Preserving historical centers without causing gentrification: Options to put an end to an old urban problem

Case study: The historical center of Lima, Peru

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Statement of authenticity of material

This thesis contains no material which has been accepted for the award of any other degree or diploma in any institution, and to the best of my knowledge and belief, the research contains no material previously published or written by another person, except where due reference has been made in the text of the thesis.

Martin Cornejo Presbítero

Berlin, March 20\textsuperscript{th} 2021
Abstract

Since 1979, 32 historical centers in Latin America have been declared UNESCO built-cultural heritage. Cities with a declaration have developed policies, legal, and planning instruments pursuing the re-urbanization of those areas and their transformation into touristic and commercial clusters or new high-income residential neighborhoods. During re-urbanization, planners and decision-makers destroy and transform historical centers to recreate "history." In this process, aspirational ideas of the past create a veil of fantasy places and colonial elites that clashes with the dynamics of the people living in them.

Historical centers in Latin America were abandoned by their formal owners and squatted decades ago by vulnerable groups. Different people hold different land rights over the same properties, which prevents occupiers from formalizing their tenure, access loans, or maintaining the buildings. Without formal registration of their land rights, any improvement done in the areas weakens the occupiers' tenure security and increments their risk of being displaced or gentrified. The displacement of the occupiers endangers the buildings by leaving them empty, and as the area depopulates, the need for security and surveillance increases. Furthermore, land rights juxtaposition discourages private investors from buying properties or investing in the area. Therefore, when re-urbanization marginalizes the population, it fails and puts heritage in even greater danger.

In the following pages, this research hypothesizes that the progressive upgrading of occupiers' land rights can protect heritage and avoid displacement and gentrification in historical centers. I sub-dived the analysis into two sub-objectives.

First, to enhance understanding of how policies and planning instruments used to preserve heritage encourage displacement and gentrification. I analyzed policies, legal, and planning instruments to protect heritage from six Latin American historical centers that generated different processes of gentrification and displacement. Following Janoschka's (2016, p.35) categorization, I classified the analysis in economic-financial, political, and symbolic processes of displacement.

Second, to enhance understanding of how higher tenure security can reduce the risk of displacement and gentrification. I narrowed the analysis to Peru and reviewed tenure security at the three domains of land governance; Country, settlement, and household level.

Finally, I triangulated the observations collected from analyzing displacement processes in Latin America and analyzing the three domains of tenure security in Peru. From these observations, I identified the objectives, activities, services, stakeholders, and indicators of a Peruvian policy that protects heritage and avoids displacement and gentrification by upgrading tenure security.

Keywords: Heritage, Historical centers, re-urbanization, displacement and gentrification, land rights and tenure systems, tenure security.
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Chapter 1: Introduction

Latin American cities carry with them the legacy of 200 years of colonial occupation. The architecture, art, religion, and culture developed since then is still impregnated with the hierarchies and aesthetical values that the colonial period left. Therefore, urban planning has also privileged the original colonial street plot and architecture. Since the declaration of Quito’s historical center in 1979, 32 other Latin American historical centers have been declared UNESCO built-cultural heritage. Cities like Arequipa, Quito, or Sucre have promoted urban development plans (Master plans) to preserve the European characteristics that the former city centers carry and promote their economic potential. Master Plans regulate interventions on historic buildings and include ambitious proposals to redesign public spaces and pedestrianize streets. Decision-makers pursue to attract foreign capital, tourism, or high residential activities. If they succeed, the land cost rises, and the buildings and monuments will become valuable assets. However, the current population will no longer afford the living costs and have to relocate and leave room for new activities.

1.1. Problem Statement

Every historical center in Latin-America with a UNESCO declaration is depopulating. For example, between 2000 to 2005, the population of the historic city center of Mexico, where "El Zocalo" is located, went from 39 to 31 thousand inhabitants (Autoridad del Centro Historico 2016, p.18). An average of 2000 persons per year left Lima’s city center during the last 15 years (CIDAP 2015, n.p). This depopulation process does not correspond to what is happening in the rest of these cities. Every other neighborhood of those cities has increased its density and population. Therefore, the policies undertaken by the municipalities of historical centers after the UNESCO declaration are encouraging depopulation. These policies prioritize preserving built-cultural heritage over the human right to a standard way of living, which requires access to adequate housing. Adequate housing is a right recognized in every country’s constitution in the region and part of sustainable development goals. The SDG 11, “Sustainable cities and communities - Make cities and human settlements inclusive, safe, resilient and sustainable,” aims to ensure the "access for all to adequate, safe and affordable housing and basic services and upgrade slums" (UN - United nations 2015, para.11.1).

1.2. Relevance and justification

First, researchers have vastly discussed both the necessity to protect heritage (UNESCO 1972, pp.1-17) and the right to adequate housing. This discussion has resulted in national legislation and international frameworks (UN 2015, para 11.1; Habitat III 2017, p.12). Second, researchers have described that policies and planning instruments used to preserve Latin American heritage derive in gentrification (Delgadillo 2008, pp.817-845; Lopez Morales et al. 2016, pp.1091-1108; Inzulza Contardo 2016, pp.; Janoschka 2016, pp.27-66). Finally, the claim that a plurality of tenure rights is a tool to strengthen tenure security and the right to adequate housing (De Soto
has already derived in the production of new policies and legal instruments in the region. Two examples are COFOPRI in Peru (El Peruano 2021, n.p) and UOT in Colombia (Sui Juriscol 2017, n.p).

Nevertheless, the necessity to compare the planning instruments for preserving heritage with the policies to grant tenure security has not generated any concrete results until now. Although it has been consistently proven that they are colliding with each other, because of this situation, my research intends to identify; first, why the protection of heritage is encouraging displacement and gentrification; second, how existing policies around tenure security are not protecting citizens from evictions; and finally, how to avoid displacement and gentrification by upgrading land rights.

1.3. Research objective
The objectives of this study are:

1. To enhance understanding of how the policies and planning instruments used to protect heritage encourage displacement and gentrification.
2. To enhance understanding of how higher tenure security can reduce the risk of displacement and gentrification.
3. To suggest implications for a policy to protect heritage that avoids displacement and gentrification by upgrading land rights.

1.4. Hypothesis and research question
This thesis hypothesizes that the progressive upgrade of tenure status can protect heritage and avoid displacement and gentrification in historical centers. Therefore, the main research question I aim to answer is:

- **How could a policy to protect heritage avoid displacement and gentrification by upgrading land rights?**

The two research elements that this question addresses are policies around heritage protection and policies around housing rights and tenure security. Thus, the main question can be broken into two sub-questions:

- Sub-question 1: How are policies and planning instruments used to protect heritage encouraging displacement and gentrification?
- Sub-question 2: How higher tenure security can reduce the risk of displacement and gentrification?

1.5. A critical assessment of the research
2020 brought several challenges to the execution of research and fieldwork. As the virus COVID-19 spread worldwide, several countries closed borders, undertook severe public transit
restrictions, limited social agglomerations, and even installed curfews. During this period, I was living in Berlin, Germany, and researching Lima, Peru. Both countries delivered restrictions to fight the virus and established a 15-day quarantine when arriving from abroad. Therefore, the possibility of traveling to do fieldwork was impractical. Liliana Farias, a social assistant working in the direction of urban development of Peru's ministry of housing, assisted me. She has also previously surveyed several slums in the historic center in cooperation with the fund 'MiVivienda'. Nevertheless, the need for social distancing in Peru limited meetings with more than two people from different slums. Therefore, she had to rely on each slums' representatives to carry the surveys.

In November, the Peruvian congress impeached its president and installed the congress's leader as the new president. The media and citizenship claimed this situation as a Coup, which resulted in a week of protests, violent encounters between the police and the demonstrators, and two deaths. It all took place in the historical center. Therefore, I had to postpone a group of surveys programmed during this time. After a new president assumed power, the municipality and several political organizations led patrols to seek witnesses and sympathizers, generating skepticism between the neighbors. I notice this as the entire content of one of the slums' surveys presented very similar responses from all surveyed families. Liliana explained that the representative decided to fill the surveys with all the tenants to agree on the answers.

Finally, most governmental offices limited the capacity of their buildings to urgent activities. Registries and consultation offices were, therefore, closed. I had to rely on digital information and already up-loaded censuses as archival data and the snowball method to contact interviewees.

1.6. Motivation

I grew up in Arequipa, Peru. The colonial heritage of its historic center inspired me to become an architect and even to consider the possibility of becoming a restaurateur. I grow up believing that the role of architects was to preserve the heritage of our cities. The city center of Arequipa was declared a built-cultural heritage by UNESCO in 2000. The local government approved two master plans in 2001 and 2016 (Gestion de Gobierno municipal 2017, p.44). However, the area continues to de-populate, fails to become resilient, is insecure, and still fails to preserve its monuments. In 2019, as I worked in Lima for the ministry of housing, construction, and sanitation, I had the chance to meet several families applying for social housing programs. Most of them lived in the slums of Lima's city center. As I worked with the inhabitants of this area, the municipality started the new Master plan's approval process. The neighbors knew that the new regulation would be problematic for them and because they did not participate in the decision-making, they feared that they would be displaced. This situation reminded me of how urban planners and decision-makers plan Arequipa without considering the population's needs. I did this research to address this problem and sustain that even if an area holds a remarkable past or a promising future, urban planning should never happen by ignoring the present.
Chapter 2: Theoretical Framework and literature review

In this chapter, I structured the literature around four main topics: (i) Preserving built-cultural heritage, (ii) master planning, (iii) gentrification, and (iv) tenure security and property rights.

2.1. Preserving built-cultural heritage

Heritage is defined "as that which a past generation has preserved and handed on to the present and which a significant group of the population wishes to hand on to the future" (Hewison 1989, p.16). Cultural heritage is a set of indicators that help us relate to a particular group. We identify heritage as our own identity or the collective identity of the community, city, or country we live in (Lynch 1960, cited in Tweed & Sutherland 2007, p.65). Therefore, heritage protection is a selection process where the current generation hands specific values to the following one, selecting what is worth preserving and what is not. Thus, some arts, monuments, or crafts are excluded, and the remaining ones prevail and shape the way we remember history (Harrison 2015, p.6). The selection process of heritage in Latin America delimited the art, monuments, and crafts preserved during the 200 years of colonial occupation. Later during the early republican era, the understanding of what was worthy of keeping continued to carry the prior 200 years' legacy. Two hundred years after the republics' installment, Latin American countries should determine the conservation priorities singlehandedly. However, planning systems continue to follow northern ideological patterns, and globalization has strengthened the pursuit of a unique and Absolut human identity. The pursuit of this universal identity also requires the existence of universal heritage. Therefore, heritage protection has become an international matter and is documented as "Cultural and Natural Heritage of Outstanding Universal Value" (UNESCO 1972, article 8).

2.1.1. The Heritage convention

In 1972 the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO) met in Paris and signed a general agreement that listed the necessary considerations before the declaration of new assets and established the following compromises:

1. "adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community and to integrate the protection of that heritage into comprehensive planning programs;
2. Set up within its territories, where such services do not exist, one or more services for the protection, conservation, and presentation of the cultural and natural heritage with appropriate staff and possessing the means to discharge their functions;
3. Develop scientific and technical studies and research and work out such operating methods as will make the state capable of counteracting the dangers that threaten its cultural or natural heritage;
4. Take the appropriate legal, scientific, technical, administrative, and financial measures necessary for the identification, protection, conservation, presentation, and rehabilitation of this heritage; and
5. Foster the establishment or development of national or regional centers for training in the protection, conservation and presentation of the cultural and natural heritage and to encourage scientific research in this field" (UNESCO 1972, article 5)
Every partner state must include these agreements in a specific plan when seeking a new property's nomination. The 1st agreement establishing a policy that gives heritage a function for the community only needs to be fully met when some activity of the community's life is part of the list of intangible cultural heritage (see subchapter 2.1.3).

The convention also establishes an intergovernmental committee formed by 15 States to include every new property into the UNESCO list. By 2020, The convention associates 193 states and has declared 878 properties as built-cultural heritage (UNESCO 2020, n.p.). The agreement also established the creation of a Fund for the protection of cultural heritage. International assistance is provided to any State Party in disasters or natural calamities, and the service varies from technical capacities to non-repayable subsidies (UNESCO 1972, article 13).

2.1.2. Historic centers

![Map of UNESCO historical centers in Latin America](image)

<table>
<thead>
<tr>
<th>Country</th>
<th>Sites Presented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barbados</td>
<td>Historic Bridgetown And Its Garrison</td>
</tr>
<tr>
<td>Bolivia</td>
<td>City Of Potosi (In Danger)</td>
</tr>
<tr>
<td>Brazil</td>
<td>Ouro Preto</td>
</tr>
<tr>
<td>Chile</td>
<td>Seaport City Of Valparaiso</td>
</tr>
<tr>
<td>Colombia</td>
<td>Santa Cruz</td>
</tr>
<tr>
<td>Cuba</td>
<td>Old Havana Ans Its Fortification System</td>
</tr>
<tr>
<td>Dominican Republic</td>
<td>Colonial City Of Santo Domingo</td>
</tr>
<tr>
<td>Ecuador</td>
<td>City Of Quito</td>
</tr>
<tr>
<td>Guatemala</td>
<td>Antigua Guatemala</td>
</tr>
<tr>
<td>Mexico</td>
<td>Mexico City And Xochimilco</td>
</tr>
<tr>
<td>Panama</td>
<td>Panama Viejo And Historic District Of Panama</td>
</tr>
<tr>
<td>Peru</td>
<td>City Of Cuzco</td>
</tr>
<tr>
<td>Suriname</td>
<td>City Of Paramaribo</td>
</tr>
</tbody>
</table>

Figure 1: Nomination process of a Heritage site
Source: Author; based on UNESCO 1972, article 11

Figure 2: UNESCO historical centers in Latin America
Source: Author; Based on UNESCO 2020, n.p.
The world heritage convention recognizes three categories of built-cultural heritage. First, monuments. Second, "groups of separate or connected buildings" (UNESCO 1979, article 1) and third, sites, meaning the combination of human intervention and a natural landscape. In Latin-America by 2020, 96 properties in 28 states were declared built-cultural heritage. The most consistent pattern in the region is the declaration of a group of buildings from the colonial or early republican era as built-cultural heritage. By 2020, 32 areas inside of more extensive jurisdictions have achieved some kind of declaration, with different denominations like; “monumental urban environment,” “old city,” “historical city,” “old town,” so on and so forth. For the matter of this research, I refer to all of them as historical centers.

2.1.3. Intangible Cultural Heritage
Intangible cultural heritage is understood as the traditions, practices, or expressions that human groups transfer generation after generation seeking to preserve their own identity (UNESCO 2003, p.9). In 2003, the convention for safeguarding the intangible cultural heritage was established. One of its goals is "to ensure respect for the intangible cultural heritage of the communities, groups, and individuals concerned" (UNESCO 2018, p.12). The convention selects intangible heritage elements that fit into one of the following five categories.

"oral traditions and expressions; performing arts; social practices, rituals, and festive events; knowledge and practices concerning nature and the universe; traditional craftsmanship" (UNESCO 2018, p.12).

Since 2008, 77 practices and expressions in Latin America have been included on the list. It is essential to understand that intangible cultural Heritage and built-cultural Heritage are not bounded. From the 77 elements of intangible heritage, only four are potentially related to built-cultural heritage sites (UNESCO 2020, n.p.). None of them are associated with historical centers. Architectural traditions constitute social practices that hold universal value, like the French scribing tradition of timber framing or the Chinese construction of bridges (UNESCO 2020, n.p.). However, the list does not include any construction practice applied in the construction of historical centers. Therefore, the delimitation of a historical center does not require pursuing any goal to protect intangible heritage. The declaration only refers to the preservation of built-cultural heritage, not the communities that inhabit them.

2.1.4. People participation in cultural heritage areas
In 1992, consultation with local communities was finally identified as a crucial part of the nomination process. The convention’s 14th Paragraph, which requested countries to avoid publicizing a possible nomination before an official declaration was replaced with: "Participation of local people in the nomination process is essential to make them feel a shared responsibility with the State Party in the maintenance of the site” (UNESCO 1992; cited in Rössler et al. 2012, p.27). Later in 1999, the South African heritage resource agency established that for a nomination, identifying the cultural significance needed to request stakeholders’ meetings and cultural mapping on top of the historical record and scientific research. This request allowed to
provide evidence of actual participation: "Conservation, interpretation, and management of a place should provide for the participation of people for whom the place has special associations and meanings, or who have social, spiritual or other cultural responsibilities for the place" (ICOMOS Australia 1999, cited in Rössler 2012, p.29). Both steps have certainly changed the path of the world heritage convention, but only for those properties whose stakeholders are identifiable or whose practices are recognized as an intangible heritage; for example, an indigenous community that holds customary tenure over a natural reserve. However, Latin American historical centers gather touristic, governmental, and commercial on top of residential activities. The majority of residents do not have a registry of the land rights of the households they occupy. Therefore, when consulting stakeholders, those who hold an official registry of their properties want to develop commerce and tourism because those activities are more profitable. When this interest contradicts the will of those whose land rights are not registered, local governments side with those who hold formal registries or titles.

2.2. Master planning in Latin America

All of the 32 local governments of Latin American cities with a historical center have approved land rights restrictions in a master plan that regulate the preservation of the monumental buildings, new constructions, streets, and public spaces. A significant characteristic of a master plan is that it is an entrepreneurial project of urban renewal. It establishes a vision and long-term objectives that usually pursue an "ideal end-state" (Tonkiss 2013, p.98). When planers and decision-makers develop a master plan, "urban form is shaped by a concern with aesthetics (order, harmony, formality and symmetry); efficiency (functional specialization of areas and movement, and the free flow of traffic); and modernization (slum removal, vertical or tower buildings, connectivity, plentiful open green space)" (Watson 2009, p.2261). The Master plans of Latin American's historic centers have a higher amount of land right restrictions than any other area in these countries.

Furthermore, the visions and goals of the master plan imitate cities in developed countries that do not need to address the problems that Latin American cities face. "Much of the urban growth of the 21st century is taking place in the developing world, but many of the theories about how cities function remains rooted in the developed world" (Roy 2005, p.147). Therefore, master plans fail to serve the residents of historical centers' necessities because they are trying to recreate the urban design of cities with different problems.

2.2.1. Commodification of heritage

The failure of master planning is also part of a fundamental change that governance has experience in the last decades. David Harvey has defined it as “civic boosterism” or “a shift from managerialism to entrepreneurialism” (Harvey 1989, p.4). Local governments seek “to control multinational money flows so that investment increasingly takes the form of a negotiation between international finance capital and local powers doing the best they can to maximize the
attractiveness of the local site” (Harvey 1989, p.5). As local governments pursue to attract international investment, they develop strategies to become more attractive. The strategy in historical centers focuses on the attraction of tourism, commerce, and high-income residence. To identify this trend, Harvey (1989, pp.5-6) gives us three indicators of entrepreneurialism:

- First, governments seek private investment in the form of public-private partnerships. The state endures the risk of the original inversion, and then private capital assumes the subsequent operational costs.
- Second, the projects follow a speculative design, which proceeds from the idea that urban planners or decision-makers have to attract investment.
- Finally, the design focuses on the land's value instead of the territory because its development would involve the population.

2.2.2. A distraction from essential urban needs

The best administration is that one that gets the closest to ensure an equal redistribution and provision of services and facilities for every individual that inhabits inside of their jurisdiction. But as municipalities have to compete against other cities to attract investment, they stop redistributing and focus on attracting new populations or businesses that do not require welfare. Because they see welfare as a dependency, this tendency to pursue economic development by neglecting the current population or displacing them contradicts international agreements, like 'The new urban Agenda’ and the Sustainable development goals (SDGs). The SDG11 compromises governments to ensure "access for all to adequate, safe and affordable housing and basic services and upgrade slums” (UN 2015, para. 11.2). The seventeen SDGs require and establish local urban actors as responsible for fulfilling the goals.

Likewise, the first UNESCO objective requires partner states "to adopt a general policy which aims to give the cultural and natural heritage a function in the life of the community" (UNESCO 1972, article 5). However, nor the global agenda or UNESCO delimit how these goals are to be achieved. The states remain non-committal, and the agendas do not provide concrete guidelines or tools. UNESCO has not generated any instrument to secure the communities' protection, neither establishes a penalty for partner-states that fail to do so. Yet, on the other hand, the pressure to preserve the built cultural heritage is evident. States have to present a management or development plan before the nomination of a new property. Later the world cities program regulates any architectural or urban intervention. Finally, UNESCO penalizes states that damage the built cultural heritage, enlisting them in the "World Heritage in danger” list. Therefore, the protection of heritage restricts the diversity of policies and methodologies for the management and usage of the buildings but does not propose a concrete alternative to deal with its consequences for the communities.

