

# INFORMAL ECONOMIC STRATEGIES: ADVOCACY FOR STREET VENDORS IN BRAZIL

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## 1. Introduction: Informal labor and the Right to the City

The discussion about informality in Brazil at the start of the 21st century has the dual task of simultaneously examining two conditions that enforce systematic permanence over time: the past and the present. Favorable economic indicators such as GDP growth, growth in purchasing power, an increasing minimum wage and growing formal employment rates in the past decade contrast with two indicators of the right to work and right to the city: 1) informality is still part of the reality for almost half of the workers in Brazilian metropolitan regions: 47.9% (Garcia; Maia, 2011); 2) the number of empty houses, 6.07 million, is greater than the number of dwellings that would need to be built to house all Brazilian families in adequate conditions: 5.8 million. (GOVERNO FEDERAL, 2010). The housing deficit in 2012 is around 9.3 million dwellings. (CAIXA ECONÔMICA FEDERAL, 2012)

The past, on one hand, demonstrates that Brazil's particular process of modernization and delayed industrialization failed to enact structural reforms that might reduce social inequalities: agrarian, urban, tax-related, benefits, etc. Such an absence of reforms would leave a permanent historical legacy of land and wealth concentration, institutional violence and weakened social dialogue.

The present, meanwhile, shows us that one of the results of Brazil's current restructuring and placement as a subordinate in the international scene is the insertion of precarious informal labor in various segments of urban and rural value chains.

In Brazilian history, the combination of land exclusion and difficult access to formal labor market are undissociative. The making of the free labor market and land policy in Brazil were not distinctive acts in time and in the vision of the State when it instituted land acquisition as means of purchase, replacing possession.

Besides wage laborers' difficult and restricted access to urban land, their insertion in the labor market remains until now hampered by structural issues. The constitution of labor market was a complex activity that involved the following threefold pattern: slavery's gradual dissolution, importation of labor and regulation of land acquisition. (Barbosa, 2008) The preference was for conservatism in all three aspects, respectively: by the lack of planning for the reinsertion of recently liberated workers; by the subordinated insertion of immigrant workers placed in the means of production; and, finally, by the increased cost and difficulty of access to land; these were decisive in maintaining a permanent subproletariat. It is this permanent subproletariat that makes up the more than one hundred years of free labor and formation of a systematic and permanent mass of informal workers, beyond just the effects of industrial restructuring and globalization.

The country maintained this pattern, even during the transition from predominately rural to an urban majority one. This combination of an excluding and/or exploitative country, in terms of labor and land, is expressed in its urbanization with low salaries—that is, the salary of the worker, even formal, did not take into account the cost of land and housing. Since the country never had a full employment regime, at least half of the formal and informal workforce were left with informal access to the city and precarious housing conditions.

The rapid urbanization of the 20th century and the systematic exclusion of a large segment of workforce resulted in the establishment of this permanent mass of workers who, even in periods of economic growth, occupied both the formal labor market and formal urban land outside margins. Urban workers suffered constant occupational displacement: they accumulated jobs, extending their workday to the maximum in order to complement their income.

Despite the economic growth cycle registered over the last decade having improved extreme poverty indicators, avoidance of the structural causes of social inequality in Brazil – among them land and tax components – keeps a considerable segment of marginalized population without land possession and workers' rights. Furthermore, data related to growth, such as increases in GDP and the number of formal jobs, is used with the intent of legitimizing actions that expel or criminalize poor urban workers.

Among the multiple understandings of the formal-informal relationship, there is no consensus about how both are related, although two views are worth singling out. On one hand, informality is seen as exceptional or circumstantial. Arising in countries that experienced full employment, this concept of informality as manifestation of marginalized and disconnected from the formal economy supported programs to insert workers into the formal labor market. Some examples of these programs focus on workers' training, on microcredit, on formalization of independent informal ventures, among other measures; however, such programs have not been sufficient, since they are not interesting to some particular value chains to incorporate the cost of workforce reproduction (labor rights and other social rights).

On the other hand, there is another perspective that defends the existence of a systematic maintenance of informality as a reflex of unequal patterns of income and land concentration and capital accumulation. Present in countries where full employment hasn't occurred, this view sees the informal subordinated and interstitial to the formal: subordinated, because it establishes objective relations to the formal and normally is disadvantaged in doing so; and interstitial, because it occupies areas interspersed with, and not outside of, the formal economy. In this sense, the informal is tied to the formal but deliberately maintained out of reach of labor rights.

