks, hung with laundry and battered cooking pots, were an eyesore.



But neither eviction threats nor offers of remote resettlement plots could persuade people to leave the settlements they'd built and lived in for decades, close to the markets, factories, building sites and loading docks where they work. Then two years back, CODI teamed up with the *Thai Community Foundation* to convince a reluctant BMA and Klong Toey District to allow the people to give their settlements a face-lift, using a 1 million Baht (US\$ 22,000) grant from the *Urban Community Environmental Activities Fund*. Once a simple walkway was built along the canal, those unsightly back-sides became proud frontages and were painted, trimmed and festooned with potted flowers. To skeptics, this primarily cosmetic intervention seemed a waste of money, but the idea was to use the process to kick-start a deeper change process in the neighborhood: from resignation to pride, from insecurity to greater security, and from disfavor to acceptance by the authorities. And indeed, what began with a simple coat of paint has led to housing improvements, innovative water treatment systems, walkways, tree-planting and canal cleaning. There's still a long way to go, but the process has galvanized 6 communities, transformed their relationship with the formal city around them and put 1,300 households many steps closer to tenure security.

Stealing the common from the goose . . .



**They hang the man and flog the woman
That steal the goose from off the common.
But they let the greater villain loose
That steals the common from the goose.**

Our closing thought on eviction comes in the form of a children's rhyme from 18th century England. It refers to the "*Enclosure Movement*," a centuries-long program of land reform by which commonly-owned village land across the country was consolidated and turned over to wealthier people. The movement was facilitated by hundreds of individual acts of parliament, then largely controlled by the land-owning gentry. As a result, poor and landless people were forced off the land they had lived on and farmed for generations, and driven into the cities, where they slaved in the new factories and lived in squalor and miserable poverty in the kind of slums Dickens wrote about in such novels as *Oliver Twist*.

Some historians see the enclosure movement as having successfully paved the way for England's industrial revolution. Others see it as a means of using law and intimidation and violence to rob the poor of their share in the common, tearing down the houses which, by the hitherto unbreakable force of custom, the poor had regarded as their own. The enclosure movement took for granted the essence of purely economic progress, which is to achieve improvement and growth, even if at the price of enormous social dislocation and human suffering. *Sound familiar?*

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Are you on our mailing list?

If you'd like to be on the mailing list for future ACHR publications, please send your mailing address and contact details to Tom at ACHR. It's always nice to hear a bit about the work that you or your organization is doing, also.

In the photo above, a resident of the Joe Slovo community, in Port Elizabeth, South Africa, hangs out her family's washing over the kind of vegetable patch she and her 500 neighbors dreamed of planting six years ago, when they were still living in squalor and insecurity in rented backyard shacks. Books could be written about the long struggle these resolute people have gone through - and are going through still - to reclaim their modest share of the common, and to be allowed to build their own community on this piece of the vast unused lands which ring the city.

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