2.2.3. Citizen participation

The shift to entrepreneurialism is not unique in the Latin American region. It is also an ongoing process in industrialized countries wherever populations are not directly involved in the planning process. Or if they were consulted for a Master plan's approval, planners and decision-makers
exclude them from decisions around posterior modifications. Neighbors "are informed and even once a year heard, but they are not supposed to get actively involved in planning and decision making" (Wehrmann 2018, p.3). Different groups in industrialized countries have started to fight this approach using available legal instruments like citizen petitions and referendums. "Between 1956 and 2015, there have been 5.788 citizens' initiatives in the whole of Germany. 3.491 resulted in a referendum. 52% of these have been successful" (Wehrmann 2018, p.3).

Referendums and citizen initiatives exist as legal instruments in all Latin American countries with a UNESCO historical center. However, "Citizens' initiatives and referendums (...) require networks and capacities (in form of educational and academic background as well as financial capacities) that may not be available" (Wehrmann 2018, p.13). Only four countries in this group have executed referendums at the subnational level, where Master plans are approved. Only Mexico and Panama used initiatives for projects related to infrastructure or land governance, and only one of them was initiated by the citizenship.

### 2.3. Gentrification

Re-urbanization is the common goal of master plans. "Re-urbanization is defined as the stabilization of inner-city residential districts by increasing immigration (...) and decreasing outmigration after a long period of negative migration balance" (Davidson and Lees 2009, p.398). When an area is depopulating because the living conditions are no longer favorable, it is logical for local governments to invest in the rehabilitation of buildings to be re-inhabited. "Re-urbanization, which leads to residentialisation, it is argued, can therefore improve quality of life and use of inner-city space" (Haase et al., 2005, cited in Davidson and Lees 2009, p.399).

However, Latin America's historical centers' tendency is that the area that depopulates is the one that gathers the higher number of monuments: the main square, cathedrals, monasteries, and governmental buildings. This area, therefore, depopulates to leave room for commercial and touristic activities. Depopulation generates insecurity issues, but the buildings remain...
maintained for tourism and commerce. The adjacent areas, where the predominance of religious or civic monuments ceases and the majority of buildings are old residential structures, concentrate the remaining population in higher density. The structural conditions of residential buildings usually deteriorate easier because of the materials or lack of posterior maintenance. Therefore, here is where the "re-urbanization" projects focus, where the remaining population inhabits and “re-urbanization” forces their displacement. The displacement of the population is the critical difference between re-urbanization and gentrification. Gentrification is:

"a gradual process, occurring one building or block at a time, slowly reconfiguring the neighborhood landscape of consumption and residence by displacing poor and working-class residents unable to afford to live in revitalized neighborhoods with rising rents, property taxes, and new businesses catering to an upscale clientele" (Perez 2002, cited in Brown-Saracino 2010, p.13).

A unique and concrete definition of gentrification is impossible, which has led researchers to describe it as a "chaotic concept" (Beauregard 1986, p.33-55). But there is an agreement that it has to be understood as a process and not a specific moment. During this process, what happens is that higher-income neighbors displace lower-income neighbors, changing the neighborhood’s character fundamentally. "Modernized and newly built housing, rising rents, conversion into condominiums, new residential structures, as well as a change in the retail structure and the transformation of urban districts into a stage for expressive lifestyles" (Holm 2013, p.20, cited in Löw and Steets 2014, p.6, own translation from German).

2.3.1. Social and spatial displacement
The gentrification process redefines activities in touristic urban areas, reshaping the social fabric by displacing the current residents. For a better understanding, Janoschka classified the processes that generate gentrification in Latin America in three dimensions:

1. **Displacement as an economic-financial material process:** This the most visible kind of displacement as it involves direct expulsion. While determined by a series of factors such as (micro) credits, the financialization of housing or redlining, is based on the application of the traditional economic rationale of real estate markets –investment, purchasing, selling and renting" (Janoschka et al., 2016, p.39).

2. **Displacement as a political process:** (…) This second type of displacement implies providing material, economic, and financial urban reconfiguration processes with legal authority, political-administrative procedures, judicial protection, and the cooperation of law enforcement agencies to operate properly. (…) There is also a wide array of interventions, such as the elaboration of specific public policies, tendering procedures for Major Urban Projects, redevelopment programs, the implementation of planning legislation, policies focused on control, surveillance, and securitization, as well as the commodification of public space" (Janoschka et al., 2016, p.40).

3. **The symbolic process:** The symbolic process refers to the stigmatization or criminalization of some lower-class practices in the urban space and creating a “homogeneous urban space that is tailored to the preferences of middle-class individuals” (Janoschka 2016, p.41). For example, the
substitution of markets for shopping centers or street hawkers' eviction for public spaces redevelopment.

An entire community is not commonly relocated in a single act but a process, and the displacement of single households or individuals is also a process that extends beyond the precise time of the spatial dislocation. “Live-space” is part of the identity of the communities that inhabit them. We have to understand space from its individuum ontology (Lefebvre 1970 and 1974, cited in Smith 1979, p.541). "To dismiss the phenomenological basis of place simply reduces neighborhood to a spatial commodity, and, of course, this is the understanding that underlies neoliberal urban policies" (Allen 2008, cited in Davidson and Lees, 2009, p.403). The relationship between the space and the identity of the communities is not built in a single moment. It takes decades. People seek to belong to the space they inhabit, which Davidson defines as “the right to (make) place; the right to dwell” (Davidson 2009, cited in Davidson and Lees 2009, p.403). Therefore, when this separation happens, the displaced community does not immediately develop a connection with the new place they inhabit. “Qualitative studies across America from Marc Fried to Chester Hartman to JohnBetancur to Winifred Curran have found the sense of bereavement that comes with being displaced to be particularly acute among the elderly” (Slater 2009, p.299). The lack of connection between the displaced residents to a new space limits the people’s recognition of this new place as part of their identity and, therefore, the transference of this space to the following generations. The selection process that organically shapes heritage breaks, and the only heritage that remains is the built heritage declared as such by foreign experts.

The particularity of gentrification processes in Latin America and specifically inside of historical centers is that these are neighborhoods where the governments have not entirely registered the inhabitants' land rights. Decision-makers would have to take four steps to avoid gentrification. First, to register the neighbor’s land rights. Second, set the planning goals according to the residents' necessities, which includes preventing their displacement. Third, incorporate the residents in the planning process. Finally, deliver planning instruments and policies that secure the well-being of the community. However, this process fails from the beginning because, in general, Latin American governments struggle to register land rights beyond private properties. Therefore, none of the above is possible.

2.3.2. Land price and land value

"In a capitalist economy, land and the improvements built onto it become commodities" (Smith 1979, p.541). Land can be productive; therefore, the rights attached to it have value as they may generate incomes. These incomes are the goods, services, and satisfaction that can be enjoyed or administrated by the person who holds the rights over land. The sum of these incomes is the land value. "The size of the fund of value can be ascertained only when it enters the objective situation of the market and is expressed as a price which buyers are willing to pay, and sellers will take at a given time" (FAO 2003, p.17). The price is usually established by the market in money and estimates the present value plus the expected future incomes that the land will generate. Yet, the prospective revenues are susceptible to interest rates, inflation, and
the uncertainty of future rents. Therefore, the price and the value of land are different. Private developers pursue to profit from the gap between the price and the value of the land.

"Gentrification occurs when the gap is wide enough that developers can purchase shells cheaply, can pay the builders' costs and profit for rehabilitation, can pay interest on mortgage and construction loans, and can then sell the end product for a sale price that leaves a satisfactory return to the developer" (Smith 1979, p.545).

In a capitalist economy, re-urbanization seeks to profit from the gap between the price and land value in deteriorated areas. When deterioration affects entire neighborhoods, it requires a joint effort between private stakeholders and the state. The private stakeholders can be (i) professional developers who intend to sell the properties, (ii) occupiers that will live in the property, or (iii) landlord developers who will remain as owners but will rent them. Professional developers have been quite successful in areas like Puerto Madero in Argentina, where an industrial complex was rehabilitated and gentrified (Rojas, 2004, p.10). Yet, historical centers have different people with overlapping land rights, making it harder for professional developers to gather and purchase sufficient land to complete a project big enough to make an adequate profit. Therefore, Occupiers and landowners tend to be the main rehabilitators.

2.4. Tenure security and land rights

We recognize dwelling as something inherent to human existence. Therefore, the dwelling space that protects us from the rugged outdoors is a basic universal human necessity. "Land is not a mere commodity, but an essential element for the realization of many human rights" (UN 2015, n.p). The provision of dwelling space has as a prerequisite the access to land or housing. International legislation has indirectly included it through related concepts as a prerequisite. For example, ownership is recognized as a human right in the Universal Declaration of Human Rights: "Everyone has the right to own property alone as well as in association with others. No one shall be arbitrarily deprived of his property". (UN 1948, article 17). And the 25th article recognizes that "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing" (UN 1948, article 25).

However, universal access to housing has not yet been recognized as a human right. Still, International frameworks do include the provision of adequate land or housing in the global agendas. Including; The 2030 Agenda for Sustainable Development (SDG), The New Urban Agenda (NUA), and the Voluntary Guidelines on the Responsible, Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Security (VGGT). All establish objectives within land issues as the overall goals to meet the global agendas.

2.4.1. Property and property rights

Property represents the understanding between different people of the relationship between one person or group over a specific good and the rights they hold to it. Four kinds of property summarized the diversity of combinations that the previously described rights generate: (1)
Private property: held by an individual or legal body; (2) Public property: held and managed by the community; (3) Collective property; (4) open access: property rights are not yet assigned.

**Land rights** are the socially or lawfully recognized licenses that a person or group holds of a piece of land or the development that has happened on it (E.g., Houses, buildings) (UN-Habitat 2008, p.12). The land and what has been developed on it may belong to different individuum or groups who may also hold additional rights (E.g., Apartments or offices). The rights a person can enjoy over properties are the following (Wehrmann 2005, p.39):

- Right to use the land (directly) (R1)
- Right to manage the land (while others use it) (R2)
- Right to an income from the land (rent) (R3)
- Right to exclude (others from the land) (R4)
- Right of transfer (permanently or temporarily: sale, heritage, tenancy) (R5)
- Right to compensation (R6).

Ownership can be understood as enjoying all land rights. Tenants or squatters dispose only of a few of these land rights. Land rights can be formal or informal. They are called legitimate when the community (not necessarily by the state) recognizes them.

![Figure 3: Categorization of land rights](source)

**2.4.2. Land tenure, land tenure systems, and tenure security**

**Land tenure** is the way land is owned and the set of legal or customarily dynamics between the people and this land. In Latin America, formal tenure (freehold, leasehold, rental) coexists with customary (related to traditional landholding groups) and various types of unauthorized or unregistered tenure.

The **land tenure system** is the sum of regulations and institutions that can be formal or informal and determine the access to land and its control. A unique form of tenure will not meet all the necessities of every different group. But a diverse range of alternatives can help people meet their needs in the most accessible way at the most convenient moment. Therefore, every step in the range of tenure security presents different advantages and limitations.

**Tenure Security** defines how protected is an individuum, group, or community from eviction "when they are protected from involuntary removal from their land or residence, except in exceptional circumstances, and then only using a known and agreed legal procedure, which must itself be objective, equally applicable, contestable and independent" (UNCHS 1999, p.6). Land tenure is defined as secure when:
“The degree of confidence that land users will not be arbitrarily deprived of the rights they enjoy over land and the economic benefits that flow from it;

The certainty that an individual's rights to land will be recognized by others and protected in cases of specific challenges; or, more specifically,

The right of all individuals and groups to effective government protection against forced evictions” (UN-Habitat 2003; FAO 2003; cited in UN-Habitat 2008, p.5).

Enjoying tenure security and holding land rights are different things. On the one side, someone whose tenure security is guaranteed may not be able to transfer, improve, or rent the land (limited rights). On the other side, someone with limited security of land tenure may be able to grant his limited rights to someone else.

2.4.3. How to achieve tenure security?

The key to tenure security is to have an adequate land governance system, particularly an accessible system for vulnerable groups. Governments have to identify the different degrees of tenure and the management agreements that rule over them. This information must be registered continuously and updated. Therefore, good Land governance (administration and management) has to meet two critical conditions:

- "Robust, commonly accessible forms of tenure for which rights can be easily documented;
- Land dispute mechanisms regardless of the (quasi) legal system" (UN-Habitat 2008, p.12)

2.4.4. The continuum of land rights

In places where different degrees of 'formal' and 'informal' property coexist, a big part of land and houses are in the middle of a process to be officially registered, meaning that the land or dwelling space they occupy may later "improve" its status. This situation has been defined as a continuum of land rights (UN-Habitat 2008, pp.1-10). For instance, someone may legally own a house in a non-residential area that later is established for residential use. Another example are informal settlements where (because of social reforms) dwellers are granted titles or leases. De Soto defended the claim that formal property brings prosperity and referred to the informal property as “dead capital” (De Soto 2000, p.62). The world bank promoted this idea encouraging land tenure systems that were market-oriented, prioritizing land titling policies, and encouraging the legal regularization of “informal” settlements. (Payne, 2002, cited in UN-Habitat 2008, p.12).

Nevertheless, this has derived in distortions in the land market and the risk of market-eviction of those settlers who fall behind in the titling process (Payne 2002, cited in UN-Habitat 2008, p.12). Payne warns that the single action of changing the tenure status cannot solve all land tenure problems. But providing tenure security is a strategic entry point to progressively regularize land rights (UN-Habitat 2008, p.). After a long debate, there is an agreement that tenure security is what matters first.
### Table 2: Land Rights and their characteristics

**Source:** Author, based on UN-Habitat 2008, pp. 9-10

<table>
<thead>
<tr>
<th>Land rights</th>
<th>Characteristics</th>
<th>Advantages</th>
<th>Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freehold</td>
<td>Ownership is perpetuity</td>
<td>High degree of security. Freedom to dispose, or use as collateral for loans. Maximizes commercial value, potential for increases in asset values.</td>
<td>Costs of access generally high. Collateral value may not be relevant if incomes are low or financial institutions are weak. Property values can go down as well as up.</td>
</tr>
<tr>
<td>Delayed freehold</td>
<td>Conditional ownership. Title is granted on payment or when developments have been completed.</td>
<td>High degree of security as freehold when payments are made on schedule or developments are completed. Freedom to dispose, or use as collateral for loans. Maximizes commercial value, potential for increases in asset values.</td>
<td>Default in payments or developments may result in eviction and loss of funds invested. Collateral value may not be relevant if incomes are low. Property values can go down as well as up. Expectations of increased values can divert investments from more productive sectors.</td>
</tr>
<tr>
<td>Registered Leasethold</td>
<td>Ownership for a specified period from a few months to 999 years.</td>
<td>As secure as freehold, but only for the period specified in the lease.</td>
<td>Requires legal framework. Costs of access generally high.</td>
</tr>
<tr>
<td>Public rental</td>
<td>Rental occupation of State-owned land or house</td>
<td>Provides a high degree of security, providing terms and conditions of occupation are met.</td>
<td>Limited supply may restrict access. Often badly located for access to livelihoods. Terms often restrictive. Deterioration may result if maintenance costs not met.</td>
</tr>
<tr>
<td>Private rental</td>
<td>Rental of privately owned land or property.</td>
<td>Good security if protected by legally enforceable contract. Provides tenants with flexibility of movement.</td>
<td>Open to abuse by disreputable owners. Deterioration may result if maintenance costs not met.</td>
</tr>
<tr>
<td>Shared equity</td>
<td>Combination of delayed freehold and rental in which residents purchase a stake in their property (often 50%) and pay rent on the remainder to the other stakeholder.</td>
<td>Combines the security and potential increase in asset value of delayed freehold and the flexibility of rental. Residents can increase their stake over time, ultimately leading to full ownership.</td>
<td>Requires a proper legal framework and efficient management.</td>
</tr>
<tr>
<td>Co-operative tenure</td>
<td>Ownership is vested in the co-operative or group of which residents are co-owners</td>
<td>Good security. Maintains social cohesion.</td>
<td>Requires a proper legal framework. Restrictions may reduce incentives to invest. Requires double registration first of land and of association.</td>
</tr>
<tr>
<td>Customary ownership</td>
<td>Ownership is vested in the tribe, group, community or family. Land is allocated by customary authorities such as chiefs.</td>
<td>Widely accepted. Simple to administer. Maintains social cohesion.</td>
<td>May lose its legal status in urban areas. Vulnerable to abuse under pressure of urban and market development. Poor customary leadership may weaken its legitimacy.</td>
</tr>
<tr>
<td>Intermediate or temporary tenure systems</td>
<td>There are many pragmatic arrangements, including land certification, ‘Certificates of Comfort’, Temporary Occupation Licenses, etc.</td>
<td>These provide reasonable security for households to invest, whilst protecting long term public interest options for change.</td>
<td>Costs may be incurred by authorities or residents if relocation is required. If these prove excessive, redevelopment can be inhibited.</td>
</tr>
<tr>
<td>Non-formal tenure systems</td>
<td>Includes regularized and un-regularized squatting, unauthorized subdivisions on legally owned land and various forms of unofficial rental arrangements. In some cases, several forms of tenure may co-exist on the same plot.</td>
<td>Some of these non-formal categories, such as squatting, started as a response to the inability of public allocation systems or formal commercial markets to provide for the needs of the poor and operated on a socially determined basis.</td>
<td>As demand has intensified, even these informal tenure categories have become commercialized, so that access by lower income groups is increasingly constrained.</td>
</tr>
</tbody>
</table>

**Figure 4: Continuum of land rights**

*Source: UN-Habitat 2004*
2.4.5. Challenges of land tenure security historical centers

Yet, achieving tenure security in historical centers represents a more complex challenge. The UNESCO cities program supervises interventions on historical centers, and any decision that compromises the protection of the monuments derives in the loss of the Heritages’ declaration. The declaration induces local governments to deliver legal and planning instruments that reinforce restrictions on land-use. Regulations also limit architectural interventions and specific materials during construction, making the maintenance more expensive for those who own or occupy them. Furthermore, in Lima, almost 49.8% of the historical center residents do not hold a formal registration of their land rights (Prolima 2019, p.365, own translation from Spanish). Therefore, they will not invest in a property from where they could be evicted.

On the other side, the Peruvian housing policies focus entirely on granting credits for social housing and titling informally occupied state’s land. However, the buildings in the area had a formal owner who enjoyed all land rights, but new people claim rights over the same properties after different occupation processes. The current residents are incapable of financing the properties' improvement following the Master Plan's regulations. Their only option is to continue living in an old building they cannot maintain or improve, abandon the area, or wait to be displaced. An alternative to prevent the displacement of residents and the area's gentrification is to upgrade the population's tenure status to access social housing programs and increase tenure security.

2.5. Conceptual framework

![Figure 5: Urban development paths after the declaration of a historical center](source: Author)
I based the conceptual framework (see figure 5) on the juxtaposition of two tendencies; (1) the policies and planning instruments used to protect built cultural heritage that is encouraging displacement and gentrification; and (2) tenure security in the historical center of Lima. By comparing them, I intend to suggest implications for a policy to preserve the heritage and progressively upgrade land rights to avoid displacement and gentrification.

I based the analysis of policies and instruments on the categories of displacement that Janoschka (2016, p.35) points out: (i) an economic-financial (Direct physical displacement or eviction); (ii) political; and (iii) symbolic processes. I evaluated tenure security according to the three domains that the system for monitoring tenure security gives: country domain (policies), settlement domain, and household domain (UN-Habitat 2011, p.15). Finally, I draw policy implications from both, with the intended outcome being to preserve the heritage and avoid displacement and gentrification.
Chapter 3: Methodology

3.1. Justification of the research process

I applied a mixed-method approach, triangulating data gathered from qualitative and quantitative assumptions (See figure 6). By triangulation, I mean to address the same phenomena from "multiple observers, theoretical perspectives, sources of data, and methodologies" (Denzin 1978, p.310). It is justified because a single method will never give the same number of insides from the analyzed phenomena (Denzin 1978, cited in Husseln 2009 p.3).

3.1.1. Qualitative research

Qualitative research is used to discern meanings, opinions, or underlying reasons. Its methods can be semi-structured or unstructured. The sample size tends to be smaller, and it seeks a higher insight into the research objective. For this research, I collected qualitative data from a case study method and one-on-one interview (adapted from Bryman 2012, p.380).
3.1.1.1. Case study
Case studies are applied to find information about a research objective by meticulously analyzing similar existing cases. It is helpful to research a problem within its real-life context. It requires a careful analysis that guarantees that the case study's parameters and variables are the same as those of the research objects (Creswell 2009, p.55).

3.1.1.2. One-on-one interviews
One-on-one interviews are a purely qualitative method that enables a researcher to get precise, meaningful data. The selection of interviewees was based on two criteria: (1) the actors have decision power in the area, (2) the actors live or collaborate with the people that live in the area.