The last thirty years have witnessed a dramatic reconfiguration of geography of production and localization of political and economic power, according to Harvey (2012). The bulk of the population has been positioned to work in a market deliberately segmented and stratified. In fact, capitalists have sought to control labor by placing individual workers in competition with each other for what would be jobs, but which are in fact offered as "opportunities."

The combination of political repressions, technological changes, increased capital mobility and an enormous wave of primitive accumulation in formerly peripheral zones has effectively resolved the problem of provision of labor for capital, according to Harvey (2011).

It is indeterminate whether labor can still challenge capital, since the survival of capitalism permanently depends on overcoming or neutralizing potential barriers to sustained accumulation. The availability of massive labor reserves, which present themselves in frank

quantity and spatial mobility within and across nations, weighs on class struggle with a powerful advantage for capital.

The preoccupation with the viability of a vast infrastructure for capitalist production, circulation and accumulation is not proportional to the investment in the reproduction, circulation and accumulation of the workforce. Issues such as free time, housing, health, education and leisure of workers are not included with the same weight in the agendas of the State and society. On the contrary, what we have witnessed in the city of Sao Paulo is a process of transformation of use and occupation of space through State action and financial and real estate sectors.

Last two Sao Paulo City Hall administrations (2005-2012) have targeted interventions in areas of specific interest to capital towards creation of new business opportunities, which alter uses and result in new destinations such as, for example, projects related to "megaevents" (World Cup, Olympics, etc.), large cultural facilities, among others. To carry out these projects, State has been adopting strategies restricting participatory processes in decision-making and making use of military force in urban management to occupy and control territory. The militarized administration of urban issues, defended as complying with norms, in fact masks a strategy of surveillance, oppression and removal of barriers for capital advancement. Trying to justify authoritarian actions practiced against population, mainly vulnerable groups, State argues that it has repaired public order, while creating conditions that serve private interests and thus diverging from its role in guaranteeing and enforcing rights.

According to Harvey (2011): "Land is an asset disputed by all, but which benefits few. Land ownership was funded by collectivity especially through public investments. The right to the city, rather social and land justice demand distribution of this asset, but it is dominated by the real estate market." In this sense, income distribution is not worth: the city itself must be distributed, along with its resources and work opportunities, guaranteed over time and space, as we will see.

The right to the city isn't only with respect to access to the city, but also the right to transform the city. It is a diffuse right, understood in Brazil as an indivisible right that goes beyond individual rights. For this transformation to occur, it inevitably depends on the exercise of a collective power to redesign urbanization process. The right to work, from the Habitat Agenda as well as the Decent Work Agenda, is not just a right of individual income, but of the guarantee over time, and, most of all, space, of collective spaces for local, productive arrangements.

In relation to informal street vendors, the fragile authorization to use public space, unilaterally revocable by the authorities, generates permanent occupational insecurity. Such unpredictability precludes not only the worker's ability to plan, but also long-term urban and economic planning by the authorities.

There are two precarious territorial aspects for these workers: first, unstable license to occupy public space, unilaterally revocable by the authorities; second, the exercise of an activity in highly valued areas, subject to urban planning projects and exclusionary real estate operations.

In fact, space to exercise informal activities is a burden to informal worker. In this sense, the value of land, the dispute for public and private space between society sectors, habitability and possession revert to being additional costs besides the many risks and social vulnerabilities that informal worker is subject to. In this sense, informal workers suffer a double segregation: their right to work and right to the city simultaneously.

The dimension that street vending means in the city of Sao Paulo is expressed in the number of workers: 138,000 street vendors out of a total of 11.4 million inhabitants. This number comes from the Interunion Department of Statistics and Socioeconomic Studies (DIEESE) from a special tally recorded during the Employment and Unemployment Research (PED) for street vendors living in the Sao Paulo metropolitan region and working in the city along two-year period of 2010-2011. This data characterizes the street vendor with the following profile: two thirds are men; 50% are over the age of 40; 69.1% have completed basic education; the majority is white, the heads of poor households and residents of the metropolitan region for a considerable time. At the start of 2012, there were only 5,137 licenses for street vendors, a negligible amount in relation to the total.

## **2. Politico-territorial characteristics of the street commerce dynamic in the city of Sao Paulo**

The spatial logic that informal street vending developed in the city reflected the form that retail and wholesale commerce historically occupied the urban fabric, and has decisively influenced how street vendors are organized.

