

# Regularization of Informal Settlements in Latin America



EDÉSIO FERNANDES

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Edésio Fernandes

## **Policy Focus Report Series**

The policy focus report series is published by the Lincoln Institute of Land Policy to address timely public policy issues relating to land use, land markets, and property taxation. Each report is designed to bridge the gap between theory and practice by combining research findings, case studies, and contributions from scholars in a variety of academic disciplines and from professional practitioners, local officials, and citizens in diverse communities.

## **About This Report**

This report examines the prevalence of informal settlements in Latin America and analyzes the two primary paradigms for regularization programs that have been used with mixed results to improve conditions in these areas. The first, exemplified by Peru, involves the narrow legalization of tenure through titling. The second is Brazil's broader approach to regularization that combines legal titling with the upgrading of public services, job creation, and community support structures. The author takes a sociolegal approach to this analysis. While local practices vary widely, most informal land developments in Latin America exhibit violations of the prevailing formal legal order governing land use, planning, registration, building, and taxation, and therefore have fundamental problems of illegality. Resolving these problems does not link directly to improvements in public services unless service upgrading is provided as part of a broader regularization program.

Regularization itself remains a work in progress, and the Lincoln Institute of Land Policy's Program on Latin America and the Caribbean has long been concerned about how to address informality and its impacts. This report is part of an ongoing set of research, education and training programs, and related publications that document the work of many colleagues in countries throughout the region and the world. Additional information on this topic is available on the Institute's Web site at [www.lincolninst.edu/aboutlincoln/latin-america-caribbean.asp](http://www.lincolninst.edu/aboutlincoln/latin-america-caribbean.asp).

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**ON THE COVER:**  
A regularized settlement  
has new roadways and  
other services in the  
Nova Conquista area  
of Diadema, Brazil.



# Contents

**2 Executive Summary**

**4 Chapter 1. The Challenges of Informal Development**

- 5 Sociological Aspects of Informality
- 6 Burdens of Informality
- 8 Interventions to Resolve Informality

**10 Chapter 2. Defining and Measuring Informal Development and Assessing its Causes**

- 10 Problems of Definition
- 12 Challenges of Measurement
- 14 Causes of Informal Development
- 17 Summary

**18 Chapter 3. The Regularization of Consolidated Informal Settlements**

- 19 Challenges of Regularization
- 19 Why Regularize?
- 21 Who Can Regularize?
- 22 Who Pays the Bill, and How?
- 24 What Are the Results?
- 25 Summary

**26 Chapter 4. Experiences with Regularization: The Cases of Peru and Brazil**

- 27 Titling as a Trigger for Development: The Peruvian Experience
- 31 Tenure Security as an Integrated Program: The Brazilian Experience
- 34 Assessment of Regularization Experiences
- 35 Unanticipated Consequences
- 37 Summary

**38 Chapter 5. Additional Legal Issues Related to Regularization**

- 38 Types of Tenure Rights
- 39 Legal Issues of Land Occupation
- 41 Ensuring the Durability of Benefits for the Poor
- 43 Gender and Land Rights
- 44 Environmental Protection
- 44 Summary

**45 Chapter 6. Recommendations on Regularization Policy**

**47 References**

**48 Glossary**

**49 About the Author**

**49 Acknowledgments**

**49 About the Lincoln Institute of Land Policy**