<table>
<thead>
<tr>
<th>Sector</th>
<th>Stakeholder</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Sector</td>
<td>Minister of Housing Construction and Sanitation.</td>
<td>Carlos Bruce</td>
</tr>
<tr>
<td></td>
<td>President of PRO-LIMA, Municipality’s entity in charge of the city center.</td>
<td>Luis Martin Bogdanovich</td>
</tr>
<tr>
<td></td>
<td>General national director of policies and legislation</td>
<td>Hernan Navarro</td>
</tr>
<tr>
<td></td>
<td>Social Assistant of the direction for urban development of the Ministry of Housing</td>
<td>Liliala Arias</td>
</tr>
<tr>
<td></td>
<td>Former consultant of the World Bank for the execution of Peru’s LGAF</td>
<td>Victor Endo</td>
</tr>
<tr>
<td></td>
<td>Dean of the faculty of urban development of the national university of enginerin</td>
<td>Augusto Ortiz de Zeballos</td>
</tr>
<tr>
<td>Academic and Research</td>
<td>President of the School of architects of Peru</td>
<td>Lourdes Giusti</td>
</tr>
<tr>
<td>Non-Government Organizations</td>
<td>Director of CPRU, NGO dedicated to the protection of the neighbors in the city center of Lima</td>
<td>Jose Yarleque</td>
</tr>
</tbody>
</table>

Table 3: List of one-on-one interviews  
Source: Author

3.1.2. Quantitative research
Quantitative research is used to quantify opinions, behaviors, or other defined variables by gathering numerical data. The researchers can collect and present data in a more structured format. For this research, I carried structured surveys (adapted from Bryman 2012, p.160).

3.1.2.1. Surveys
Surveys are a predetermined set of closed questions that are easy to answer (see chapter 3.2.2.3). For this research, I was assisted in executing 122 surveys in four different squatted buildings (slums) of Lima's historical center. I considered the following variables in the selection of the slums:

First, every selected slum has to occupy a building or structure (it can be an old colonial or republican house) inside the historical center. Second, to guarantee that the slum represents a tendency and not an isolated situation, they have to be located in neighborhoods that present a high-density level and a high percentage of deteriorated buildings. Third, to guarantee that the families' perception represents a tendency and not their individual unique experiences, at least 20 families in each slum had to be willing to cooperate with the survey. Finally, I selected four slums for the execution of the surveys (see table 4).
3.1.3. Analysis of the empirical data

To analyze the empirical data and triangulate the findings identified in qualitative and quantitative research, I used two methodologies: SWOT analysis and results framework.

3.1.3.1. SWOT Analysis

A SWOT analysis is a classification of the strengths, weaknesses, opportunities, and threats identified in a process. I used a SWOT Analysis to process the collected data from the qualitative and quantitative research. Then, I establish a set of expected results that come together in an ideal scenario. In this scenario, the stakeholders involved in the process benefit from every opportunity and prevents every threat.

3.1.3.2. Results Model

The Peruvian guide for national policies established the requirement that every new policy has to establish a problem, an expected result (ideal scenario), objectives, activities, services, and indicators (CEPLAN 2018, p.20). To define them, I applied the results model, an instrument of project design and implemented by GIZ, that orientates the project towards precise expected results (ideal scenario) to make the complexity manageable (GIZ 2015, P.33). I derived the results from the SWOT analysis and then applied the results model to classify them and to define the activities, instruments, and inputs necessary to fulfill them.

<table>
<thead>
<tr>
<th>Location of the Slum</th>
<th>Neighborhood</th>
<th>Number of families occupying the slum</th>
<th>Number of surveys</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marañon Street, N.332</td>
<td>El Rimac</td>
<td>49</td>
<td>32</td>
</tr>
<tr>
<td>Cusco Street, N.751</td>
<td>Mesa redonda</td>
<td>32</td>
<td>22</td>
</tr>
<tr>
<td>Ancash Street, N.935</td>
<td>Monserrat</td>
<td>23</td>
<td>23</td>
</tr>
<tr>
<td>Miroquezada Street, N.1388</td>
<td>Barrios Altos</td>
<td>49</td>
<td>45</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>122</td>
</tr>
</tbody>
</table>

Table 4: List of surveys
Source: Author
3.2. Operationalization of the research objectives

To operationalize the processes of data collection, I used four different methods (see figure 7). In the following paragraphs, I contrast the research objectives with the methods and explain how the expected objectives will be met.

<table>
<thead>
<tr>
<th>Objective</th>
<th>Indicator</th>
<th>Method</th>
<th>Output</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Enhance understanding of how the policies and planning instruments used to protect heritage encourage displacement and gentrification.</td>
<td>Displacement as an economic-financial material process: Eradication of informal housing by forced evictions or burning premises.</td>
<td>• Case study • Literature review ↓ • SWOT</td>
<td>Identification of policies and planning instruments used to protect heritage encourage displacement and gentrification.</td>
</tr>
<tr>
<td>2. Enhance understanding of how higher tenure security can reduce the risk of displacement and gentrification.</td>
<td>Displacement as political process: public policies, planning legislation, surveillance and security programs seeking urban reconfiguration.</td>
<td>• Literature review • Semi-structure interviews with key informants ↓ • SWOT</td>
<td>How would higher tenure security reduce the risk of displacement and gentrification.</td>
</tr>
<tr>
<td>3. Suggest implications for a policy that upgrades land rights to protect heritage without causing displacement and gentrification.</td>
<td>Displacement by a symbolic process: Imposing a new aesthetic that devaluates the local culture.</td>
<td>• Literature review • Literature review • Semi-structure interviews with key informants ↓ • SWOT</td>
<td>Implications for a policy that upgrades land rights to protect heritage without causing displacement and gentrification.</td>
</tr>
<tr>
<td>4. Enhance understanding of how the policies and planning instruments used to protect heritage encourage displacement and gentrification.</td>
<td>Country domain Analysis of the Peruvian policies and legal instruments.</td>
<td>• Literature review • Semi-structure interviews with key informants ↓ • SWOT</td>
<td></td>
</tr>
<tr>
<td>Settlement domain Urban development plans and land rights ruling over the historical center.</td>
<td>• Surveys and Structure interviews ↓ • SWOT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Household domain 1. Duration of Occupation 2. Documentation 3. Evictions 4. Property Rights</td>
<td>Test establish a problem, an expected result (ideal scenario) objectives, activities, services and indicators</td>
<td>• SWOT ↓ • Results framework</td>
<td></td>
</tr>
</tbody>
</table>

Figure 7: Operationalization of the research objectives
Source: Author

3.2.1. Methodology for Objective 1

‘To enhance understanding of how the policies and planning instruments used to protect heritage encourage displacement and gentrification.’

To achieve this objective, I used the categorization that Janoschka establishes of the multiple processes of displacement as (i) an economic-financial; (ii) political; and (iii) symbolic processes (See sub-chapter 2.3.1). I documented the processes with a case study method from 6 Latin American historical centers. From the takeaways gathered from the analysis of each process of displacement, I made a SWOT analysis. Then, from the SWOT, I identified the expected results and built a results model of a re-urbanization project without gentrification in a historical center.
3.2.2. Methodology for Objective 2

‘To enhance understanding of how higher tenure security can reduce the risk of displacement and gentrification.’

To achieve this objective, I triangulated qualitative and quantitative data about tenure security in Peru. I analyzed the information following the classification in domains that the system for monitoring tenure security recommends (UN Habitat 2011, p.15). (1) Country domain, meaning the country’s policies of housing and urban development; (2) settlement domain, meaning the historical center; and (3) household domain, meaning the perception of the families of the area.

3.2.2.1. Country domain

First, I analyzed the Peruvian policies and legal instruments. Then completed the revision of archival data, with one-on-one interviews with; Carlos Bruce, Hernan Navarro, and Lourdes Giusti (see chapter 3.1.1.2). Second, I reviewed the last available document monitoring land rights: ‘The Land Governance Assessment Framework’ (LGAF) of 2013. I complimented it with an interview with Victor Endo, who was part of the tool's design and participated in Peru's monitoring process. From both analyses, I gathered takeaways about the situation of land governance in Peru and then classified them in a SWOT analysis.

3.2.2.2. Settlement domain

The settlement domain refers to urban development plans and land rights ruling over the historical center. First, I reviewed archival data of the policies and legal instruments delivered in the pursuit to preserve the heritage and the current state of the edifications. I completed the data with semi-structured interviews with Luis Martin Bogdanovich and Augusto Ortiz de Zeballos (see chapter 3.1.1.2). Second, I collected information from the diagnose of the master plan about the living conditions and access to land rights of the population. I gathered takeaways about the stakeholders, activities, and instruments involved in land governance in Lima’s historical center. I then classified the takeaways in a SWOT analysis.

3.2.2.3. Household domain

The perception citizens have of their tenure status is essential to understand the psychology behind displacement. To enhance an understanding of how families differentiate the rights they hold from the rights they do not, Liliana Arias, a social assistant from the ministry of housing, helped me to contact the representatives of 4 slums. The surveys addressed four criteria to measure tenure security; (1) duration of occupation, (2) documentation, (3) eviction, and (4) property rights (See appendix N1).
3.2.2.4. Consolidation
Then, from the opportunities gathered in the SWOT analysis of each domain, I identified expected results. I then built a results framework for a re-urbanization that avoids displacement and gentrification by upgrading tenure security.

3.2.3. Methodology for Objective 3
“To suggest implications for a policy to protect heritage that avoids displacement and gentrification by upgrading land rights.”

To achieve this objective, I followed the Peruvian guide for national policies, which establishes that new policies require the definition of a problem, an expected result (ideal scenario), activities, services, and indicators (CEPLAN 2018). The ideal scenario was designed according to the result models developed in chapter 4 and 5. In this chapter, I merged both result models to formulate a single result model, and from it, I derived objectives, activities, services, and indicators.
This chapter explored, via secondary sources, relevant information about six historical centers in Latin America. I collected observations and organized them in a SWOT analysis.

4.1. Spatialization of the problem: historic centers in Latin America

By 1580, Spanish and Portuguese colonizers had founded 200 cities all over Latin-America. New cities' foundations stopped between 1580 and 1600, and the cities kept their boundaries and characteristics till the late 19th century. During the 50s and 60s, massive migration from land to cities made the percentage of the 'urban population' in the region rise from 30% at the beginning of the century to 81% by 2018 (UN 2018, n.p). The cities expanded their territories beyond their former limits with an unprecedented velocity. This massive migration had three effects on the historical centers; (i) A saturation of uses and activities, (ii) the deterioration of sanitation and infrastructure that weakened the living conditions, and (iii) the response of governments that influenced by modernists ideas, developed car driven infrastructure, industrial clusters and new neighborhoods in the periphery. As a result, between 1950 and 1970, the economic elites abandoned the historical centers for new peripheric settings. Lower-income groups needed to be closer to the new commercial and industrial jobs around the historical centers but couldn’t afford properties the way wealthier groups previously inhabited them. So, they subdivided properties and agglomerated several families into single Housing units. This unclear subdivision of the buildings made land-lording difficult and unprofitable, leading the property owners to abandon them. Edifications then deteriorated till a new re-urbanization trend began in the 90s.

By the early '90s, the amount of habilitated urban land was insufficient for the growing population generating massive pressure over land prices and drifting private developers' attention to former industrial clusters, prior-suburban neighborhoods, and historical centers. Private developers bought former industrial properties or sets of suburban houses at a low land price, changed with the local government's help, the urban zoning, and developed profitable projects with a higher density. This tendency failed on historical centers because low-income groups squatted the old buildings. However, the re-urbanization of these areas has always been in the imagination of the middle and upper classes. “many potentially gentrifiable sites in developing countries are historical centers, and many are of colonial origin, we would expect gentrification to be associated with middle-class desires to recuperate "history"” (Harvey 1987, Jager 1986, cited in Jones and Varley 1999, p.1548). However, the desired re-urbanization goes beyond the conservation of the existing structures. To recuperate history “restorations preserve, destroy, and transform historical centers simultaneously as the social relations of exploitation they represent are veiled by images of idealized elites and fantasy places” (Betancur 2014, p.5). During the early 90s, governments in Mexico, Ecuador, and every other
country in the region undertook projects to attract tourism, commerce, and higher-income groups back to these areas, pursuing an upgrade of the socioeconomic composition, meaning gentrification.

To facilitate the gentrification process analysis, I classified the case studies according to the processes described by Janoscka (see chapter 3.2.1). Gentrified areas generally experience the processes simultaneously, but I focused on specific and relevant planning and legal instruments that precisely fit one of the processes. First, I analyzed the economic-financial processes in Panama’s ‘Casco Antiguo’ and ‘El Pelourinho’ in Salvador da Bahia. Second, the political processes in Quito’s, Puebla’s, and Mexico DF’s historical centers. Finally, the symbolic process in Cartagena de Indias.

4.2. Economic-financial processes of displacement

This process refers to the immediate eviction of lower-income residents by the action of “real-estate markets –investment, purchasing, selling, and renting” (Janoschka 2016, p.39). It is the most evident dimension of gentrification because the number of evictions can be measured through statistical data. Investment is encouraged by some kind of financialization delivered from the government, and therefore it is possible to analyze the effects before and after the state’s intervention. The two most common governmental economic-financial interventions are: (1) To increase re-urbanization projects’ rentability by exonerating professional developers from taxes and or granting them lower interest rates (See subchapter 4.2.1: Panama’s Caso Antiguo). (2) The state expropriates housing units to simplify the transference of land rights and reduce the lateral costs that evictions may generate for developers. (See subchapter 4.2.2: Salvador da Bahia).

4.2.1. Panama’s “Casco Antiguo”

![Figure 8: Urban development history of Panama’s Casco Antiguo](Source: Author; Based on Sigler and Wachsmuth 2015, pp. 1-19)
The city of Panama was founded in 1571 and relocated in 1673. It developed as a Spanish colony between the 17th and 18th centuries. Then its development stagnated till 1870 when the Headquarters of the French canal were built. This period is known as the ‘Belle Epoque’. By 1940 the city’s elite moved to new neighborhoods on the outskirts, like “La Exposicion” and "Bella Vista. The state then imposed two rent freezes; the first one from 1945 to 1959, which made household maintenance unprofitable and turned the original fortified city ‘El casco Antiguo’ into a lower-class neighborhood ‘Barrio Popular’. A second rent freeze from 1974 till 1990 worsed the situation, and all the houses became slums (see figure 8).

In 1979, the ‘Casco Antiguo’ was declared built cultural heritage by UNESCO. The government focused on the financialization of redevelopment projects. It approved “Decree No.9”, which listed all the monumental buildings and "extended investors preferential interest rates as well as tax exonerations that prioritized rapid redevelopment" (Suman 2008, cited in Sigler and Wachsmuth 2015, p.9). Speculation was then reinforced with the canal’s devolution in 1999 to the Panamanian state and 2000, with the creation of an office ‘Oficina del Casco Antiguo’ that assisted the architectural intervention of classified monuments but also simplified bureaucratic procedures. By 2004, “property values reached more than US$2700/m (more than US$1 million for an average parcel)” (Singler and Wachsmuth 2015, p.9).

<table>
<thead>
<tr>
<th></th>
<th>1990</th>
<th>2000</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mortgage</td>
<td>3</td>
<td>42</td>
<td>28</td>
</tr>
<tr>
<td>Rental</td>
<td>1903</td>
<td>1021</td>
<td>501</td>
</tr>
<tr>
<td>Own</td>
<td>58</td>
<td>61</td>
<td>65</td>
</tr>
<tr>
<td>Condemned (Squatter)</td>
<td>819</td>
<td>944</td>
<td>419</td>
</tr>
<tr>
<td>Other</td>
<td>129</td>
<td>105</td>
<td>40</td>
</tr>
<tr>
<td>Total</td>
<td>2912</td>
<td>2173</td>
<td>1053</td>
</tr>
</tbody>
</table>

Table 5: Tenure of old buildings in the Casco Antiguo from 1990 to 2010
Source: Instituto nacional de Censo y Estadistica, contraloria general de la Republica de Panamá 2014, cited in Sigler and Wachsmuth 2015, p.9

As the property’s tenure changed, the population reduced significantly. Single owners replaced groups of low-rent tenants (See table 5). The number of families dropped 64% between 1990 and 2010 (Sigler and Wachsmuth 2015, p.11). In 2002, an ordinance to slow evictions was approved; however, by 2006, the transference had already happened, and the private developers were ready to build. While several buildings were refurbished, the number of new occupiers rose very slowly, many buildings stayed vacant while their developers waited for the land price to rise.

The high costs of compensations for eviction and renovations made the apartments only accessible for high-income residents. Yet, Panamanian high-income residents were not interested in leaving the facilities that their neighborhoods “Costa del Este” or “Punta Pacifica”
offered. Therefore, the response to the “Casco Antiguo” has been insufficient and comes mainly from the international market. According to Sigler's interviews in 2013, “probably 70% of the renters and buyers [of refurbished apartments] are foreign” (Sigler and Wachsmuth 2015, p.13). In 2008, from 865 properties, only 73 had been fully restored, 28 were under construction, and 81 were in the process of obtaining a license (Espino 2008, cited in Coulomb 2009, p.15), which means that only 20% of the buildings had been or were in the process to be restored. Yet, the area lost 64% of its population and presented one of the city's lowest densities.

4.2.2. ‘El Pelourihno’ Salvador de Bahia

Salvador da Bahia was founded in 1549 as the first Brazilian capital. It hosted the Brazilian aristocracy in the neighborhood ‘El Pelourinho’. In 1763, The capital transferred to Rio de Janeiro, which slowed Salvador da Bahia’s urban development. Between 1900 and 1942, local governments followed the country’s new modernists’ ideas and constructed new buildings on top of historical monuments. Furthermore, the construction of new infrastructure and a new master planning system, the EPUC model, led to urban sprawl on the outskirts depopulating ‘el Pelourinho’. The neighborhood’s decline was finally secured in the 70s with a new administrative center on the city's periphery. During the following two decades, the area became a slum, and the majority of the ‘Casarios’ (characteristic households with a row of terraces) became inhabitable (see figure 9).

The declaration as cultural heritage by UNESCO took place in 1985. The government's immediate response was to hire Nina Bo’Bardi, an Italian architect, to develop a re-urbanization project. She designed several public buildings and a prototype for social housing. The project restored many deteriorated ‘casarões’ for the existing low-income residents (Nobre 2002, p.117). The vision, however, was not shared by the Bahias administration, which decided to use
the area for commercial investment. The state decided to invest in the restoration and reconstruction of the buildings directly. It compensated the owners according to their property status; (1) purchase, when the landowner did not want to participate in the project; (2) expropriation, whenever an agreement with the landowner was not possible; (3) usufruct transfer, allowed the owner to keep the property for a period of 5 to 10 years; (4) Or a real-estate exchange with other properties outside of ‘El Pelourinho’. From 1992 to 1999, the state spent 76 453 088.00 USD on the restoration of 1350 houses (Wipfli 2001, cited in Nobre 2002, p.118).

<table>
<thead>
<tr>
<th></th>
<th>Year 1999</th>
<th>Year 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>State owned</td>
<td>432</td>
<td>432</td>
</tr>
<tr>
<td>State usufruct</td>
<td>133</td>
<td>133</td>
</tr>
<tr>
<td>Landowners</td>
<td>785</td>
<td>918</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1350</strong></td>
<td><strong>1350</strong></td>
</tr>
</tbody>
</table>

Table 6: Properties’ tenure status in 1999 and 2000

The state spent was not only for restoration. Around 1,000 families, which represented 85% of the evicted population, received compensation of around US$9 000 (IPAC 1995, cited In Nobre 2002). After the eviction, only 16% of properties remained for residential uses, and the density plummeted from 216 to 71 inhabitants/ha (Wipfli 2001, cited in Nobre 2002,p.13). Since then, most households have remained empty, and only the ground floor is used for touristic or artistic purposes. As the area is almost inhabited, a vast amount of security is needed to make tourists feel comfortable. Nearly every block needs a police officer. The situation skyrocketed in 2012 when a 12-day police strike forced the state to send federal troops leaving 130 deaths in the area (BBC News and Current Affairs 2014, n.p.).

4.2.3. **Main takeaways from the economic-financial processes**

1. The declaration of built cultural heritage by UNESCO leads to political action. Still, the political agendas focus on heritage’s economic potential instead of developing the community and the territory.

2. The main characteristic of the economic-financial displacement processes is that they seem to be a spontaneous market-driven action. Private developers spontaneously purchase properties at fair prices, develop them, and sell them. Yet, the local governments participate through the following actions:
   - Induce market evictions by exonerating professional developers from taxes and grant them lower interest rates as rewards for buying and restoring or rehabilitating a building.
   - Reduce the cost of re-urbanization for private developers by evicting the residents themselves.
   - Expropriate housing units to simplify the transference of land rights when different people hold land rights over the same property.
3. Re-urbanization projects driven by economic-financial processes stop as soon as the developments stop to generate revenues for the private developers. For example:
   - If the restored buildings are too expensive, only higher-income groups can afford them. If they require a set of amenities that historical centers cannot offer, they will not move, and re-urbanization will fail.
   - Owners find renting the ground floor for commerce or tourism more profitable than renting the entire building for social housing, abandoning the rest of the building.