In the northern, southern, eastern and western zones of the city, agglomerations of street commerce appeared in the main entryways of the city, connected to neighboring municipalities of the metropolitan region and, most of all, the central region, in popular commercial centers. Currently, street vendor organizations predominate per city region, generally connected to these popular commercial centers and near collective transportation terminals. In downtown, a transfer area for most collective transport lines, the largest and most consolidated street vendor organizations are found.

Historically, downtown has always concentrated a large number of street vendors due to being the main depot for arrival, distribution and sale of products coming from the principal port in the country, the Santos port. It was in historical downtown streets that product distribution throughout the city and to other municipalities in the state occurred. Even now downtown has a relevant retail role in the city, as it is still the principal nucleus and junction of urban transportation flows and also houses important centers of specialized popular commerce.

There are many barriers to informal workers' organization found in internal and external contradictions of informality, as well as obstacles to the constitution of collectives according to how the dialogue was built. The very legislation that regulates street vending was created towards decentralized social dialogue in the 33 regional city halls. This aspect contributed decisively to the fragmentation of workers' organizations, since social dialogue between the authorities and workers' organizations happens separately in each region, with patronage of city councillors. The legislation was designed as such precisely because political profits have

always been negotiated regionally. For this reason, the regional regulation of street vending further weakened the fragility of vendors' networks, as we will see.

### **3. The Gaspar Garcia Center's advocacy: legal and political support for workers**

#### **The legal dimension**

Since 2011, the Gaspar Garcia Center of Human Rights has come along street vendors in the scope of the project, "Informal Work and Right to the City," with the support of the European Union and Christian Aid. Throughout its 25 years of existence, Gaspar Garcia has upheld the principle of promoting the autonomy of political subjects through stimulating their self knowledge about their reality, so they can participate in participatory public policies processes to overcome adversity. To this end, the entity offers legal support and services, with training through popular education and political networking from the perspective of collective and democratic struggles.

Following these principles, building knowledge is a result of close, daily dialogue with workers, State, civil society institutions and specialists on the topic. With workers, knowledge has been built through popular education tools used in living and working areas, collective meetings and capacity-building workshops on rights.

Workshops with street vendors placed an emphasis on organization and popular participation, and most of all, the importance of building representation and strategies through transparent and democratic processes. The continuous track made possible to observe that the workers did not experience any of rights violations in a narrow or isolated path: income instability could compromise their access to adequate housing, lack of social dialogue could threaten their access to social security, etc.

The Gaspar Garcia Center's advocacy strategies are based on supporting workers so they can constitute a network and therefore act as a wider political subject. The legal services realized at the Informal Worker Reference Center were divided into the individual sphere, via forwarding cases to the relevant public organs; and collective, through the proposal of a public civil suit in conjunction with the Public Defender of the state of Sao Paulo. Nevertheless, legal defense of collective cases was elected as priority.

Rights violations, systematic and suffered on various fronts by street vendors in the city of Sao Paulo, are not detached from the intense process of socio-territorial segregation that afflicts, simultaneously, other vulnerable groups such as waste pickers of recyclable materials, homeless, residents of precarious housing, among others.

Since 2006, street vendors have suffered an intense process of license revoke leading to total prohibition, occurring on May 18, 2012, when Sao Paulo former mayor Gilberto Kassab issued decree n.º 53.154 annulling a previous law that established patterns for street vending perimeters. It was the final and ultimate act of extinction of more than 130 years of activity in the city of Sao Paulo. The alleged justification was the "necessity of adopting measures to

improve the urban life and well-being of the local population, making the reordering of public space possible, assuring the accessibility of pedestrians and preserving the urban landscape and cultural heritage."

Only after strong opposition and protests from the street vendors' network connected to some social movements following the announcement of the prohibition of street vending in the city, City Hall declared that a few projects would be created to reallocate and insert these workers into formal labor market. However, the alternatives presented did not contain any proof of viability and practicability. One disrespectful and humiliating example presented was offering to street vendors vacant positions of street-crossing guides to blind street vendors.

In immediate response to the actions of City Hall, the Public Defender of the State of Sao Paulo filed a public civil suit in May 2012 against the municipal government to prevent the expulsion of around 200 street vendors in the region of Sao Miguel Paulista in Sao Paulo eastern zone. On May 24th, the 5th District judge granted an injunction authorizing permanence of 200 street vendors affected by revocation of a street vending area in Sao Miguel Paulista.

Knowing that the measure adopted by City Hall was spread in the city and without any appeal for dialogue, the Gaspar Garcia Center for Human Rights and the Sao Paulo Public Defender Office filed a public civil suit of a wider scope, with the contribution of workers from different Sao Paulo regions, who gathered information and demonstrated irregularities committed during the process.

Because the matter was already under analysis by the 5th District judge, the public civil suit including all street vendors in the city of Sao Paulo was distributed as an adjunct to the Sao Miguel action, so that they could proceed together, thus avoiding any conflict of decisions, since both demanded the immediate suspension of the forced removal of workers.

In analyzing the requests for urgency, the 5th District judge ruled that the city of Sao Paulo must cease to remove workers that had their licenses repealed or revoked in 2012, while also authorizing the return to activities of those who were removed from points of street vending in the same year. Though the ruling only affected workers with recent violations, the public civil suit dealt with all irregular procedures that affected all workers, from the composition of popular participation arenas to the curtailing of the right of defense, as a guiding principle of human rights.

Following the decision, City Hall, within its rights to appeal the decision and instead of filing a juridical response to the suit, adopted a political measure by soliciting the intervention of the presiding judge of the Sao Paulo State Court, Ivan Sartori, to suspend the injunction granted in the first degree by the judge. Therefore, on June 11, 2012, Sartori suspended the injunction, using a legal instrument known as "Security Suspension," alleging that the judiciary could not interfere in the actions of the executive branch, and authorizing City Hall to continue its policy of street vending removal, with the justification of a "grievous damage to order."

In order to revert the decision of the presiding judge, the Sao Paulo Public Defender and the Gaspar Garcia Center brought a specific juridical tool called Regimental Appeal, so that

arguments were analyzed by the Special Organ of the Sao Paulo Court, a joint committee qualified to analyze resources against the decision of the president of the court, composed of 25 chief judges. Furthermore, the authors of the public civil suit proposed a juridical circumspection appeal, an autonomous initiative, soliciting that the removals must be suspended until the pending analysis of the resource by the committee.

On June 27, 2012, the Regimental Appeal was decided by the Special Organ of the Sao Paulo Court, which issued a decision in favor of the street vendors, with twenty-two votes in favor and three opposed. The votes of the twenty-two chief judges in favor highlighted the social and economic aspect of the matter and presented counterpoints to the allegations of “grievous damage to order”. In the end, they pointed out the necessity of a reasonable and non-violent solution to the issue, safeguarding the rights of those without ways of otherwise sustaining their families.

The City Hall insisted on a political intervention of the judiciary to revert the decision of the 5th District judge and, in October of 2012, submitted a motion to suspend the injunction to the Federal Superior Court against the decision of the Special Organ of the Sao Paulo Court. The motion was denied by the reporting justice of the case, who reaffirmed arguments from the chief judges of the Sao Paulo State Court.

The scope of the public civil suit goes beyond the discussion of the permanence of the licenses, placing the conflict under urban planning panorama and the principles that govern the right to the city and participatory processes.

About the right to the city, the Brazilian Constitution determines that cities, and consequently urban properties, must fulfill their social function as expressions of full access to services and infrastructure. This right doesn't only apply to access to the city, but also to the right to transform the urban environment into more socially fair cities.

Besides the Constitution, two other urban planning norms regulate the social function of the city and property: the Statute of the City, at the federal level; and the Master Plan, at the municipal level. About the right to participatory processes, three norms establish that popular participation is fundamental to the construction of public policies and to the definition of priorities in investments in actions of territorial development. This means that, in diverse areas, the participation of citizens in the transformation of their conditions is a premise that must be respected by the State.

Despite the progressive national legal framework, it is worth saying that in Brazil still exists an abyss between the State governance and the promotion of access to these rights. The weak application of instruments of urban policy that promote the right to the city, as well as the loose participatory processes, demonstrate the incomplete exercise of democratic citizenship and social justice.

There is no urban planning of the distribution of license opportunities, following objective criteria of regional employment deficits, local and cultural tradition of popular commerce and compatibility of public spaces use and occupation. Any adjustments or readjustments of urban



spaces, with consequent internal displacement of workers, must be submitted to popular consultation, duly motivated and have to contain, at minimum: indication of the number of formal and informal vendors in the city; location of the licenses; spaces to be appropriated or rebuilt for economic resettlement in other areas; period of execution of the policy; cost; economic viability of the new planned workspaces; report on social and neighboring impacts; budget plan, among other essential elements for guarantee of the rights to work and to the city.