4. The government may compensate the families after evicting them, but this will not help the community because the neighborhood will depopulate, and insecurity will rise.

### 4.2.3.1. SWOT Analysis

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weakness</th>
<th>Opportunities</th>
<th>Threats</th>
</tr>
</thead>
<tbody>
<tr>
<td>The declaration as built cultural heritage leads to political action.</td>
<td>Political agendas focus only on the economic potential of heritage.</td>
<td>Will to preserve and rehabilitate built cultural heritage</td>
<td>Policies focus on private investment and induce market evictions.</td>
</tr>
<tr>
<td>Exoneration from taxes and low-interest rates increases the rentability of re-urbanization.</td>
<td>Costs of evictions and lack of simplified procedures increment the cost of development.</td>
<td>Joint efforts between the government and private investors to develop the territory and community.</td>
<td>Re-urbanization is still unprofitable.</td>
</tr>
<tr>
<td>Expropriations simplify the transfer of property rights.</td>
<td>To expropriate to facilitate evictions and favor specific groups.</td>
<td>Expropriation is done in favor of the community.</td>
<td>Expropriation may facilitate the eviction of the current inhabitants.</td>
</tr>
<tr>
<td>Re-urbanization allows new tenants or neighbors to repopulate areas.</td>
<td>Higher-income groups require an expensive set of amenities and cultural associations.</td>
<td>An inclusive re-urbanization that mixes people with different incomes or nationalities.</td>
<td>Renovations are expensive and only accessible for higher-income groups.</td>
</tr>
<tr>
<td>Evicted families may be compensated.</td>
<td>Evictions.</td>
<td>Compensated eviction for projects from which the community could profit.</td>
<td>Development fails in the evicted area, and the area de-populates.</td>
</tr>
<tr>
<td>Massive state investment in the restoration of buildings.</td>
<td>Ground floors are used for tourism or commerce, and the upper floors remain empty.</td>
<td>Temporary or permanent use of the buildings as a residence by the current population.</td>
<td>Density decreases.</td>
</tr>
<tr>
<td>A de-populated area requires surveillance and security.</td>
<td>The sense of community reduces insecurity.</td>
<td>Insecurity, a police strike can lead to a state’s emergency.</td>
<td></td>
</tr>
</tbody>
</table>

Table 7: SWOT Analysis of the Economic-financial process of displacement

Source: Author
4.3. Political processes of displacement

This dimension refers to the arrangement of legal, political, administrative, and law enforcement instruments that seek to facilitate re-urbanization. The instruments are public policies and legislation (that may or may not include social housing), urban zoning, surveillance, security programs, and the restoration or new construction of emblematic buildings. I analyzed the usage of these instruments in the historical centers of Quito, Mexico DF, and Puebla de Zaragoza’s:

4.3.1. Quito’s historical center

Quito was already an important settlement during the ‘Tawantinsuyu’, but its current location and the urban checkboard plot were created and officially founded by the Spanish conquerors in 1534. The extension of the city grew only between 100 to 300 till the end of the 18th century. By the 70s, after a massive migration from the land, the city grew to the point that the historical center represented only 2% of the metropolitan area. The historical center then bifurcated into two different patterns. The blocks around the main square that gathered the administrative functions flourished for commerce and tourism, but its population plummeted. The rest of the historical center concentrated on vulnerable groups of low-income residents (see figure 10).

In 1987, Quito was the first historical center in Latin America to be declared built cultural heritage by UNESCO. The government responded with the creation of FONSAL, a saving fund to rehabilitate some squares, and bought several properties to restore them. In 1994, the corporation of the historical center ‘ECH’ was created through a public-private partnership and started a renovation program funded by the Interamerican Development Bank (IDB). The ECH engage in the rehabilitation of several buildings through various forms of participation in the market:

Figure 10: Urban development history of Quito's historical center
Source: Author; Based on Rojas 2004, pp.155-156, self-translation from Spanish.
- As a real-estate developer: Selling buildings after reconstructing or restoring them, they recovered "US$2.2 million of a total investment of US$2.3 million" (Rojas 2004, pp.155-156, own translation from Spanish).
- As a Landlord: Renting the properties after restoring them. In which case, the ECH kept the ownership.
- As a real-estate operator: The ECH operated buildings from other private owners.
- As a social-housing developer: The government acted as a social housing developer for the program “Vivienda Solidaria”. The buildings had to fit the conditions of the loans and the bonuses that the federal government gave.

From a total inversion of US$28,991,500 00, only 10% was invested in the social housing project ‘Vivienda Solidaria’. By the end of 2002, ECH had rehabilitated 200 homes with a total investment of US$2.1 million. It managed to allocate all apartments but only recovered US$1.8 million. (Rojas 2004, p.157, own translation from Spanish).

In the year 1999, Ecuador faced an economic crisis, and the currency devaluated severely. This situation brought back the property trade. Therefore, the ECH failed to sell its properties as a real-estate developer and lost a big part of the rent from most of the commerce’s it rented as a landlord. Some of these properties were vacant for several years. The crisis also explained the US$300,000 loss in ‘Vivienda Solidaria’; otherwise, the program would have primarily recovered the investments. Nevertheless, ‘Vivienda Solidaria’ continued to operate, and by 2006, it built 344 more houses. This was possible because the state’s bonuses guaranteed the basic investment.

### 4.3.2. Mexico DF's historical center

**1325-1900** Development of the Spanish plot on top of Tenochtitlan’s ‘old city. Gathering 1,500 monuments.

**1325** Foundation of Tenochtitlan

**1890-1910** Massive construction of monuments by Porfirio Diaz.

**1905-1985** The elites move to ‘Polanco’ and ‘Lomas de Chapultepec. The households become slums. Reconstruction of 13000 low-cost houses damage by the earthquake.

**1960-1962**
- 1967 Civic center renewal.

**1991-1994** Creation of private-public partnership ‘Fideicomiso Centro Histórico’

500MM were invested in 34 blocks (5% of the historic center).

**2002** Slims owns more than a 100 properties in the area. The ‘fideicomiso’ was nationalized and a Consultancy office was created, preceded by Carlos Slim.

**2000** The approval of Bando N2 limits housing projects of more than 35 units.

**2006** The federal government pursues to build 150K Housing units all over the city.

**1987** UNESCO world Heritage declaration

**2006** The approval of Bando N2 limits housing projects of more than 35 units.

During the XVI and XVII centuries, the Spanish colonels founded Mexico City on top of the Aztec settlement ‘Tenochtitlan’ and constructed a series of religious and civic buildings. Then between 1890 and 1910, president Porfirio Dias started a massive construction of monuments. Later,
between 1930 and 1940, an enormous expansion of the city to the outskirts took place. During the 1950s, the elites move to neighborhoods like “Polanco” and “Lomas de Chapultepec” located along the avenue “Paseo Reforma” that has evolved to be the ax that articulates the entire Metropole. The city center kept its administrative functions and grew as the most prominent commercial cluster of the city. By this moment, the area gathered more than 9,000 buildings, 1500 were later declared as monuments, and therefore, local tourism incremented firmly during the 60s. As a response, the local government drew several touristic plans in 1967, 1972, and 1978-1982 (see figure 11).

In 1987, the city center and the floating gardens of Xochimilco were declared UNESCO built-cultural heritage. Four years later, the government created the “Fideicomiso del Centro Historico”, a private-public partnership that pursues to recover the area. The ‘Fideicomiso’ started several programs, including, from 1991 to 1994, a beautification program (facades renewal and eradication of street vendors). During this period, the metropolitan government passed two aggressive and opposing policies (Delgadillo 2008, p.831). On the one hand, it set as a goal the construction of 150 000 social-housing units. On the other hand, approve the decree-law ‘Bando 2’, which limited housing projects to 35 units per development (Except in the central four delegations where the historic center is located). “Bando 2” generated a high pressure on the value of land in the central delegations. Therefore, land became more expensive, and only middle- and higher-income groups could pay for it. “Bando 2” did not consider urban reserve zones for social housing. Therefore, the construction of social-housing was only cost-efficient in the periphery. The national fund of social housing ‘Infoavit’ declared that 75% of the 26,853 social-housing credits given in 2004 were located outside the central delegations. (Morteo Báez 2005, Delgadillo 2008, p.830).

In 2003, the collapse of a slum in the historical center forced the local government to initiate a program to construct social housing. Three years later, by 2006, 3,364 units were built within 110 projects. They were located in the perimetry B of the historic center's boundary (see figure 12). However, all the other efforts of the ‘Fideicomiso’ to re-urbanize the historical center were concentrated inside of the perimetry A (see figure 12), more specifically in the central 34 blocks.
Carlos Slim, who by 2001 owned 63 properties inside the perimetry A, announced that he would invest 1 billion pesos in the area, while the state’s investment through the Fideicomiso was going to be 500 million (Delgadillo 2008, p.830). By 2020, Slim owns more than 100 buildings in the area.

The actions taken by the ‘Fideicomiso’ are mainly the restoration of facades, rehabilitation of some buildings for touristic and commercial purposes, and the eradication of street hawkers and informal commerce. However, as the historic center continues to be the leading commercial cluster of the city, informal commerce always finds a way to return; therefore, security and surveillance need to be constantly reinforced. This has been an ongoing situation that has only led to massive spent with no economic profit for the state. Policies focus on attracting private investors by selling the image of an improved commercial and touristic location. Nevertheless, because of a very low tax base and a failing collection system, the area fails to capture the capital gain from the private investors it attracts. On the other hand, all the housing projects focus on perimetry B, which already has a high density. Instead of focusing on perimetry A, whose population dropped from 39,420 in 2000 to 31,465 in 2005, and is still facing insecurity problems (Autoridad de Centro Historico de la Ciudad de Mexico 2018, p.18).

4.3.3. Puebla de Zaragoza’s historical center

Puebla de Zaragoza was founded in 1531. The city kept its administrative commercial and most of its residential functions and remained well conserved till the 1940s. Around 1947, the city elites started to move to recently developed neighborhoods like “La Paz”, and a period of urban deterioration started. Approximately 30% of the monuments were destroyed, and the buildings became slums. By 1980, one-third of all the remaining buildings were in a very advanced level of deterioration, and the area hosted around 85 000 low-income residents living in precarious conditions. To stop this process in 1977, the national institute for Anthropology and history
'INAH' delimited an area of preservation of 391 blocks that gathered 2619 buildings, reclaiming the authority to monitor and prevent any damage to the historical essence of the buildings.

In 1986, Puebla's city center was declared a built cultural heritage by UNESCO, which provided a political guarantee to pursue conservation funding. The following year an ambitious urban development plan called ‘El Plan Puebla’ was approved. The plan included the restoration of several religious buildings and infrastructure development in three neighborhoods inside the city center: “El alto”, “La Luz”, and “Analco”. Plan Puebla also facilitated bureaucratic procedures for the legal regularization of tenure, intending to facilitate the transfer of monumental buildings. Finally, the plan promoted credits with a very low-interest rate for interventions in heritage and monumental buildings.

### Table 8: Licenses and permits granted by INAH till 1994

<table>
<thead>
<tr>
<th>Number of properties</th>
<th>Percentage auf properties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation only</td>
<td>186</td>
</tr>
<tr>
<td>Sale only</td>
<td>128</td>
</tr>
<tr>
<td>Conservation then sale</td>
<td>6</td>
</tr>
<tr>
<td>Sale then conservation</td>
<td>10</td>
</tr>
<tr>
<td>other</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>335</td>
</tr>
</tbody>
</table>

Source: Survey of INAH records, cited in Jones and Varley 1999, p.1555

During the ’90s, 335 licenses to intervene buildings were emitted (Jones and Varley 1999, p.1555). From this total, 186 permits were strictly for renovation, and 126 were to sell the buildings. However, only 16 permits were emitted for both renovation and sale, which means that people who were renovating the buildings were not trying to sell them. “The separation of sale and conservation suggests that the role of professional developers has been a modest one, and this was confirmed during interviews with INAH officials and real-estate firms (interviews with INAH officials, 1991 and 1994, and real-estate agents, 199)” (Jones and Varley 1999, p.1555). Occupiers instead of professional developers obtained the majority of the conservation licenses. Occupiers restored the houses on an individual basis to continue living or to move back into the place. Furthermore, houses remained as single housing units, and they were not subdivided into smaller apartments or lofts. “Our survey revealed few properties where conservation had been followed by conversion into condominiums” (Jones and Varley 1999, p.1556). Therefore, the household owners saw an opportunity and decided to either move back or invest in their house to develop it instead of selling it.

### 4.3.4. Main takeaways of the political displacement process

1. **In contrast to the economic-financial displacement process, the political process targets re-urbanization as an official political objective and directly develops projects and services to achieve it like urban zoning, surveillance and security programs, and the restoration or reconstruction emblematic buildings.**
2. Private-public partnerships (PPP) allow the government to achieve re-urbanization by using a higher budget. Furthermore, PPPs can happen in different forms of participation in the market like:
   a. The PPP as a real-estate developer.
   b. The PPP as a landlord.
   c. The PPP as a real-estate operator.

3. A diverse portfolio of PPPs participation in the market guarantees that not every enterprise will be affected by economic crises. However, not every PPP is proportionally successful.

4. Social housing is not immediately as profitable as other forms of participation in the market because the replicability of projects is slower and less profitable. Therefore, governments exclude social-housing from areas with economic potential for commerce or tourism.

5. Policies for social-housing and policies for re-urbanization have to be sustained over time and articulated with each other. Otherwise, they will not exploit its full potential.

6. If policies to attract private, professional developers in historical centers do not include an efficient taxation system fixed to market values; they will not capture the capital gain from re-urbanization. Therefore, they will fail to profit from the investment.

7. Public-private partnerships are commonly understood as associations between the state and an investor or professional developers. Still, the state can also associate with small landlord developers or occupiers (see chapter 2.3.1).
   a. Landlord developers need a smaller investment because they own the land, and they will rent the property. Therefore, for the project to be successful, they just have to rent the buildings at a price that allows them to recover renovation costs.
   b. Occupiers will live on the land. Therefore, they are not expecting to profit from it. They just need to meet an affordable, fair price. With urban reserve zones for social housing, programs of state bonuses, taxes’ exceptions, and low-interest rates, the number of people that would be able to become occupiers will rise, guarantying the re-population of the area.

4.3.5. SWOT Analysis

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weakness</th>
<th>Opportunities</th>
<th>Threats</th>
</tr>
</thead>
<tbody>
<tr>
<td>The state participates in infrastructure development.</td>
<td>Only developing touristic or commercial infrastructure.</td>
<td>To develop infrastructure for the development of the community.</td>
<td>New commercial and touristic infrastructure could induce gentrification.</td>
</tr>
<tr>
<td>A private-public partnership allows the government to work with a larger budget.</td>
<td>The investment focuses on profiting from specific properties.</td>
<td>PPP projects generate profit that is reinvested in the area: Re-investment plan.</td>
<td>Investment may struggle to be recovered during economic crises.</td>
</tr>
<tr>
<td>Participation of the state in real-estate</td>
<td>The investment is fragmented. The budget</td>
<td>To invest in integral projects that involve urban reforms</td>
<td>Suppose a project is not sold quickly enough. Its</td>
</tr>
</tbody>
</table>
development as project developer. for every participation reduces. that the privates alone cannot foresee. value depreciates and generated losses.

| Participation of the state in real-estate development as the real-estate operator. | The state operates buildings that do not belong to him. | To facilitate conditions to make the real-estate operation profitable both for the state and the owners. | Owners may increase the prices or change the conditions before renewing the contracts. |
| Participation of the state in real-estate development as a landlord (rent). | It takes longer to recover the investment when renting real-estate instead of selling. | If sales as real-estate developers fail, the state can recover money from renting. | The state might not be able to rent every property permanently. |
| Social housing projects in historical centers. | Social housing is not profitable, which makes its replicability slower. | Parameters in urban reserve zones for social housing make the projects cost-efficient. | Tenants stop paying rent and are evicted. |
| Social housing projects in historical centers. | Social housing is not profitable, which makes its replicability slower. | Parameters in urban reserve zones for social housing make the projects cost-efficient. | Tenants stop paying rent and are evicted. |
| Governments attract a new private developer. | The rehabilitation of the old buildings is not cost-efficient for private developers. | Loans for landlord developers and occupiers. | Professional developers do not meet the expected profit and stop investing. |
| Policies to attract private professional developers in historical centers | An inefficient taxation system does not capture the capital gain. | Taxes are fixed to market values to capture the capital gain with exceptions that allow small businesses development. | Private investors displace small businesses, but the state never recovers its part of the investment. |

Table 9: SWOT Analysis of the political process of displacement Source: Author

4.4. Displacement as a symbolic process

This dimension refers to the stigmatization or criminalization of some "lower-class practices" like traditional markets, street vendors, and the celebration of traditional festivities. I analyzed Cartagena de Indias because it is often presented in the media as a city that fully exploited the potential of its heritage to attract international tourism and high-income residents. Furthermore, the urban development was led instead of by an urban development plan, by a tourism development plan that focused on the city’s image instead of developing the community and territory.
4.4.1. Cartagena de Indias’ historic center

The city was founded in the year 1533. It consisted mainly of two fortified neighborhoods, El Centro, where the government buildings and the palaces were located, and San Diego, where the Spanish families lived. Next to the fortified city was Getsemani, a slave market that evolved to be a low-income neighborhood “Barrio popular”. Three centuries later, between 1880 and 1924, governments seeking the city’s urban expansion demolished parts of the fortress’ walls until 1932, when the association to protect monuments “Junta Central de Monumentos históricos” was created. Three years later, Cartagena became a tourist destination with a new port that allowed more visitors. The authorities started removing the slums surrounding the walls to improve the city’s image (Aguilera y Meisel, 2009, cited in Posso 2015, p.182). By 1943, tourism in the Caribbean peaked, Cartagena became an international destination, and several touristic plans and legislations were approved.

In 1972, a recently created corporation of national tourism approved a three stages plan. The first step was the restoration of the touristic attractions. The second step was the improvement of tourist attractions’ surroundings, and the last step was the construction of touristic mega-infrastructure. During the second stage in 1978, the city’s market in Getsemani was closed, bringing to an end a commercial center that had pre-Columbian Spanish roots (Valdelamar y Gutiérrez 2011, cited in Posso 2015, p.180). It was followed by the eviction of commerce, street hawkers, and a ‘social cleansing’ (Meaning the temporary removal of prostitution and drug handling). It was a very publicized event that the press and authorities sold as the city’s ultimate goal. A convention center was built on top in 1985.

In 1984, the three neighborhoods, El Centro, San Diego, and Getsemani, were recognized as UNESCO’s built cultural heritage. A land management plan followed this declaration in 2001. By
this moment, El Centro y San Diego had already been largely gentrified, generating a functional restructuring of the area (Posso 2005, 2013, 2015). Doratli defines functional restructuring as changes in occupation with new uses or activities replacing the former ones (Doratli 2005, p.760). International investors bought the former palaces and household for touristic and commercial services or as summer houses for the Countries Elite. Getsemani, on the other hand, remained deteriorated because the edifications' average area was significantly smaller than in El Centro or San Diego, and the purchase of individual buildings was not cost-efficient for private developers. Groups of families occupied single severely deteriorated buildings. Only 9% of the buildings ‘Casas Altas’ functioned as single houses. This situation complicated their eviction and discouraged investors from buying these buildings.

Nevertheless, by 2012, El Centro and San Diego's gentrification process overpass the area of both neighborhoods, expanding the demand of individual gentrifiers that started to take progressively over Getsemani for commercial or touristic activities. During that year, the area only gathered 950 families, 61% in precarious conditions (DANE 2012, cited in Posso. 2013, p.183), and yet, 370 commercial places and 85 hotels were counted.

As Posso recollected through several interviews in 2016, the neighbors know that the touristic activities displace them (see figure 15). Several NGOs have tried to bring attention to this matter: “The neighbors association”, “The communal action board”, “Tu Cultura foundation”, and the collective “Orgullosamente Getsemanicenses” (Posso 2016, p.184). Still, the living conditions and the unemployment is forcing them to sell. Even without the state intervention in Getsemani, this is still happening at a very high pace. In 2005, the statistics office DANE estimated that the population would decrease to 5,883 in 2012. However, the de-population was even higher than this estimation because the population plummeted to 5,306.

There are three main effects to this trend. First, the youngest groups left the area, and only the oldest groups remain. The average age in the historical center is 59 years old, while in the rest of Cartagena, it is 22 (DANE 2018, n.p.). Second, when the remaining population dies, their properties will be sold, and the area will entirely depopulate. Third and finally, as the population is no longer active (the retirement age in Columbia is 57 for women 62 for men), the area
depends economically entirely on tourism, which fluctuates, follows trends, and is susceptible to
touristic trends and external factors like the spread of COVID-19 in 2020.

4.4.2. Main takeaways

1. Policies, legal, or planning instruments do not directly produce the symbolic processes of
gentrification. However, the advertisement of re-urbanization to promote tourism and
commerce affects the perception of the inhabitants of their living conditions and encourages
its displacement.

2. Actions to improve a city’s image like the substitution of traditional markets and street
vendors for touristic and high-end commercial activities has the following effects on
residents:
   a. The residents that work in those activities may relocate to areas closer to their new
      sources of income.
   b. Residents have to move further to procure groceries or to engage in recreational
      activities. Therefore, the area loses the benefits that initially made them settle there.
      They no longer perceive it as a place to live.
   c. Residents start to fear eviction and expect to sell or hope to be compensated if they
      are evicted.

3. As an area becomes attractive for private developers, gentrification can happen through
   individual purchases very quickly.

4. When an area is gentrified, it starts to affect the adjacent neighborhoods. If different families
   share different land rights in a single property, the transference of these rights to investors
   will take longer, but even in those situations, gentrification is possible. Neighbors are aware
   of this, and as soon they notice the gentrification of the surrounding blocks, they begin to
   fear eviction.

4.4.2.1. SWOT Analysis

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weakness</th>
<th>Opportunities</th>
<th>Threats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development of infrastructure.</td>
<td>Only developing touristic or commercial</td>
<td>Infrastructure for the use and development of the</td>
<td>Functional restructuring the area from</td>
</tr>
<tr>
<td></td>
<td>infrastructure.</td>
<td>community.</td>
<td>mixed-residence to only commerce and tourism</td>
</tr>
<tr>
<td>Re-urbanization and rehabilitation of markets and squares.</td>
<td>More minor jobs or places to procure affordable groceries due to the eradication of markets and street vendors.</td>
<td>Integrate the traditional market sellers and street vendors in re-urbanization.</td>
<td>Socio-spatial segregation, alienation of the current residential and commercial practices</td>
</tr>
<tr>
<td>Entire neighborhoods or groups of families resist gentrification.</td>
<td>Intricated land rights over properties slow the re-urbanization process.</td>
<td>Increment tenure security of the current residents of the area.</td>
<td>Eviction of those who do not hold titles</td>
</tr>
</tbody>
</table>
Consolidation of a touristic cluster.

Private owners that do not live in the area offer all the touristic services.

Sustainable tourism that includes the population.

Neither the state nor the community capture the capital gain from tourism.

The land price rises for commercial and touristic uses.

Owners evict their tenants and rent their properties for tourism or commerce.

Tenure security for tenants and occupiers to prevent eviction.

Eviction of tenants, de-population, and related problems (insecurity)

Individual purchases of houses at a high land price.

Owners are individually forced or induce to sell and move to other areas.

Built a sense of community, where people negotiate together possible sales.

De-population and insecurity for those who remain in the area.

<table>
<thead>
<tr>
<th>Opportunities</th>
<th>Expected results</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infrastructure for the development of the community.</td>
<td>Public infrastructure for the use and development of the community.</td>
</tr>
<tr>
<td>To develop infrastructure for the use and development of the community.</td>
<td></td>
</tr>
<tr>
<td>PPP projects generate profit that is reinvested in the area. Re-investment plan.</td>
<td>Re-investment plan with public and private capital.</td>
</tr>
<tr>
<td>Invest in integral projects that involve urban reforms that the privates alone cannot foresee.</td>
<td>Integral inclusive projects of re-urbanization and social housing.</td>
</tr>
<tr>
<td>Integral plans and projects of re-urbanization and social housing.</td>
<td></td>
</tr>
<tr>
<td>To facilitate conditions to make the real-estate operation profitable both for the state and the owners. Joint efforts between the government and private investors to develop the territory and community.</td>
<td>Strategic projects engage private developers.</td>
</tr>
<tr>
<td>If sales as real-estate developers fail, the state can recover money from renting.</td>
<td>Diverse participation of the state in real-estate developments.</td>
</tr>
<tr>
<td>Parameters in urban reserve zones for social-housing make the projects cost-efficient.</td>
<td>Cost-efficient development of social housing.</td>
</tr>
<tr>
<td>An inclusive re-urbanization that mixes people with different incomes or nationalities.</td>
<td>Re-urbanization mixes people with different incomes, cultures, or nationalities</td>
</tr>
<tr>
<td>Loans for landlord developers and occupiers Expropriation is done in favor of the community. Compensated eviction for projects from which the community could profit. Temporary or permanent use of the buildings as a residence by the current population. Tenure security for tenants and occupiers to prevent eviction.</td>
<td>Higher tenure security and better living conditions.</td>
</tr>
</tbody>
</table>

Table 10: SWOT Analysis of the symbolic process of displacement
Source: Author

4.5. Consolidation

From the opportunities identified in the SWOTs analysis, I defined expected results. I associated more than one opportunity to some expected results:

- Infrastructure for the development of the community.
- To develop infrastructure for the use and development of the community.
- PPP projects generate profit that is reinvested in the area. Re-investment plan.
- Invest in integral projects that involve urban reforms that the privates alone cannot foresee.
- Integral plans and projects of re-urbanization and social housing.
- To facilitate conditions to make the real-estate operation profitable both for the state and the owners.
- Joint efforts between the government and private investors to develop the territory and community.
- If sales as real-estate developers fail, the state can recover money from renting.
- Parameters in urban reserve zones for social-housing make the projects cost-efficient.
- An inclusive re-urbanization that mixes people with different incomes or nationalities.
- Loans for landlord developers and occupiers Expropriation is done in favor of the community. Compensated eviction for projects from which the community could profit. Temporary or permanent use of the buildings as a residence by the current population. Tenure security for tenants and occupiers to prevent eviction.
- Public infrastructure for the use and development of the community.
- Re-investment plan with public and private capital.
- Integral inclusive projects of re-urbanization and social housing.
- Strategic projects engage private developers.
- Diverse participation of the state in real-estate developments.
- Cost-efficient development of social housing.
- Re-urbanization mixes people with different incomes, cultures, or nationalities.
- Higher tenure security and better living conditions.
I then associated the results with each other. This provided a complex, non-linear results framework (matrix). The framework allowed me to identify the results related to others and even identify those with a higher number of connections. With this information, I established hierarchies. The main expected result was to achieve a: “Higher security of tenure and better living conditions.” This result was followed by five other results that presented the same number of connections (See figure 16).

Figure 16: Non-linear results framework
Source: Author

Table 11: Delimitation of results from the SWOT Analysis of the three dimensions of displacement

<table>
<thead>
<tr>
<th>Result</th>
<th>Source: Author</th>
</tr>
</thead>
<tbody>
<tr>
<td>Higher security of tenure and better living conditions.</td>
<td></td>
</tr>
<tr>
<td>The state captures the capital gain from re-urbanization.</td>
<td></td>
</tr>
<tr>
<td>Preserved and rehabilitated built cultural heritage.</td>
<td></td>
</tr>
<tr>
<td>No urban violence or insecurity.</td>
<td></td>
</tr>
<tr>
<td>Sustainable tourism and commerce that includes the population.</td>
<td></td>
</tr>
<tr>
<td>Sense of community between the neighbors.</td>
<td></td>
</tr>
</tbody>
</table>

Source: Author
4.5.1. Results model

Once the relationships between the results were established, and the main objectives were identified. I rearranged them according to their similarities (See figure 17).

- Higher tenure security and better living conditions.
- Strategic projects engage private developers
- Capture of the capital gain from re-urbanization
- Re-investment plan with public and private capital
- Diverse participation of the state in real estate development
- Sustainable tourism and commerce that includes the population
- Preserved and rehabilitated built cultural heritage
- Public infrastructure for the use and development of the community.
- Re-urbanization mixes people with different incomes, cultures or nationalities
- Sense of community between the neighbors
- No urban violence or insecurity
- Cost-efficient development of social housing
- Integral inclusive projects of re-urbanization and social housing

Figure 17 Results Model
Source: Author
Chapter 5: Analysis of Lima’s historical center

In this chapter, I triangulated qualitative and quantitative data collected through literature review, semi-structured interviews, and surveys to achieve the 2nd objective: “To enhance understanding of how higher tenure security can reduce the risk of displacement and gentrification”. I classified the information about access to land rights in the three domains of land governance; Country, settlement, and household.

5.1. Country domain: Peru

The country domain refers to the policies and legal and planning instruments regarding land rights.

1. First, I analyzed the available policies and legal instruments that rule the Peruvian territory and complemented it with one-on-one interviews with; Carlos Bruce, Hernan Navarro, and Lourdes Giusti (See sub-chapter 3.1.1.2). From both the archival data and the interviews, I gathered information about the stakeholders, activities, and services that affect tenure security in Peru.

2. Second, I reviewed the last available documents monitoring property rights: ‘The Land Governance Assessment Framework’ (LGAF) of 2013. I complimented it with an interview with Victor Endo. From both the LGAF and the interview, I gathered information about land governance in Peru.

3. Finally, I collected the takeaways from both the analysis of the policies, legal instruments, and LGAF. Then organize them in a SWOT analysis.

5.1.1. Policies, legal instruments, and planning instruments

Perú does not have an official policy of housing or sustainable urban development. There is no consolidated document of all the legal and planning instruments delivered by all the institutions involved. The provision of housing and land rights administration is made through 3 stages of government (See figure 19) that have produced different and sometimes contradictory legal and planning instruments. Therefore, I had to analyze the documents separately. The Peruvian constitution defines the functions of the three stages and scopes (see figure 19). According to the constitution, the Peruvian Congress approved several laws creating legal instruments to fulfill the needs of housing and property rights. The most relevant are: COFOPRI, the decree-law 29415 for the expropriation of heritage properties, the social housing fund MiVivienda, the RATDUS, and SUNARP.
5.1.1.1. The Peruvian constitution

The Peruvian constitution considers the following articles related to housing, urban development, and property rights:

- Article 2: Fundamental rights (…) the right to property and inheritance (…) the inviolability of the home.
- Article 21: Cultural heritage of the nation (…) protection by the state regardless of their condition of private or public property.
- Article 60: Economic pluralism (…) the economy is based on the coexistence of various forms of property and enterprise. Only authorized by express law, the state may carry out subsidiary business activities, directly or indirectly, for reasons of high public interest or manifest national convenience.
- Article 70: Immobility of the property right. (…) no one may be deprived of his or her property except on the grounds of national security or public necessity, as declared by law, and upon
payment of fair and just compensation, including compensation for any injury. Before the Judicial Power, there is an action to establish the indicated property’s value by the state in the expropriation procedure.

- Article 195: Local governments promote local development and economy (…) They are competent to (…) develop and regulate activities and/or services in the areas of (…) housing, sanitation, (…) collective transportation, circulation, and transit, tourism, conservation of archaeological and historical monuments, culture…” (Constitución Política del Perú 1993, p.1-12, own translation from Spanish)

The main takeaways are:

- Land rights cannot be forcibly transferred, not even for the protection of monuments. It requires a new law, which needs the Peruvian congress's intervention.

  “The only way to expropriate is by the approval of law through the congress, which makes it a highly political matter. There have been corruption cases, and Congress does not have the time to investigate every expropriation process's purposes. Therefore, they rarely happen” (Bruce 2020, pers.comm.15 Nov, own translation from Spanish).

- The Peruvian government can only carry subsidiary business activities by a legal declaration of high public interest. Therefore, the state’s action in real-estate development and social housing programs require congress’s approval.

- Local governments are responsible for developing and regulating tourism, housing programs, and the conservation of heritage.

5.1.1.2. COFOPRI

In 1996, the decree-law 803 ‘Law for the promotion of access to informal property’ was approved and created the ‘Commission for the Formalization of Informal Property’ (COFOPRI) as a sub-unit of the ministry of housing construction and sanitation. The function of COFOPRI is to grant titles to legally recognize the land rights of those who occupied the state’s land before 1996. The date was then postponed by a posterior law that added the land occupied between 1996 and 2004.

To be granted with a title, occupiers have to:

1. Obtain the provincial government's acceptance of informal possessions' competence. The competence is based on recognizing the diverse forms of possession, occupation, tenure, and land ownership for urban purposes, and the municipality of the district does it.

2. Have the approval of the geo-referenced perimeter plans in the registry of properties of the National superintendence of public records (SUNARP).

3. Finally, a census certificate of the occupants from the district municipality. These different stages in the process have generated five different tenure types:
Table 12: Tenure status categories of urban land in Peru

<table>
<thead>
<tr>
<th>Land rights</th>
<th>Characteristics</th>
<th>Potential conflicts.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual property backed by titles in developed areas</td>
<td>• Legal basis: Civil Code&lt;br&gt;• Registration: Registered&lt;br&gt;• Right to transfer: Transferable with no restrictions</td>
<td>Inefficient registration in the cadaster may generate the overlapping of properties. COFOPRI does not intervene here.</td>
</tr>
<tr>
<td>Individual Non-Security Holdings: In Informal Holdings-Before 2004</td>
<td>• Legal basis: COFOPRI&lt;br&gt;• Registration: Eligible for registration after completing formalization&lt;br&gt;• Right to transfer: tenure rights typically transferred informally by settlers</td>
<td>Inefficient registration in the cadaster may generate the overlapping with private properties or state’s land.</td>
</tr>
<tr>
<td>Individual property not backed by title deeds in informal urban centers - before 2004</td>
<td>• Legal basis: COFOPRI&lt;br&gt;• Registration: Eligible for registration&lt;br&gt;• Right to transfer: Possessory rights typically transferred informally by settlers</td>
<td>Inefficient registration in the cadaster may generate the overlapping with private properties</td>
</tr>
<tr>
<td>Individual property not supported by title deeds in popular urbanizations - before 2004</td>
<td>• Legal basis: COFOPRI&lt;br&gt;• Registration: Eligible for registration&lt;br&gt;• Right to transfer: Legally transferrable but unable to be registered</td>
<td>Inefficient registration in the cadaster may generate the overlapping with private properties</td>
</tr>
<tr>
<td>Individual Non-Security Holdings in Informal Holdings - After 2004</td>
<td>• Legal basis: None&lt;br&gt;• Registration: No&lt;br&gt;• Right to transfer: only extralegally</td>
<td>Inefficient registration in the cadaster may overlap with state’s land and archeological sites. Occupation of inadequate or hazardous land.</td>
</tr>
</tbody>
</table>

The main takeaways are:

- Peruvian institutions recognize land rights that are not backed up by titles and pursue registering them officially.
- The Peruvian government established one cut-off date: 1996. The state’s land occupied after this date was not supposed to be registered. However, the extensions approved to this date are making the occupation of the new state’s land an ongoing process generating several conflicts.

   “Without clear cut-off dates, large-scale land regularization—albeit regarded as successful as a national policy for securing tenure, reducing conflict, promoting citizenship, and creating economic opportunities—became an open-ended process that may encourage speculative land occupations and, thus, undermine existing property rights. In urban areas, governments have become used to extending deadlines for recognizing new groups to be able to add them to the formalization roster as new informal settlements spring up over time (often organized by slumlords)” (Deininger et al. 2011, p.77).

5.1.1.3. LAW 29415

Law 29415 “Legal and physical regularization of slums with the purpose of re-urbanization,” addresses the public need for legal regularization and physical recovery of slums. It also promotes the re-urbanization of deteriorated urban areas and creates an alternative to expropriation for abandoned households, “The acquisitive prescription.” The law establishes three pre-requisites to give the residents of a slum a certificate of administrative prescription: (1)
to have a census of the inhabitants of the slum. (2) to provide the registration of those who have lived in the property for more than ten years. (3) The legal clean-up procedure only applies when the owner is unidentifiable or reluctant to participate in the physical recovery and proceeds after the property is declared abandoned. However, the bureaucratic procedure to get a declaration of abandonment is too long, expensive, and unachievable. As a consequence, the law has never been used.

The main takeaway is:

- Families are incapable of completing the lengthy and expensive bureaucratic procedure to register their households' land rights officially. Law 29415 requires the complete legal regularization of a slum before their physical recovery, and therefore, nor the legal regularization nor the physical recovery has ever been achieved.

5.1.1.4. Fund MiVivienda

The ministry of housing created the fund “MiVivienda”. Its function is to grant bonuses to low-income families. The families have to be capable of paying a 10-20-years loan because the state only provides a bonus for the original payment. Then, professional private-developers built housing projects that fit the price schemes of the program. The program has differentiated scales of bonus through different sub-funds like “Techo Propio”, “Mi Vivienda” and “MiViviendaVerde”. The fund that is closer to fit the inhabitants of the slums’ capacities in the historical center is “Techo Propio”. It gives an original bonus of 22,000PEN (6,150USD in 2020) for an apartment with a price of up to 105,000PEN (35,000USD in 2020). Yet, because there is high pressure on central areas' land value and no urban reserve zones for social housing, social housing projects are only cost-efficient in the city's outskirts, where the land price is lower.

In 2020, an additional bonus for tenants' Bono Renta Joven' was created. The fund grants 500PEN (140USD) monthly to low-income citizens to rent a house or apartment. The bonus lasts five years.

“The state is not obligated to make everyone a homeowner (...) the state is obligated to give you a housing solution. We began with the sale of housing units, but some people cannot buy a house. (...) In Chile, it began this way, and the program was so successful that the term of 5 years was lifted (...) the advantage that Chile has is that it has a good program for locating poverty. In Peru, we do not have that” (Bruce 2020, pers.comm., 15 Nov, own translation from Spanish).

The bonus for tenants was not possible until the law of eviction through formal notice ‘30933’ was approved. The law facilitates tenants’ eviction through a simple notary procedure and guarantees the eviction in 35 days.
The main takeaways are:

- The population in the historical center does not qualify for housing bonuses. Therefore, they are incapable of buying or improving their households.
- The Peruvian government recognizes that private ownership is not the only alternative to grant access to adequate housing.
- The state does not yet provide legal instruments that help people in the transition from renters to owners.

5.1.1.5. RATDUS

In 2016, the direction of urban planning and urban development of the MVCS passed the law-decree for the ‘Regulation of land Management and urban development” (RATDUS). It establishes that municipalities have to give an urban development plan between 2016 and 2018. The RATDUS also establishes each plan's content according to the municipality's hierarchy and the governmental institutions required to give technical assistance.

After a flood caused by the ‘El Niño’ stream in 2016, the national government assisted 63 municipalities developing their urban development plans. To homogenize them and made them public, the ministry of housing developed Geoplan. Geoplan is an open software where georeferenced maps are uploaded in layers of information. It allowed using the data from other ministries and the SUNARP during the execution of plans. By 2020, 6 regions have already uploaded some of their documents.

"As we have developed the layers of the plan with Geoplan (open GIS software), we have opened the consultation process during the entire execution of the plan. Everybody can see the diagnose or the proposal online and comment on it. We have received more than 300 objections. That has never happened before" (H Navarro 2020, pers. comm., 26 Nov, own translation from Spanish).

The main takeaways are:

- The national government has been delivering new legal and planning instruments to help local governments execute development plans, programs, and projects, and the results were positive.
- The digitalization of the planning instruments helps to guarantee citizen participation.

5.1.1.6. SUNARP

The National Superintendence of Public Registries (SUNARP) was created in 1994 after a large-scale registration program in the early 90s. The program added maps and later digitalized this information. Before that, registration was only textual. SUNARP is a decentralized office of the judicial system. Therefore, registrars are autonomous from local governments, reducing
political pressure on them and thus reducing corruption. However, it reduces the necessity for coordination with municipalities, allows registrars to apply their interpretations of the law, and constantly contradicts municipalities’ cadasters.

Furthermore, in Peru, the constitution of rights does not happen in the registration of a property but on the declaration of the transfer (sale) by both parties (the seller and the buyer). Therefore, both parties’ declaration is required to transfer land rights, which complicates the transference of properties that belong to dead or unidentifiable owners. (Martinez Miraval 2010, p.52, own translation from Spanish). The registry of a property is done voluntarily and is more common in high-income districts. “Sampling in Chiclayo, Cusco, and Lima revealed that the information was up to date for 81 percent of the most valuable properties but only 60 percent of the poorest ones” (Deininger et al. 2012, p.58). Finally, the relevant registry information costs in SUNARP are significantly higher than in municipalities, making them unavailable for the poorest groups.

**The main takeaways are:**

- The autonomy of SUNARP has worked against corruption but generated incongruencies between its cadasters and the municipalities’ cadasters.
- Because the constitution of rights has to be declared by both parties, it is complicated to recover properties that belong to dead or unidentifiable owners.
- As registration is voluntary and expensive, many transferences happen without being officially registered or published. This situation discourages private investors from investing in areas where they may not know if another person holds rights on the same land.