Street vending is regulated by Municipal Law 11.039/1991 and by Decree 42.600/2002. The procedures related to the activity, such as infractions, fines and supervision, are established via other municipal laws and ordinances such as Law 11.111/1991, Law 13.866/2004 and Ordinance 18/2004.

In general terms, these norms establish that persons may exercise street vending autonomously or as employment, as long as they exercise licit activities and are authorized by the city government. Those with authorization must possess the Use Permission Agreement (TPU), receipts of merchandise and have their taxes (public price charged every trimester) paid. Quotas are also established for persons with physical disabilities, the elderly, former prisoners, along with permission for the "physically capable."

The legislation still regulates a bargaining channel for street vendors participation in decision-taking, the Permanent Street Vendors Commissions (CPAs). In its original conception, the CPA is an advisory space so that irregular situations, legal infractions and necessary readjustments can be resolved with workers participation, as well as being a place for discussion and forwarding of proposals created by the City Hall or the workers.

Although it contributes to the disconnected logic of street vendor organizations, the CPA is a channel for regulated negotiation by City Hall that establishes social dialogue among workers' representatives, civil society and the executive branch. The CPA as a quadripartite instance of social dialogue differs from the Municipal Housing and Education Councils in the way it relates to the public authorities. In these councils, representatives collectively bargain in one single arena with the many political actors and the government, simultaneously. The CPAs, on the contrary, do not allow the workers' representatives to see if there is any differential treatment by City Hall toward the many other political actors at play on the municipal scale, since it occurs separately in each regional City Hall office. Moreover, workers cannot coordinate a single unified agenda.

### **The political dimension**

After the public civil suit in May and consequent developments that lasted until October, 2012, in that same month there was a significant change on the political landscape, with the election of the new mayor of Sao Paulo. Months prior to the election, the municipal workers' network, Street Vendors' Forum, decided to discuss their proposals directly to the mayoral candidates. On that occasion, a resulted booklet of proposals was discussed and presented personally to two of the six candidates. With the approval of the candidate Fernando Haddad of the Workers Party, the same party of current president Dilma Rousseff, the workers expected dialogue to be

resumed, the planning of activities agreed upon and the regularization of the activity to be carried out.

Beginning in 2013, at the start of the current mayor's mandate, street vendors' representatives, with the support of Gaspar Garcia Center, had their first meeting with the mayor, who promised to establish a process of permanent dialogue with workers. Gaspar Garcia Center and the Public Defender, as authors of the suit, decided to call for a conciliatory judgement audience to suspend the final ruling of the suit against City Hall, given that the current administration had demonstrated genuine commitment with social dialogue.

In this conciliatory audience between suit authors and current executive municipal administration, the judge understood that both parts would give priority to the path of political negotiation, instead of the judicialness of the case. She declared, however, the suit 180-day suspension would rule with two conditions: City Hall will present, following a process of permanent dialogue, a Street Vending Municipal Plan. Following the conciliatory audience, and until the present moment – July 2013 – five meetings have been held to decide goals, dynamic and composition of this workgroup on street vending that has met bi-weekly at the Secretary of Regional City Halls Coordination.

At the same time, City Hall declared that it is also interested in maintaining social dialogue about the participation of street vendors in the 2014 World Cup. The representative of the Municipal Secretary, in charge of issues surrounding the games, has received the street vendors and other representatives of the Popular World Cup Committee as part of the marketing of City Hall's intentions.

With the constitution of this periodic workgroup, there was progress in the recognition by City Hall of social dialogue as a safer path to the construction of more trustworthy policies. However, only after these 180 days will be possible to have an assessment if this social dialogue will advance with regard to policies and the mitigation of losses and damages caused by the previous administration.

#### **4. Construction of a new arc of alliances connected to workers**

Together with legal actions and rights training, Gaspar Garcia Center for Human Rights has supported street vendors in order to connect representatives from various regions to act with collective strategies in mind. At the start of 2011, only the representatives of downtown area were present and, as City Hall carried out a series of removals in several parts of the city, representatives from other regions joined the growing network. This municipal network that has met at Gaspar Garcia Center came to be called, in the beginning of 2012, the "Street Vendors Forum of the City of Sao Paulo." Beginning in May, 2012, with the revocation of 100% of vending licenses by the city, the Forum began promoting weekly events, protesting against the arbitrariness of administrative procedures, the lack of social dialogue, and abuses in the oversight of their activities.