### 5.1.2. The Land Governance Assessment Framework (LGAF)

The LGAF is a diagnostic tool to monitor the status of land governance. The tool assesses the legal framework, public policies, and related activities by evaluating existing data with local experts. It seeks to identify areas that may warrant policy reforms and legal or procedural changes that improve land governance over time. The instrument was first applied in Peru in 2009 and has been replicated in 2013 (See appendix N'2), but it has not been repeated since then. “The idea to implement it in Peru was to find a local institution willing to make constant use of the tool (..), but it did not happen” (V Endo 2020, pers.comm., 24 Nov, own translation from Spanish). The LGAF classifies land issues into five thematic areas (See Appendix 2). The main takeaways of each area were:

#### 5.1.2.1. Legal and institutional framework

- Peru’s transition to decentralization generated legal voids and a lack of capacities in the different government levels’ decentralized agencies.
\[\begin{itemize}
\item Top-down execution of policies and insufficient consultation instruments benefit a narrow elite.
\item The monitoring of the effects or results of the adopted land policies is insufficient.
\item The current services of SUNARP are not accessible to the users of the titling programs.
\end{itemize}\]

5.1.2.2. Land use planning, management, and taxation

\[\begin{itemize}
\item The absence of a national urban development policy has led to disarticulated interventions between different instances of government and private stakeholders.
\item Only high-income districts in Lima and a few big cities have urban development plans, and the municipal control is strict in high-income but weak in low-income districts.
\item The information about property taxes is constantly updated, but the formula that calculates values is based on political criteria instead of market values. The building’s use is not considered.
\item Only 95 of the 1,834 municipalities have an actualized cadaster. “The collection of property tax by local governments is estimated to be below 50 percent of potential in most Peruvian districts” (Deininger et al. 2011, p.80)
\end{itemize}\]

5.1.2.3. Management of Public Land

\[\begin{itemize}
\item The state owns by default the land that has not been registered. It is administrated by ‘The National Superintendency of State-Owned Goods’ (SBN).
\item The purchase of the state’s land is made through a public auction. The initial bidding price is assessed as the commercial value, and the payment must be made in advance.
\item To prevent corruption, expropriation is constitutionally limited.
\end{itemize}\]

5.1.2.4. Public provision of land information

\[\begin{itemize}
\item The introduction of technology and improvement of customer service of SUNARP helped to fight corruption.
\item The changing, non-standardized legal instruments (laws, decrees-laws, plans) require more staff, and the transactions are more complex.
\item The lack of a standard cadaster makes cooperation with other state institutions difficult.
\item SUNARP has opened a cadaster-office to solve the overlaps of properties from which no maps are available. 57% of the almost 9.5 million registered properties have no plans or geo-referenced cadaster.
\item No “registration culture” reduces the up-dating of data.
\end{itemize}\]

5.1.3. Dispute resolution and conflict management

\[\begin{itemize}
\item Despite legal pluralism being constitutional, the formal judicial system accepts only the verdicts of official institutions: the judiciary, COFOPRI, the public registries, or the municipalities.
\end{itemize}\]
The resolution of conflicts by legitimate unregistered institutions like community assemblies, city civil squads, and “neighborhood representatives” may resolve disputes. Yet, its verdicts are not acknowledged by the formal administrative system.

The absence of a centralized information system allows litigants to find the procedure, institution, or judge that suits their interests better.

5.1.4. **SWOT Analysis from the country’s domain**

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weakness</th>
<th>Opportunities</th>
<th>Threats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Formal recognition of possession of land through non-documentary forms of evidence.</td>
<td>Long and complicated individual property registration in urban areas.</td>
<td>Tenure security and life quality during the formal recognition process of land.</td>
<td>Speculative land occupation and overlapping of tenure rights.</td>
</tr>
<tr>
<td>Speed in applying land-use changes.</td>
<td>No compensation for changes in the use of land.</td>
<td>Monetary and non-monetary instruments to compensate for the changes in land use.</td>
<td>Discouragement of investment and property development</td>
</tr>
<tr>
<td>Public consultation of urban development plans.</td>
<td>Overlay of functions. Inadequate definition of responsibilities.</td>
<td>To develop a clear delimitation of the state’s agencies functions.</td>
<td>Contradictory policies and increment of the public spent.</td>
</tr>
<tr>
<td>Social housing fund MiVivienda</td>
<td>The housing demand is not meet because of a lack of urban land.</td>
<td>Private investors want to invest in projects for the housing fund.</td>
<td>Increment of slums, squatter settlements, and informal occupations.</td>
</tr>
<tr>
<td>Requirements for building licenses are realistic.</td>
<td>Slow procedures to obtain licenses.</td>
<td>Procedures of construction licenses could be simplified.</td>
<td>Discouragement of investment and property development.</td>
</tr>
<tr>
<td>Capital investments.</td>
<td>Low capture of capital gains.</td>
<td>Improvements in tax collection can increase the capital gain of the state.</td>
<td>The state fails to recover the spent to encourage private investment.</td>
</tr>
</tbody>
</table>
The information about property taxes is updated continuously, Insufficient advertising of taxable values. Accessible information on land taxation The unwillingness of owners to pay takes.

Private taxes are registered
There are no justifications of property tax exemptions Possible exceptions on taxes for social housing and heritage preservation. Discourage low incomes families and businesses to pay taxes

Accessible information on land taxation
Possible exceptions on taxes for social housing and heritage preservation. Discourage low incomes families and businesses to pay taxes

The unwillingness of owners to pay takes. Insufficient advertising of taxable values.

Table 13: SWOT Analysis of the country’s domain of tenure security
Source: Author

5.2. Settlement domain

The settlement domain refers to urban development plans and land rights ruling over the historical center.

1. I reviewed archival data of the policies and legal instruments delivered in the pursuit to preserve the built-cultural heritage and the current state of the edifications. I complimented the data with semi-structured interviews with Luis Martin Bogdanovich and Augusto Ortiz de Zeballos (See sub-chapter 3.1.1.2).

2. I reviewed the diagnose of the master plan approved in 2019 to collect information about the living conditions of the population and estimate the access to land rights.

3. Finally, I classified the takeaways in a SWOT analysis.
Lima was founded in 1535 under a checkboard scheme. It remained developing under this scheme until a massive migration from all over Peru started in the 1910s. Around 1940 several industries emerged in the periphery of the city center, which led to the settlement of the first informal “popular neighborhoods” (Prolima 2019, 543, own translation from Spanish). In 1946, the city government installed a planning office, which focused on creating the infrastructure for the new neighborhoods on the seacoast where the city elites were migrating. Meanwhile, their vision for the historical center was to transform it into a commercial and administrative cluster, which required new buildings following modernists’ ideas, like the Central Market, the Sheraton Hotel, and the ministries. This goal involved street widening, hotels, and new shopping arcades. During this time, several industries landed in the adjacent areas, and its new workforce occupied the old houses that were available after the high-income residents left the area.

During the 60s and 70s, the migration to Lima skyrocketed. Parallel to this, an elite group of intellectuals and socialites documented the monuments and managed to release a law to protect them. In 1988, the monastery of San Francisco was declared built cultural heritage by UNESCO. Three years later, the declaration expanded to the entire historical center. The local government answered with a new construction regulation and a master plan. In 1998, The municipality launched a program of ‘social cleansing’ that required the eviction of hawkers and street vendors. The most emblematic removal was done in the ‘recovery’ of the square ‘Plaza San Martin’ in 1998 (Prolima 2019, p.312, own translation from Spanish). Another emblematic project was the social housing complex ‘La Muralla’. It was acclaimed because of its mimesis with the context. However, it has not been replicated to date.
From 2008 till 2019, the municipality concentrated on rehabilitating emblematic buildings, like the prior ‘San Marcos’ university and the municipal theatre. This work has engaged some private investors like the Spanish real estate firm ‘Arte Express’, which has bought 31 monuments (Gestion 2019, n.p). All of them will be restored and then rented. Yet, the construction licenses’ release has stagnated because, since 2010, the Ministry of Culture overlaps certain functions with the municipalities, including requiring the ministry’s approval before granting construction licenses.

“The evaluators are divided into two groups. Some do not want anything to be changed while restoring, not even the building’s functions. The second group is obsessed with security. They do not understand that it is impossible to apply current legislation on old monumental buildings. I cannot just demolish half a monument to construct a stairway in the middle” (L Giusti 2020, pers. comm. 1 Dec, own translation from Spanish).

In 2009, a strike on Bagua (Amazonian region) caused the deaths of 10 local men (from the Shipibo-Konivo community) and 23 police officers. A group of families moved to demonstrate in Lima and camped in the Cantagallo park next to the Rimac river. The families are still occupying the area. In 2012, a project to rehabilitate the riverside ‘Rioverde’ was convocated by the city’s major Susana Villaran, a left-wing Politian, and design by Augusto Ortiz de Zeballos. However, as his opponent took office in 2014, the project was canceled.

“The community was going to be relocated to a housing project that we were planning in front of the park. We would recognize the right they held because they had been living there for almost six years. The Shipibo’s is a young community that bring happiness and music to an area which’s population is aging (…) There is a precedent, for the construction of the ‘Linea Amarilla’ highway, 350 squatters were relocated, by houses that the constructors donated” (A Ortiz de Zeballos 2020, pers.comm., 25 Nov, own translation from Spanish).

In 2019, a new ambitious master developed by Prolima was approved. The document recognized 650 buildings as monuments and granted heritage value to 1,300. The municipality has pedestrianized several streets around the main square and announced a public investment of 3,500 million to develop 23 projects between 2021-2035. None of this project included housing.

“We have identified 62 properties that do not hold any monumental or heritage value. Some of them are empty lots. They would work for social housing projects with the programs of Vivienda (ministry of housing). The idea is to relocate the neighbors that are informally occupying monuments” (L Bogdanovich 2020, pers.comm., 26 Nov, own translation from Spanish).
5.2.2. Current situation of the population and cultural heritage

The historic center has two different demarcations: (1) Perimetry A, the UNESCO declared area; and Perimetry B, the historic center's delimitation established by the municipality. Both demarcations overlap two districts (see figure 20): “Lima Cercado”, administrated by the provincial municipality and gathers several national, regional, and local administrative buildings; and El Rimac, which is governed by the municipality of El Rimac.

Residence employs 60.71% of the territory, 125 265 people inhabit the area (INEI 2015, n.p.). Yet, four neighborhoods inside of the perimetry B: Monserrate, Barrios Altos, Mesa Redonda, and el Rimac concentrated the majority of the residential activity. The perimetry A, where the main governmental buildings are, has already displaced many neighbors to host commercial facilities (Prolima 2019, p.382, own translation from Spanish). The district has been losing 2,000 people per year, going from 158,718 inhabitants in 2000 to 128,403 in 2015 (CIDAP 2015, cited in Prolima 2019, p.346, own translation from Spanish).
The displacement of neighbors from perimetry A has pushed residential activity to perimetry B. Furthermore, in 2005, the municipality approved the ordinance N-893 that established new urban zoning and limited the biggest part of Perimetry A only for commerce (see figure 22).

The segmentation between the commercial and residential uses is also evident in the deterioration of the edifications. The majority of the deteriorated buildings are in El Rimac and Barrios Altos, located inside Perimetry B (See figure 23) or in El Rimac. 50% of the buildings used for residential activities present a regular state of conservation, and 22% are in a bad state of preservation, which means that only 28% of the buildings used for residential purposes are in an adequate state of conservation.

The economic situation of the residents of the historical center is below the country’s average. The minimal wage in Peru in 2020 was monthly 930PEN (300USD). More than 70% of the historic center's population perceives the minimum wage or less (Prolima 2019, p.383, own translation from Spanish).
5.2.3. **Land rights**

In the master plan, the municipality classifies the population as tenants and owners. However, thousands of tenants, who stopped paying rent years ago, after ten years, have registered their tenure status in SUNARP, hoping to become suitable candidates for one of the formalization processes. The processes include COFOPRI or the decree-law 29415 (acquisitive prescription of abandoned buildings). Currently, this situation affects 58.6% of the families that are subject to intermediate legal-physical tenure statuses. This group can be classified as those who have occupied; (1) Land owned by the state; (2) land planned for infrastructure or urban services; (3) Hazardous land, (4) and privately owned properties.

5.2.3.1. **Land owned by the state**

The government owns 392 properties in the historical center; 45% are used for residential activities. 3,528 families inhabit these buildings. The national government, through the ministries, owns 70 buildings, the Congress of the Republic (15), the Public Ministry (15), the Judicial power (9), and the Superintendence of National Assets (7). Educational institutions also have properties within the CHL, including the San Marcos national university (20). The Metropolitan Municipality of Lima (57) and a municipality unit, “the Public Charity Society of Lima,” owns 190 properties. (Prolima 2019, p.383, own translation from Spanish).

5.2.3.2. **Land planned for infrastructure**

The “Shipibo-konibo Community occupies the only urban settlement established in an area destined for infrastructure”. 211 families (Approximately 1200 people) of this community occupied Cantagallo. Because it has not been more than ten years, and the land will serve different uses, they do not hold any formal registration (Prolima 2019, Diagnostico p.383, own translation from Spanish).
5.2.3.3. Hazardous Land

The occupation of hazardous land has happened in two different forms. First, those who have occupied buildings identified as inhabitable. According to Prolima, “from 1967 to 2016, 1138 properties were declared as uninhabitable” (Prolima 2019, p.357, own translation from Spanish). 45% percent of these properties are used for residential activities. The second group is those households located on the slopes of the ‘San Cristóbal’ hill and around ‘Prolongacion Tacna’ avenue, in the district of Rímac. Both urban settlements need to be relocated.

5.2.4. SWOT Analysis

From the takeaways gathered from the analysis of the state of the cultural heritage, the living conditions, and the access to land rights, I developed a SWOT analysis.

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weakness</th>
<th>Opportunities</th>
<th>Threats</th>
</tr>
</thead>
<tbody>
<tr>
<td>A master plan with a profound diagnose of the areas problematic.</td>
<td>Lack of technic, political and economic resources to execute the plan.</td>
<td>Precise execution (monitored) of the urban development master plan.</td>
<td>The execution of the master plan focuses only on the economic objectives.</td>
</tr>
<tr>
<td>The remaining population in the area: Social tissue</td>
<td>Segregation of residential activities.</td>
<td>Preserve the social tissue</td>
<td>Depopulation of an area and slums in the other part</td>
</tr>
<tr>
<td>The area is depopulating.</td>
<td>Re-population</td>
<td>Total depopulation</td>
<td></td>
</tr>
<tr>
<td>Restriction of rights through urban zoning.</td>
<td>Progressive displacement of the residential activity.</td>
<td>Re-populate depopulated areas and preserve the population in the rest.</td>
<td>Depopulation of an area and increment of slums in the other areas.</td>
</tr>
</tbody>
</table>
649 monuments and 1,278 buildings with heritage value

One thousand one hundred thirty-eight properties are inhabitable.

Preservation of the built cultural heritage.

 Destruction of the buildings

Higher numbers of intermediate tenure status than the average of the country.

Regularization of intermediate tenure status

Higher levels of informality

Table 14: SWOT Analysis of the settlement’s domain of tenure security.

Source: Author

5.3. Household domain: Slums of the historic center of Lima

To enhance an understanding of families’ perception of the land rights they hold, Liliana Arias, a social assistant from the ministry of housing, helped me contact the representatives of 4 neighbors’ associations. Each association has squatted an old deteriorated House or colonial Villa (slum) in one of the historical center’s poorest neighborhoods. A total of 122 families living in 4 different slums were surveyed. To measure tenure security at the household level, the surveys addressed four criteria; (1) duration of occupation, (2) documentation, (3) previous evictions, and (4) land rights (See appendix N1).

5.3.1. General information about the slums

5.3.1.1. Marañón slum (located in Marañón street N°332)

Owner: Private Property
Area: 2200m²
Families: 49;
People: Approx. 199

Monthly Income (PEN)

Interviews
- 32 Interviews performed
- Man: 14 / Woman: 16
- Head of the household: 31
- Average age: 51
- Average number of family members: 3

Figure 27: General information about the slum located in Marañón street N.322

Source: Author, based on Appendix 10, Surveys
The slum located in Marañon street N°332 occupies a building with registered heritage value. Currently, 49 families live there, from which we managed to survey 32. Different private owners have registered in SUNARP the purchase of parts of the building, which complicates the declaration of abandonment of the entire structure and, therefore, the prescriptive acquisition (see sub-chapter 5.1.1.3). Thus, the residents currently do not have any chance of having their land rights officially recognized. Overall, the families present an income between 550 to 930 PEN (approx. between 160 to 280USD in 2020) below Peru's minimum wage.

5.3.1.2. Cusco Slum (located in Cusco street N° 751)

![Figure 28: General information about the slum located in Cusco street N.751](Source: Author, based on Appendix 10, Surveys)

The slum located in Cusco N°751 is registered as a property of the San Marcos National University. It is considered a monument because it holds rests of the colonial ‘San Pedro Nolasco’ school's cloisters. Thirty-two families occupied it till 2019 when a part of the building burned. After the fire, some families camped inside the property in tents that the ministry of internal affairs provided. Other families were relocated. However, through one of her representatives, we managed to survey 22 of the remaining families. The families were the poorest group in the survey with a monthly income was under 550 PEN (approx. under 160USD in 2020).

5.3.1.3. Ancash slum (located in Ancash street N°935)

![Figure 29: General information about the slum located in Ancash street N.935](Source: Author, based on Appendix 10, Surveys)

The building in Ancash N°935 is registered as a property of the Charitable Society of Lima. The charitable society's function is to rent the buildings it has inherited to cover welfare causes.
However, most of the 190 properties they hold have been squatted and are facing severe deterioration. The building in ‘Ancash935’ was recognized to hold heritage value in 1972, and it was inhabited by the creole music singer Lucha Reyes. Currently, 23 families live on it. We managed to interview all of them. The neighbor’s association has organized and registered the census in SUNARP. Finally, the families present a monthly income between 930 and 1,500 PEN (approx. between 280 to 450USD in 2020).

5.3.1.4. Miroquesada slum (located in Miroquesada street N°1388)

![Image of Miroquesada slum]

The edifications where the slum Miroquesada is located were declared abandoned in 2004 and incorporated into Lima’s charitable society that same year, while more than 50 families still were living there. To date, 49 families live on it. We managed to interview 45 of them. 97.2% of them have been living in the property for more than ten years. None of them has received a lease agreement. Finally, the families present a monthly income over 1,500 and PEN (approx. over 450USD in 2020) higher than Peru's minimum wage.

5.3.2. Duration of occupation

Overall, most families, 87.5% in Marañón, 90.9% in Cuzco, 95.7% in Ancash, and 97.2% in Miroquesada, have occupied the slums for more than ten years. Only a small group, 4.3% of the Ancash families and 2.2% in Miroquesada have been there less than ten years.

5.3.3. Type of document

![Table of document types]

Table 15: Type of document holed by the inhabitants

Source: Author, based on Appendix 10, Surveys
The documents that the families hold to support the tenure of their houses are diverse. Only small groups in Marañón and Cusco have a formal title, and 72% in Cuzco hold a formal lease agreement (see table 15). The rest of the families did not present any formal documents. Therefore, from the total of 122 surveyed families in the four slums, 78% did not hold a document that could constitute a legal or formal use permit.

Families were asked to select a document that would make them feel more secure from not being evicted from their homes. A property title was not included in the alternatives. Surprisingly the majority preferred either an individual certificate of occupation or a lease agreement on behalf of the neighbor’s association (see table 16). Only small percentages in Cuzco and Ancash chose individual lease agreements.

Furthermore, when asked what the government could do to make them feel more secure, 80-100% of the families answered: “to certify the occupants” (see table 17). Therefore, they appreciate some kind of certification more than any sort of lease agreement.

### 5.3.4. Previous evictions

100% of all the families in the four slums answered that they have never been evicted before. The majority of them did not fear eviction, except for the families in Marañón, where 50% responded that they did (see table 18).
5.3.5. Perception of land rights

To understand the perception of tenure security, First, I listed all the categories of tenure security existing in Lima and the land rights associated with each category. I developed a chart using a model of the continuum of land rights suggested by Payne (UN-Habitat, 2017, n.p) to identify tenure security categories and subcategories (see table 19).

Then, I identified the tenure security level that the families living in the four slums currently have by locating where his current situation matches the chart’s categories (see table 19). According to the kinds of documents identified in the surveys, the families’ location in the chart is “Incremental tenure permit as tenants.” Victor Endo also estimated this category for the families in our one-on-one interview. This category implies that they hold the rights to use, manage and exclude others from the property (see table 19).

“What is the situation of tenure in a place like the historic center of Lima? There are formal titles, but many of the houses’ rent contracts have expired or were owned by someone who died, and his five children fragmented the property without a formal registry. The occupants are tenants of someone with some right that is not fully registered. The possibility of recognizing its tenure is very low. Only if they are occupying without renting an acquisition by
prescription could apply after ten years” (V Endo 2020, pers.comm., 24 Nov, own translation from Spanish).

Finally, I analyzed if the families in the four slums know which land rights they hold and which not and their perception of the importance of having access to them.