In various events held in the months of May and June, the Forum was able to reunite around 1,500 street vendors in each public event in front of City Hall, the City Council and the Sao Paulo

State Court. These events drew the attention of the press and society to the ongoing legal dispute and dissatisfaction with the lack of alternatives agreed upon by the vendors and the authorities. Other actors were also present at these events – specialists, entities and state actors – who made up the network.

Based on the political reading of the local context, we analyzed that it would be important to expand the arc of alliances in support of workers in the constitution and strengthening of this municipal network of street vendors. In this sense, Gaspar Garcia acted not only as a networker of street vendors, but also of other institutions: justice institutions in defense of citizens, the Public Defender of the State of Sao Paulo and the Public Prosecutor of the State of Sao Paulo; universities, the University of Sao Paulo, the Federal University of ABC, etc; and civil society organizations, the Solidary Development Agency of CUT (Central Trade Union) and DIEESE.

Gaspar Garcia Center's pathway made it possible to think about street vendors networking with more than just workers' organizations, toward dialogue with other social movements: the Popular World Cup Committee, Center of Popular Movements, Union of Housing Movements, etc. Some agendas and political activities that were held together with popular movements demonstrated that socio-territorial segregation doesn't just affect each group isolatedly.

In Gaspar Garcia Center's thought, combination of legal and political actions undoubtedly contributed to the overturn of City Hall's initiative to bring about the extinction of street vending in the city of Sao Paulo.

## 5. Alternative geometry of power relations

Historically, representatives of street vendors' organizations always channeled their demands through city councilors that politically represented administrative perimeters: the regional city hall offices. The result of this political relationship is the perpetuation of a fragmented, patronage-based relation with State, which is decisive in the disconnection among vendors' organizations. In interviews with street vendors' leaders it is common to hear that their main ally is a councilman.

Another challenge is the fact that informal vendor organizations are in institutional limbo in the national trade union sphere. Street vendors' organizations alternate between being weak subsidiaries of the trade union agenda or undistinguished targets of government social programs. This undefined participation in the unified trade union world may be one of the causes for the lack of support from the working world when criminalization of the informal category occurs.

The relation of street vendors' organizations to the executive branch, having always been intermediated by city councilors, established a dynamic of circular dependence on the legislative branch—that is, through faithful patronage-based relations, whose actions did not give priority to "perimetral" or horizontal networking among workers. The absence of this horizontal relation was decisive in the lack of any collective networking among organizations, much less a unified movement of the category that could take on, with greater force, the arbitrary actions of City Hall.

In interviews it is possible to verify that, besides few specificities of vendors' organizations, some points in their political agendas are similar, which would allow for horizontal coordination among organizations. Gaspar Garcia Center's support for the constitution of a municipal network of street vendors, the Street Vendors Forum, aims for exactly the strengthening of the vendors as a wider political subject.

## 6. Progress and Challenges

### Overlappings and absences of the UN-Habitat and ILO-Decent Work Agendas

The Habitat Agenda of the United Nations (UN), launched in June of 1996 in the city of Istanbul, Turkey, is a political document adopted by 171 countries which resulted from the Second United Nations Conference on Human Settlements and contains commitments and recommendations. There are seven commitments: 1) "Adequate shelter for all"; 2) "Sustainable human settlements"; 3) "Enablement and Participatory Processes"; 4) "Gender equality"; 5) "Financing shelter and human settlements"; 6) "International cooperation"; 7) "Assessing progress."

The Decent Work Agenda was discussed in the year of 2007 by way of its integrants: the International Labour Organization (ILO), governments, employers and workers. It is based on the understanding that labor is a source of personal dignity, family stability, peace in the community and growth that expands opportunities for productive employment and development of businesses. There are basically four points defended in the Agenda: 1) Income creation; 2) Guarantee of labor rights; 3) Social protection; 4) Social dialogue.

Between the two international agendas, two items call attention for overlapping in their intentions: 1) Participatory Processes and Social Dialogue; 2) Income creation and right to participate in the urban economy in adequate settlements.

In Brazil, first issue is legitimized in the Constitution and in two urban planning norms, the Statute of the City and the Master Plan. In the second item, however, despite both agendas including concern for the guarantee of access and permanence of informal workers in their workspaces, there are no instruments of urban policy that provide legal and urban planning security for them.

For this reason, Gaspar Garcia Center and the Public Defender initiated a discussion at the weekly Street Vendors Forum meetings with the objective of defining new urban policy tools that guarantee the access and permanence of street vending in the city.

And since the revision process of the Master Plan of the City of Sao Paulo is taking place this year in 2013, the Street Vendors Forum and the suit authors came to the following proposals, after a careful examination of urban policies tools that protect vulnerable populations: FOR THE PUBLIC SPACE: 1) Demarcation of "Special Perimeters of Urban Intervention" (PEIUs) in public spaces for street vending, which demands the definition of objectives, ends, coverage, use standards and occupation of the location; 2) Concession of special use for street vending (CUECR), as a specific contract of permission for a fixed period, in contrast to the precarious permission that can be unilaterally revoked by City Hall. FOR PRIVATE LAND: application of

Urban Reform instruments to enable access to land for informal workers who face objective barriers in the formal real estate market. There are basically two obstacles to private property access: 3) To confront the avoidance and realization of the social function of property: Progressive IPTU (property tax) and expropriation for Urban Reform purposes. Both instruments would have the goal of building popular regional markets as government policies, combined with subsidy and support for the organization of informal workers in different value chains.

## The Popular Struggles

Isolated legal framework is not sufficient: the realization of the right to the city proposed by the cited norms depends on mechanisms of pressure, participation and social control by popular movements. The effectiveness of popular struggles in the context of the "business-city" model is at risk and the progress of social movements will depend, most of all, on a joint agenda and joint strategies of coordination.

For the movements' actions to be effective, popular struggles need to combine at least three elements: organization, networking and substantive social control and participation.

In relation to organization, there are series of barriers to the organization of informal workers that exist in the internal and external contradictions related to the design of social dialogue policies, political patronage and the restructuring of value chains.

In relation to networking, Gaspar Garcia Center's pathway made it possible to think about coordination beyond the support of workers' organizations and toward dialogue with other social movements. The recent protests in June of 2013 that began in the city of Sao Paulo and spread nationwide to include a broad agenda of demands demonstrated how the street vendors' struggle is more related to the mix of different urban movements than the actual hierarchical structures of trade unions. In this sense, the struggle of informal workers is more associated with the Urban Reform agenda and the Right to the City than the maintenance of workers' rights to which they never had access.

Capitalism ability to transform, which has perversely and corrosively affected popular classes, has demanded new forms of social organization. Such a movement would have a less oriented orbit around the working classes, in favor of wider networking of large, excluded masses. The great challenge is to agglomerate this large number of affected people, who are widely dispersed and whose slogans are multiple and more complex: spatial segregation, equality and respect of issues of gender, race, ethnicity, etc. Besides aggregating this large mass, it is necessary to find, among these differences and demands, the recognition of agendas in common.

To guarantee that the networking between representatives and the political formation triggers a sustainable process of workers' organization and strengthening, it is fundamental that regular technical support exists for a certain period of time. This would bring the know-how of political actions that are effective in guaranteeing rights, both legal, such as advocacy, protests and

political networking, so that the workers themselves are able to carry on the process autonomously.

About participation and substantial social control, the struggle for channels of participation and social control cannot be separated from the meaning of participatory processes. Occupying a bargaining channel is not an end in itself. Participation and social control over State has a political meaning of social transformation— that is, effectiveness of the just distribution of benefits and the responsibility for processes of urbanization and economic growth.

The experiences with social dialogue, however, have demonstrated that the spheres are full of participation and empty in terms of political transformations. For Maricato (2007), we have never been so participatory: channels are created in all spheres of government: federal, state, municipal and even multilateral organs. Meanwhile, they are limited in results or relevance when overcoming adversities and conflicts. For Maricato, structural themes are relegated to more centralized decision spheres and social control revolves around questions of little impact on the distribution of power and income, such as urban custodians, etc.

The autonomy of these spaces is also fundamental, not only for the protection of workers who report abuses, but also in the liberty the space affords for reporting official and unofficial monopolies of power. Besides reporting power concentration, it is fundamental to blow the whistle on the arbitrary use of instruments of urban policy that are used against vulnerable populations for the real estate sector's ends.

The spaces for dialogue can also not be restricted to approval or refusal by government decisions: popular movements must fight for new legal frameworks and propose new instruments for the democratic management of the city.

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