5.3.5.1. Perception of the right to use the land

In practice, the families in the four slums currently hold the right to use the spaces they inhabit. When asked if they perceive if they hold this right, most of them answered: ‘yes.’ Only 20% of the families living in Cusco perceive they do not have this right (see table 20).

When asked which is the importance they grant to this right, all families also identified this right as important or very important (see table 20).

5.3.5.2. Perception of the right to manage the land while others use it

In practice, the families in the four slums currently hold the right to manage the land while others use it. Yet, when asked if they perceive that they have this right, less than 10% of the families answered yes (see table 21).

5.3.5.3. Perception of the right to earn an income from the land (rent)

In practice, the families of the four slums currently do not hold the right to earn an income from the land (rent it). When asked if they perceive that they have this right, almost all families
recognize they do not. However, 10% of the families in Ancash and one family in Marañón perceive themselves as capable of renting their households (see table 22).

When asked which is the importance they grant to this right, more than a half of the families in Cusco and Ancash, and 100% of the families in Marañón and Miroquesada answered that it is indifferent or not important (see table 22).

5.3.5.4. Perception of the right to transfer permanently or temporarily (sell, purchase or inherit the land)

In practice, the families in the four slums currently do not hold the right to transfer, sell or purchase the land. When asked if they perceive if they have this right, only a tiny portion of the families in Marañón and Miroquesada answered they think they do (see table 23).

When asked which is the importance they grant to this right, the perception varies in each household. 80% of the Families in Cusco find this as important or very important. 50% of the families in Ancash and Marañón are indifferent to this right, and all the families in Miroquesada answered that this right was indifferent to them (see table 23).

5.3.5.5. Perception of the right to exclude others from the land:

While formally, none of these families would be able to restrict others from using the land. In practice, the association of families in each slum protects the houses. Therefore, when asked if they perceive if they hold this right, their responses were irregular. 60% of the families in Cusco, 40% in Ancash, and 10% in Marañón perceive they have the right to exclude others, and 100% of the families in Miroquesada think likewise (see table 24).
When asked which is the importance they grant to this right, the response was relatively homogenous. More than 80% of all households find it to be important or very important (see table 24).

5.3.5.6. Perception of the right to be compensated in case of eviction:

In practice, the families in the four slums currently do not hold the right to be compensated in case of eviction. When asked if they perceive that they have this right, almost all families in Marañon, Cusco, and Miroquesada recognize they do not. However, 40% of Ancash believe they do (see table 25).

When asked which is the importance they grant to this right, families in Cusco, Ancash, and Marañon answered that they found it important or very important. Nevertheless, all the families in Miroquesada perceive this as not important (see table 25).

5.3.6. Main Takeaways from the analysis of the household domain

- The families that occupy the slums have been there for more than ten years.
- 80% of the families do not hold any kind of formal use permit to occupy the slums. They perceive that legal certifications will give them more security than lease agreements either as a group or as individuals.
- Most families do not fear eviction, and in practice, they have never been evicted.
- Families hold the right to use the land, recognize they hold this right, and find it very important.
- In practice, families hold the right to manage the land while others use it (use the land for productive purposes). Thus, they do not recognize they hold this right and find it very important.
- Families do not hold the right to rent or transfer their houses. They know they cannot rent or transfer them, and it is indifferent to the majority of them.
- Families do not hold the right to exclude others from the land, but in practice, they often do. Therefore, it is not clear to them if they hold or not this right. It will be very important to them to have this right.
- Families do not hold the right to be compensated in case of eviction. They know they do not have this right, but they find it very important.

In conclusion, most families do not fear eviction but perceive they hold fewer land rights than the ones they have. A legal certificate that acknowledges their rights to use, manage, exclude others, and be compensated in case of eviction will improve their tenure security because according to the survey those were the rights, they found important but did not know they had.

5.3.7. SWOT Analysis

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weakness</th>
<th>Opportunities</th>
<th>Threats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Families had not experienced previous evictions.</td>
<td>They do not formally hold the right to be compensated in case of eviction.</td>
<td>Certificate the right not to be evicted.</td>
<td>Eviction.</td>
</tr>
<tr>
<td></td>
<td>Families perceive they cannot manage their household while others use it for productive uses.</td>
<td>Certificate the right to manage the households to help families to secure an income.</td>
<td>Restrict the possibility of productivity and self-development.</td>
</tr>
<tr>
<td>Being organized in associations protect the families from invaders.</td>
<td>Families are susceptible to invaders or new squatters.</td>
<td>Certificate the right of the neighbor’s association to restrict others.</td>
<td>Informal security systems to protect families from possible invaders (mafias).</td>
</tr>
<tr>
<td>Families are indifferent to the possibility of renting, transfer or sell the property.</td>
<td>Families do not have access to credit.</td>
<td>Certificate the right to use or rent without selling the property.</td>
<td>Market evictions.</td>
</tr>
</tbody>
</table>

Table 26: SWOT Analysis of the household domain of tenure security.  
Source: Author

5.4. Consolidation
### 5.4.1. Definition of the expected results

From the opportunities presented in the SWOT analysis of the country’s, settlements and household domain of tenure security, I defined the following expected results:

<table>
<thead>
<tr>
<th>Opportunities</th>
<th>Expected Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>▪ Non-monetary instruments to compensate for the changes in the use of land.</td>
<td>➔ Mechanisms (tax cuts, lower interests for investment, transferability of rights) to compensate for land-use changes.</td>
</tr>
<tr>
<td>▪ Existing national guidelines to restrict use, ownership, and transferability.</td>
<td>➔ Restrictions on the use, ownership, and transferability of land.</td>
</tr>
<tr>
<td>▪ Existing national guidelines to develop monitoring instruments to register the execution of policies.</td>
<td>➔ Monitoring instruments to register the execution of policies.</td>
</tr>
<tr>
<td>▪ To develop a clear delimitation of state agencies’ functions.</td>
<td>➔ Clear delimitation of all state agencies functions</td>
</tr>
<tr>
<td>▪ Private investors want to invest more in projects that meet the housing fund requirements.</td>
<td>➔ Fulfillment of the housing demand</td>
</tr>
<tr>
<td>▪ Procedures of construction licenses could be simplified.</td>
<td>➔ Simple procedures for construction licenses</td>
</tr>
<tr>
<td>▪ Improvements in the collection of taxes could quickly increase the capital gain of the government</td>
<td>➔ Capture of the capital gain from private investment.</td>
</tr>
<tr>
<td>▪ Accessible information on land taxation</td>
<td>➔ Accessible information on land taxation</td>
</tr>
<tr>
<td>▪ Collect information to complete a list of taxpayers, including tenure status.</td>
<td>➔ Effective taxation (Fair systems of exemptions)</td>
</tr>
<tr>
<td>▪ Possible exceptions on taxes for social housing and heritage preservation.</td>
<td>➔ Local governments have the faculty to expropriate to develop strategic projects.</td>
</tr>
<tr>
<td>▪ Decentralize the expropriation process.</td>
<td>➔ Accessible information of the valorization process of expropriated properties.</td>
</tr>
<tr>
<td>▪ Accessible information on the valorization process.</td>
<td></td>
</tr>
<tr>
<td>▪ The state is willing to recognize those who use the state’s land formally.</td>
<td>➔ Use of state’s land in favor of the community.</td>
</tr>
<tr>
<td>▪ An existing system to geo-referenced and registry land information.</td>
<td>➔ A geo-referenced complete registry of land information.</td>
</tr>
<tr>
<td>▪ Precise execution (monitored) of the urban development master plan.</td>
<td>➔ Organized and sustainable urban development</td>
</tr>
<tr>
<td>▪ Preserve the social tissue</td>
<td>➔ Re-populate depopulated areas and preserve the population in the rest.</td>
</tr>
<tr>
<td>▪ Re-population</td>
<td></td>
</tr>
<tr>
<td>▪ Certificate the right not to be evicted.</td>
<td></td>
</tr>
<tr>
<td>▪ Preservation of the built cultural heritage.</td>
<td>➔ Sustainable and inclusive protection of built cultural heritage.</td>
</tr>
<tr>
<td>▪ Tenure security and life quality during the formal recognition process of land.</td>
<td>➔ Tenure security and life quality.</td>
</tr>
</tbody>
</table>
I then associated the results with each other. The association provided a complex, non-linear results framework (matrix). The framework allowed me to identify the results with a relationship with others and identify those with a higher number of connections. With this information, I established hierarchies. The main expected result was to achieve a: ‘Organized and sustainable urban development’. This result was followed by four other results that presented the same number of connections (See figure 27).

![Non-linear results framework](image)

**5.4.2. Results model**
Once the relationships between the results were established, and the main objectives were identified. I rearranged them according to their similarities (See figure 17).

Organized and sustainable urban development

- Restrictions on the use, ownership, and transferability of land.
- Local governments have the faculty to expropriate to develop strategic projects.
- Sustainable and inclusive protection of built cultural heritage.
- Tenure security and life quality.

Mechanisms to compensate for changes in land use.

- Capture of the capital gain from private investment.
- Clear delimitation of all state agencies functions
- Simple procedures for construction licenses
- Fulfilment of the housing demand
- Use of State’s land in favour of the community.
- Georeferenced complete registry of land information.
- Monitoring instruments to register the execution of policies.

Organized and sustainable urban development

- Accessible information on land taxation
- Effective taxation (Fair systems of exemptions)
- Accessible information of the valorisation process of expropriated properties.
- Re-populate depopulated areas and preserve the population in the rest.

Figure 32: Results model
Source: Author
Chapter 6: Policy implication

In this chapter, I crossed the results identified from chapters 4 and 5 to meet the 3rd objective: “To suggest implications for a policy to protect heritage that avoids displacement and gentrification by upgrading land rights.”

After comparing both result models (see figure 1), I associated the expected results that were similar or were the same. By grouping them, I identified five main topics. These topics are the main objectives of the policy:

1. Sustainable urban development.
2. Higher tenure security and better living conditions.
3. Re-investment plan with public and private capital.
4. Simplified procedures
5. Public infrastructure for the use and development of the community.
As seen in the analysis of tenure security at the country’s domain of land governance in chapter 5, the lack of a housing and urban development policy in Peru has led to several problems of corruption, overlaying of functions between state agencies, and has left the right to adequate housing unattended. In the following paragraphs, I identified objectives, activities, services, stakeholders, and indicators that have to be part of that policy to guarantee that legal or planning instruments will help further sustainable urban development of historical centers avoiding displacement or gentrification.

### 6.1. Definition of Activities and services

Each objective identified on the results framework requires the execution of different activities, and each activity has to be provided by a specific service.

#### 6.1.1. Activities and services to achieve a sustainable urban development

<table>
<thead>
<tr>
<th>Objective</th>
<th>Activities</th>
<th>Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sustainable urban development</td>
<td>To establish penalties for not following the single guideline for urban development plans (RATDUS). To develop sustainable urban development plans.</td>
<td>Number of municipalities penalized for not following the single guideline for urban development plans (RATDUS). Urban development plans.</td>
</tr>
<tr>
<td>Monitoring instruments to register the execution of policies.</td>
<td>To establish monitoring instruments and indicators for the development of indicators and monitoring instruments.</td>
<td>Guideline for the development of indicators and monitoring instruments.</td>
</tr>
</tbody>
</table>
urban development and land governance.

- To integrate the cadaster of all state agencies and all levels of government.
- Integrated cadaster.

Sustainable and inclusive protection of built cultural heritage.
- To develop sustainable urban development ‘master plan’ for historical centers.
- Urban development ‘Master plans’ for historical centers

- Preserved and rehabilitated built cultural heritage
- To rehabilitate, restore and reconstruct buildings with heritage value.
- Rehabilitation, restoration, and reconstruction of monuments.

Table 28: Activities and services to achieve a sustainable urban development
Source: Author

6.1.2. Activities and services to achieve a higher tenure security

<table>
<thead>
<tr>
<th>Objective</th>
<th>Activities</th>
<th>Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Higher tenure security and better living conditions.</td>
<td>Certificate the right to manage the land to help families to secure an income.</td>
<td>Accretion of rights over time.</td>
</tr>
<tr>
<td></td>
<td>Certificate the right of the neighbor's association to restrict others.</td>
<td>Temporary occupation licenses</td>
</tr>
<tr>
<td></td>
<td>Certificate the right to rent.</td>
<td>Certificates of land rights.</td>
</tr>
<tr>
<td>Cost-efficient development of social housing.</td>
<td>To develop Cost-efficient social housing projects.</td>
<td>Social housing residential buildings.</td>
</tr>
<tr>
<td>Integral inclusive projects of re-urbanization and social housing.</td>
<td>To develop Integral inclusive projects of re-urbanization and social housing.</td>
<td>Integral inclusive projects of re-urbanization and social housing.</td>
</tr>
<tr>
<td>Fulfillment of the housing demand.</td>
<td>To develop housing and social housing programs.</td>
<td>Housing programs.</td>
</tr>
<tr>
<td></td>
<td>Social housing programs.</td>
<td>Social housing projects.</td>
</tr>
<tr>
<td>Re-populate depopulated areas and protect the current population.</td>
<td>To develop housing and social housing programs.</td>
<td>Housing projects.</td>
</tr>
<tr>
<td></td>
<td>Social housing projects.</td>
<td>Social rental-housing projects.</td>
</tr>
<tr>
<td>Re-urbanization mixes people with different incomes, cultures, or nationalities</td>
<td>To develop rental-housing projects.</td>
<td>Rental -housing projects.</td>
</tr>
</tbody>
</table>

Table 29: Activities and services to achieve a higher tenure security
Source: Author

6.1.3. Activities and services for a re-investment plan with public and private capital

<table>
<thead>
<tr>
<th>Objective</th>
<th>Activities</th>
<th>Instrument</th>
</tr>
</thead>
<tbody>
<tr>
<td>Re-investment plan with public and private capital</td>
<td>To identify strategic projects.</td>
<td>(Fideicommissum) Blocked trust to be re-invested in the area.</td>
</tr>
</tbody>
</table>
- Strategic projects engage private developers.
- Diverse participation of the state in real estate development.
- To capture the capital gain from private investment.
- Effective taxation (Fair systems of exemptions).
- Accessible information on land taxation.

- To engage private developers to invest or to give their properties in usufruct.
- State’s investment in projects as: real estate developer, real estate operator, and landlord.
- To fix the calculation of taxes to market values.
- To establish tax-exceptions for social housing and heritage preservation.
- Make public the information about land taxation.

- Private-public partnership in the forms of direct investment or usufructs.
- Projects as; real estate developer, real estate operator, and landlord.
- An official new list of taxes to fixed to market values.
- Tax-exceptions for social housing and heritage preservation.
- Publication of the information on land taxation.

<table>
<thead>
<tr>
<th>Objective</th>
<th>Activities</th>
<th>Instrument</th>
</tr>
</thead>
<tbody>
<tr>
<td>Simplified procedures</td>
<td>To deliver a unique text of simplified procedures for registration and access information. To decentralized the emission of construction licenses.</td>
<td>Simplified procedures for registration and access information.</td>
</tr>
<tr>
<td>Different costs for registration, exceptions for social housing and heritage.</td>
<td>To establish differentiated prices for uses, including exceptions for social housing and heritage.</td>
<td>Give access to preferential costs for registration procedures.</td>
</tr>
<tr>
<td>Restrictions on the use, ownership, and transferability of land.</td>
<td>To include restrictions on the use, ownership, and transferability of land on urban zoning.</td>
<td>Restrictions on the use, ownership, and transferability of land on urban zoning.</td>
</tr>
<tr>
<td>Mechanisms to compensate for changes in land use.</td>
<td>To establish a procedure to access monetary compensations for changes in land use. To establish non-monetary instruments to compensate for the changes in the use of land.</td>
<td>Procedure to access monetary compensations for changes in land use. Non-monetary instruments to compensate for the changes in the use of land.</td>
</tr>
<tr>
<td>Local governments have the faculty to expropriate to develop strategic projects.</td>
<td>To decentralize the expropriation process for specific purposes</td>
<td>Decree-law for the decentralization of expropriation.</td>
</tr>
<tr>
<td>Accessible information of the valorization process of expropriated properties.</td>
<td>To make public the information about the valorization process of expropriation.</td>
<td>Procedure to public the valorization of during expropriation.</td>
</tr>
<tr>
<td>Clear delimitation of all state agencies functions</td>
<td>To establish clear delimitation of the municipalities and central state’s function.</td>
<td>A policy of housing and urban development.</td>
</tr>
</tbody>
</table>

Table 30: Activities and services for a re-investment plan with public and private capital

Source: Author

6.1.4. Activities and services to simplify procedures

Table 31: Activities and services to simplify procedures

Source: Author
6.1.5. Activities and services to promote the construction of public infrastructure

<table>
<thead>
<tr>
<th>Objective</th>
<th>Activities</th>
<th>Instrument</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public infrastructure for the use and development of the community.</td>
<td>To invest in public buildings, public space, and urban infrastructure.</td>
<td>Public buildings, public space, urban infrastructure.</td>
</tr>
<tr>
<td>Use of state's land in favor of the community.</td>
<td>To use available or underused for public buildings, public space, and urban infrastructure.</td>
<td>Public buildings, public space, urban infrastructure.</td>
</tr>
<tr>
<td>Sense of community between the neighbors.</td>
<td>To grant loans and bonuses for owners and tenants to improve their homes.</td>
<td>Loans and bonuses for owners and tenants to improve their homes.</td>
</tr>
<tr>
<td>No urban violence or insecurity.</td>
<td>To invest in public space and urban infrastructure.</td>
<td>Public space, urban infrastructure.</td>
</tr>
</tbody>
</table>

Table 32: Activities and services to promote the construction of public infrastructure

Source: Author

6.2. Definition of stakeholders

From the land domain analysis in subchapter 5.1, I identified the following stakeholders:

- Local authorities: national government (ministry of housing), provincial municipality, district municipality of El Rimac, ministry of culture.
- Civil society: population of the historic center, household owners, neighbors' associations.
- Private sector: private investors
- Supporting partners: SUNARP, COFOPRI, fund MiVivienda, Peruvian school of architects.
In historical centers, the stakeholders have different levels of participation (see figure 3). Veto players are those whose participation is necessary, and without them, the re-urbanization process could not happen. The veto players of a re-urbanization process are the population of the historical center and the provincial municipality. Key stakeholders are those that have an interest in the process or have the power to make decisions. Primary stakeholders have direct participation in the process, and secondary stakeholders are those who collaborate with the projects.

Household owners refer to those who have formal registration of land rights, either if they live or not in the house. Their role as stakeholders varies, and I identified five different tendencies in this group: (1) Unidentifiable owner, (2) Identified owner willing to cooperate in re-urbanization, (3) owner reluctant to cooperate or sell (4) Owners without resources, (5) land with a plurality of owners, that match some of the previous categories.

6.3. Definition of indicators

Finally, I associated a stakeholder with every service and established an indicator to measure the selected stakeholder's performance in providing the given service.

6.3.1. Indicators of the objective: Sustainable urban development

<table>
<thead>
<tr>
<th>Services</th>
<th>Stakeholders</th>
<th>Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guideline for development plans RATDUS.</td>
<td>Ministry of Housing</td>
<td>Approval of the guideline for development plans RATDUS.</td>
</tr>
<tr>
<td>Urban development plans.</td>
<td>Municipalities</td>
<td>The percentage of cities with an urban development plan.</td>
</tr>
<tr>
<td>Guideline for the development of indicators and monitoring instruments.</td>
<td>Municipalities CEPLAN</td>
<td>Approval of the development of indicators and monitoring instruments.</td>
</tr>
<tr>
<td>Integrated cadaster.</td>
<td>SUNARP Municipalities</td>
<td>The percentage of properties registered in a unique integrated cadaster.</td>
</tr>
<tr>
<td>Urban development ‘Master plans’ for historical centers</td>
<td>Ministry of culture, Municipality</td>
<td>The percentage of urban development ‘Master plans’ for historical centers</td>
</tr>
<tr>
<td>Rehabilitation, restoration, and reconstruction of monuments.</td>
<td>Private developers Municipality Housing Programs</td>
<td>The number of rehabilitated, restored, and reconstructed monuments.</td>
</tr>
</tbody>
</table>

Table 33: Indicators of the objective: Sustainable urban development

Source: Author

6.3.2. Indicators of the objective: Higher tenure security

<table>
<thead>
<tr>
<th>Services</th>
<th>Stakeholders</th>
<th>Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temporary occupation licenses</td>
<td>District's municipalities</td>
<td>The number of granted temporary occupation licenses</td>
</tr>
<tr>
<td>Services</td>
<td>Stakeholders</td>
<td>Indicators</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>-------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Certificates of land rights</td>
<td>SUNARP</td>
<td>The number of granted certificates of land rights</td>
</tr>
<tr>
<td>Integral inclusive projects of re-urbanization and social housing.</td>
<td>EMILIMA</td>
<td>The number of integral inclusive projects of re-urbanization and social housing.</td>
</tr>
<tr>
<td>Housing programs.</td>
<td>Private developers MiVivienda</td>
<td>The number of families accessing housing programs.</td>
</tr>
<tr>
<td>Social housing programs.</td>
<td>Ministry of Housing MiVivienda</td>
<td>The number of families accessing social housing programs.</td>
</tr>
<tr>
<td>Housing projects.</td>
<td>Private developers MiVivienda</td>
<td>The number of housing projects.</td>
</tr>
<tr>
<td>Social housing projects.</td>
<td>Ministry of Housing MiVivienda</td>
<td>The number of social housing projects.</td>
</tr>
<tr>
<td>Rental -housing projects.</td>
<td>Private developers MiVivienda</td>
<td>The number of rental -housing projects.</td>
</tr>
<tr>
<td>Social rental-housing projects.</td>
<td>MiVivienda Municipality</td>
<td>The number of rental social-housing projects.</td>
</tr>
</tbody>
</table>

Table 34: Indicators of the objective: Higher tenure security
Source: Author

6.3.3. **Indicators of the objective: Re-investment plan with public and private capital**

<table>
<thead>
<tr>
<th>Services</th>
<th>Stakeholders</th>
<th>Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Fideicomissum) Blocked trust to be re-invested in the area.</td>
<td>EMILIMA Municipalities</td>
<td>The number of projects financed by the locked trust to be re-invested in the area.</td>
</tr>
<tr>
<td>Private-public partnership in the forms of direct investment or usufructs.</td>
<td>EMILIMA Municipalities</td>
<td>The number of projects financed by a private-public partnership</td>
</tr>
<tr>
<td>Projects as real estate developer, real estate operator, and landlord</td>
<td>EMILIMA Municipalities</td>
<td>The number of projects as; real estate developer, real estate operator, and landlord</td>
</tr>
<tr>
<td>Official new list of taxes to fixed to market values.</td>
<td>Ministry of housing Municipalities</td>
<td>Approval of the official new list of taxes to fixed to market values.</td>
</tr>
<tr>
<td>Tax-exceptions for social housing and heritage preservation.</td>
<td>Ministry of housing Municipalities</td>
<td>The number of tax-exceptions granted for social housing and heritage preservation.</td>
</tr>
<tr>
<td>Publication of the information on land taxation.</td>
<td>Ministry of housing Municipalities</td>
<td>The number of tax-payers included in the public information on land taxation.</td>
</tr>
</tbody>
</table>

Table 35: Indicators of the objective: Re-investment plan with public and private capital
Source: Author
### 6.3.4. Indicators of the objective: Simplified procedures

<table>
<thead>
<tr>
<th>Services</th>
<th>Stakeholders</th>
<th>Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Simplified procedures for registration and</td>
<td>Ministry of housing</td>
<td>The approval of a manual of simplified procedures for registration and access information.</td>
</tr>
<tr>
<td>access information.</td>
<td>Ministry of culture</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Municipalities</td>
<td></td>
</tr>
<tr>
<td>Give access to preferential costs for</td>
<td>SUNARP</td>
<td>The percentage of the population with preferential costs for registration</td>
</tr>
<tr>
<td>registration procedures.</td>
<td></td>
<td>procedures.</td>
</tr>
<tr>
<td>Restrictions on the use, ownership, and</td>
<td>Municipalities</td>
<td>The approval of restrictions on the use, ownership, and transferability of</td>
</tr>
<tr>
<td>transferability of land on urban zoning.</td>
<td></td>
<td>land on urban zoning.</td>
</tr>
<tr>
<td>Procedure to access monetary compensations</td>
<td>Municipalities</td>
<td>The approval of the procedure to access monetary compensations for changes</td>
</tr>
<tr>
<td>for changes in land use.</td>
<td></td>
<td>in land use.</td>
</tr>
<tr>
<td>Non-monetary instruments to compensate for</td>
<td>Ministry of housing</td>
<td>The number of owners that were granted non-monetary compensation for the</td>
</tr>
<tr>
<td>the changes in the use of land.</td>
<td>Municipalities</td>
<td>changes in the use of land.</td>
</tr>
<tr>
<td>Decree-law for the decentralization of</td>
<td>Congress</td>
<td>The approval of a decree-law for the decentralization functions of</td>
</tr>
<tr>
<td>expropriation.</td>
<td>Ministry of housing</td>
<td>expropriation for specific projects.</td>
</tr>
<tr>
<td></td>
<td>Municipalities</td>
<td></td>
</tr>
<tr>
<td>A procedure to public the valorization of</td>
<td>Ministry of housing</td>
<td>The approval of the procedure to public the valorization of during expropriation.</td>
</tr>
<tr>
<td>during expropriation.</td>
<td>Municipalities</td>
<td></td>
</tr>
<tr>
<td>A policy of housing and urban development.</td>
<td>Ministry of housing</td>
<td>The approval of the policy of housing and urban development.</td>
</tr>
</tbody>
</table>

Table 36: Indicators of the objective: Simplified procedures
Source: Author

### 6.3.5. Indicators of the objective: Infrastructure for the development of the community

<table>
<thead>
<tr>
<th>Services</th>
<th>Stakeholders</th>
<th>Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public buildings</td>
<td>Ministries</td>
<td>The number of public buildings</td>
</tr>
<tr>
<td></td>
<td>Municipalities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Private investors</td>
<td></td>
</tr>
<tr>
<td>Public space</td>
<td>Municipalities</td>
<td>The number of public spaces</td>
</tr>
<tr>
<td>Urban Infrastructure.</td>
<td>Municipalities</td>
<td>The percentage of the area with urban infrastructure</td>
</tr>
<tr>
<td>Loans and bonuses for owners and tenants to</td>
<td>Ministry of housing</td>
<td>The number of loans and bonuses granted to owners and tenants to improve</td>
</tr>
<tr>
<td>improve their homes.</td>
<td></td>
<td>their homes.</td>
</tr>
</tbody>
</table>

Table 37: Indicators of the objective: Infrastructure for the development of the community
Source: Author
Chapter 7: Conclusions and Recommendations

This thesis employed a mixed-method approach to suggest implications for a policy to preserve historical centers without causing displacement and gentrification. It analyzed the experiences of six historical centers in Latin-America. Then, it evaluated land governance and tenure security in Peru, the historical center of Lima, and the families occupying the slums of the historical center of Lima. The guiding research questions were:

1. How are policies and planning instruments used to protect heritage, encouraging displacement and gentrification?
2. How can higher tenure security reduce the risk of displacement and gentrification?
3. How could a policy to protect heritage avoid displacement and gentrification by upgrading land rights?

Three objectives were established to answers these questions:

7.1. Objective N.1

To enhance understanding of how the policies and planning instruments used to protect heritage encourage displacement and gentrification.

It has been reviewed that the six analyzed historical centers are experiencing displacement and gentrification because the population is progressively decreasing and is being replaced by commercial and touristic activities. The displacement is happening through three parallel processes.

7.1.1. Economic-Financial process of displacement

The governments that pursue the re-urbanization of historical centers by focusing on economic-financial instruments (like tax-reductions or low-interest rates for private investors) induce evictions of those settlers who fall behind in the process and, therefore, their displacement and gentrification. To compensate families after eviction does not guarantee an improvement in their life quality because most families' tenure status does not entitle them to fair compensation. The eviction breaks the communities they built. Furthermore, private developers stop investing in re-urbanization if they fail to attract new buyers and leave the properties empty, accelerating their deterioration process. Therefore, to secure re-urbanization and sustainable urban development, local governments must actively seek to preserve the current population.

7.1.2. The political process of displacement

The sustainable urban development of the area will go further if the policies go beyond economic-financial instruments. A variety of actions organized in an urban development plan
and financed by different forms of public-private associations may allow governments to cover the expenses of the restoration of emblematic buildings, new urban infrastructure, and the rehabilitation of public spaces. However, if the urban development and the social housing policies are not articulated, they may collide. For example, urban zoning changes without social housing reserves make registration or taxation no longer affordable or accessible for lower-income families. Therefore, political action through different planning and legal instruments will only protect heritage and avoid displacement and gentrification, as long as it integrates social-housing programs.

7.1.3. **Symbolic process of displacement**

Legal and planning instruments that pursue urban development without focusing on social housing will also generate a symbolic displacement process. If improvements in public spaces and public infrastructure attract new businesses, the variations of costs and activities in the neighborhood may alienate the current population. This situation may intensify if governments also remove activities the neighbors use like street vendors or traditional markets. Neighbors will start to fear eviction and seek new neighborhoods. Action is required to reinforce their sense of belonging to the community. For example, urban development projects that include them (libraries or community centers) or upgrading their tenure status by certifying the land rights they hold over land.

7.2. **Objective N 2**

**To enhance understanding of how higher tenure security can reduce the risk of displacement and gentrification.**

Peruvian institutions recognize land rights without property titles. Still, the only formal recognition of these land rights is achieved after a long and expensive bureaucratic procedure that ends with the government providing a new title. During this lengthy bureaucratic procedure, families live with very weak tenure security, are prevented from fully enjoying the land they occupy, accessing social housing programs, and are forced to live under the constant threat of being displaced and gentrified. This situation can be reverted by the stakeholders’ cumulative action in the three domains of land governance.

7.2.1. **Country’s domain:**

**Policies of land governance weaken tenure security**

In Peru, different people hold land rights over the same properties. Therefore, planning a sustainable urban development requires very efficient systems of registration of rights, taxation, emission of construction licenses, compensation in cases of land-use changes, and expropriation when needed. Yet, the lack of a public policy of urban development generates the
overlap of functions between different state agencies and makes every one of these systems inefficient. Registration is voluntary, and state agencies do not share the same cadaster; taxes are not fixed to commercial values, licenses, compensations, and expropriation are extremely long intricated procedures. Because of these problems, authorities develop plans focusing only on private property uses and restrictions and evict those who do not hold a formal registration of rights, weakening tenure security.

7.2.2. Settlement domain:
Legal and planning instruments induce gentrification

Lima’s municipality is pursuing the historical center's re-urbanization by restoring a part of the area to attract private developers. Yet, it ignores the rest of the depopulating area that impoverishes and loses its heritage because it is occupied by people who do not hold titles or some formal registration of their land rights. As explained above (sub-chapter 7.2), the procedures to grant titles and allow the population to participate in social-housing programs or get loans is too long and expensive. Yet, it will be possible to formally recognize the land right that the families already hold and then progressively recognize new rights to allow them to participate in the re-urbanization process (see subchapter 7.3.2). As analyzed in chapter 4, if urban development plans do not actively involve the current population, they will be displaced and gentrified, and re-urbanization will fail. Therefore, a progressive recognition of the families’ land rights is the only way to guarantee sustainable urban development.

7.2.3. Household domain:
Higher tenure security can avoid displacement and gentrification

Families have been failing to formally register their land rights for the last ten years, and it has affected how they use and interact with the properties. They do not maintain the properties, endangering them. They do not use their households for productive purposes or even feel secure from new settlers. They currently do not fear eviction, but the area is already depopulating, and this will increase as re-development advances (see chapter 4). Formally recognizing the rights to use, not being evicted, managing the households, restricting others, and renting without selling the property will increment their tenure security and prevent them from being displaced or gentrified (see subchapter 7.3.2.)

7.3. Objective N 3
To suggest implications for a policy to protect heritage that avoids displacement and gentrification by upgrading land rights.

After analyzing both the processes that generate displacement and gentrification and the legal and planning instruments that require adjustments to provide higher tenure security, I identified a set of implications. The implications were organized through five main objectives. Then, the
objectives were classified and used to define necessary sub-results, activities, services, the participation of stakeholders, and indicators. The main findings of each objective were:

7.3.1. Sustainable urban development

The approval of a national policy of housing and sustainable urban development is fundamental. Every urban agglomeration, especially historical centers, has to approve a sustainable urban development plan with the indicators and monitoring instruments established in the policy. All this information has to be integrated into a unique cadaster accessible for all state agencies.

7.3.2. Higher tenure security and improvement of life quality

To achieve re-urbanization of historical centers and sustainable urban development without displacement and gentrification, it is necessary to increment land rights progressively. First, documenting the existing rights that the residents hold, and second, an incremental upgrading of tenure status by granting them certificates of (1) the right not to be evicted, (2) the right to manage the households to help families to secure an income, (3) the right of the neighbor's association to restrict others, and (4) the right to use or rent without selling the property. Most families are indifferent to the possibility of renting, transferring, or selling the property. Therefore, it is unnecessary to certify this right immediately. Not certifying it will also avoid market evictions and guarantee that the families will remain in the area and play an active role in re-urbanization and sustainable urban development. Those who want to sell could follow the regular formalization procedure (see sub-chapters 5.1.1.2 and 5.1.1.3).

The ministry of housing, the municipality, and private investors must create articulated programs to develop integral inclusive projects of re-urbanization, housing, social housing, and rental social housing. People who have certifications of land rights have to be able to participate in the programs.

7.3.3. Simplified procedures

First, the approval of a national manual of simplified procedures is necessary. It has to include the procedures to access registration and land information, including preferential costs. Second, restrictions on the use, ownership, and transferability of land have to be established, including monetary and non-monetary compensations for the changes in land-use. Third, A decree-law for the decentralization (from national to local governments) of the expropriation procedure for specific strategic projects must be approved. It must include the procedure to make public the valorization procedure to establish the monetary or non-monetary compensations for the expropriation.

7.3.4. Re-investment plan with public and private capital
The state has to directly invest in developing projects through different forms of participation in the market (As a real-estate developer, landlord, or a real-estate operator) and different public-private associations (with professional developers, landlords, or occupiers).

The government must capture the capital gain by approving an official new list of taxes fixed to commercial market values, including tax-exceptions for social housing and heritage preservation. There has to be a complete public list of tax-payers available to all state agencies.

7.3.5. Public infrastructure for the use and development of the community.

The public-private partnerships specified above (sub-chapter 7.1.3.4) have to invest in the construction of public buildings, public spaces, and urban infrastructure for the use and development of the community.
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# Appendices

## Appendix 1: Survey

### SURVEY
**PERCEPCIÓN DE TENURE SECURITY**

### 1. DATOS GENERALES

<table>
<thead>
<tr>
<th>GENDER</th>
<th>AGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARE YOU THE HEAD OF THE HOUSEHOLD?</td>
<td>SI</td>
</tr>
</tbody>
</table>

### 2. ¿CUANTOS AÑOS VIVE EN INMUEBLE?

| | < 2 AÑOS | DE 5 A 10 AÑOS | DE 2 A 5 AÑOS | > 10 AÑOS |

### 3. ¿HAVE YOU RECEIVED ANY OF THE FOLLOWING DOCUMENTS?

| TITLE | UTILITY BILLS | CERTIFICATE OF OCCUPATION | NOT REGISTERED LEASE AGREEMENT | VERBAL AGREEMENT | PROPERTY TAX CERTIFICATE | OTHERS |

If others please specify

### 4. HAVE YOU BEEN EVICTED FROM A PREVIOUS HOUSEHOLD?

| YES | NO | HOW MANY TIMES? |

### 5. DO YOU FEAR ANY POSSIBLE EVICTION FROM THIS PLACE?

| YES | NO | WHY? |

### 6. WHERE IN THE FOLLOWING CATEGORIES FITS YOUR MONTHLY INCOME?

| UNDER 50 PEN | BETWEEN 1930 AND 1500 PEN | BETWEEN 550 AND 930 PEN | MORE THAN 1500 |

### 7. ARE YOU ALLOWED TO FREELY USE THE HOUSEHOLD?

| YES | NO | WHY? |

### 8. ARE ALLOWED OF MANAGING THE HOUSEHOLD WHEN OTHER USE IT?

| YES | NO | WHY? |

### 9. ARE YOU ALLOWED TO GENERATE AN INCOME FROM THE HOUSEHOLD? RENTING?

| YES | NO | WHY? |

### 10. ARE YOU ALLOWED TO TRANSFER/SELL/RECEIVE A MORTGAGE FOR THE LAND?

| YES | NO | WHY? |

### 11. ARE YOU ALLOWED TO EXCLUDE SOMEONE FROM THE LAND?

| YES | NO | WHY? |

### 12. DO YOU THINK YOU WOULD BE COMPENSATED FOR THE LAND?

| YES | NO | WHY? |
13. WHAT WOULD MAKE YOU FEEL MORE SECURE FROM NOT BEING EVICTED FROM THE HOUSE?

☐ LEASE AGREEMENT
☐ CERTIFICATE OF OCCUPATION
☐ VERBAL AGREEMENT WITH THE OWNER
☐ LEASE AGREEMENT IN THE NAME OF THE NEIGHBOORS ASSOCIATION

OTRO:

14. WHAT COULD THE GOVERNMENT DO TO MAKE YOU FEEL MORE SECURE

☐ NEIGHBOORS ASSOCIATION CERTIFICATION
☐ LEASE AGREEMENT TO THE NEIGHBOORS ASSOCIATION
☐ INDIVIDUAL LEASE AGREEMENTS
☐ CERTIFYING THE OCCUPANTS (TITLE)

OTRO:

15. How important are the following rights for you? (you can select as many as you wish).

Right to use the house

☐ VERY IMPORTANT
☐ IMPORTANT
☐ I'M INDIFFERENT
☐ UN IMPORTANT

Right to transfer the house

☐ VERY IMPORTANT
☐ IMPORTANT
☐ I'M INDIFFERENT
☐ UN IMPORTANT

Right to manage the house

☐ VERY IMPORTANT
☐ IMPORTANT
☐ I'M INDIFFERENT
☐ UN IMPORTANT

Right to exclude others from the house

☐ VERY IMPORTANT
☐ IMPORTANT
☐ I'M INDIFFERENT
☐ UN IMPORTANT

Right to earn an income from the house

☐ VERY IMPORTANT
☐ IMPORTANT
☐ I'M INDIFFERENT
☐ UN IMPORTANT

Right to be compensated for the house

☐ VERY IMPORTANT
☐ IMPORTANT
☐ I'M INDIFFERENT
☐ UN IMPORTANT
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<table>
<thead>
<tr>
<th>Legal and institutional framework:</th>
<th>2009</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LGI-1</strong></td>
<td>Recognition of Rights</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>Recognition of tenure (rural)</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>Recognition of tenure (urban)</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>Effective enforcement of group tenure rights (rural)</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>Effective validity of group tenancy rights (urban)</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>Opportunities for individualization of collective ownership</td>
<td>C</td>
</tr>
<tr>
<td><strong>LGI-2</strong></td>
<td>Effective enforcement of rights</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mapping and registration in communal or indigenous lands</td>
<td>C</td>
</tr>
<tr>
<td></td>
<td>Registration of individual property in rural areas</td>
<td>C</td>
</tr>
<tr>
<td></td>
<td>Individual property registration urban area</td>
<td>B/C</td>
</tr>
<tr>
<td></td>
<td>Effective enforcement of women's rights</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>Condominiums and common property</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>Land-use change compensation</td>
<td>D</td>
</tr>
<tr>
<td><strong>LGI-3</strong></td>
<td>Mechanisms for recognition of rights</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective use of non-documentary forms of evidence</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>Formal recognition of sustained possession overtime on private and public land</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>Urban land registration at affordable costs</td>
<td>D</td>
</tr>
<tr>
<td></td>
<td>Avoiding informal payments on property registration</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Housing formalization processes are accessible</td>
<td>B/C</td>
</tr>
<tr>
<td></td>
<td>The process to formalize efficient and transparent ownership</td>
<td>A</td>
</tr>
<tr>
<td><strong>LGI-4</strong></td>
<td>Restrictions on Rights</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Restrictions on ownership, use, and transferability of urban land</td>
<td>A</td>
</tr>
<tr>
<td></td>
<td>Restrictions on the title, use, and transferability in rural lands</td>
<td>A</td>
</tr>
<tr>
<td><strong>LGI-5</strong></td>
<td>Clarity of institutional mandates</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Separation of policy formulation and implementation roles</td>
<td>B</td>
</tr>
<tr>
<td></td>
<td>Horizontal function overlay</td>
<td>B</td>
</tr>
<tr>
<td></td>
<td>Vertical overlay of functions</td>
<td>B</td>
</tr>
<tr>
<td></td>
<td>Land information is shared among agencies</td>
<td>B</td>
</tr>
</tbody>
</table>

**Land use planning, management, and taxation**

<p>| <strong>LGI-7</strong> | Transparency of use restrictions | | |
| | Public consultation of urban use plans | B | |
| | Public consultation of rural use plans | B | |
| | The capture of capital gains | B | C |
| | Speed in applying land-use changes | | A |
| <strong>LGI-8</strong> | The efficiency of Land Use Planning | | |</p>
<table>
<thead>
<tr>
<th></th>
<th>Land-use planning controls expansion in the largest city</th>
<th>C</th>
<th>D</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Land use planning controls expansion in 4 major cities</td>
<td>C</td>
<td>D</td>
</tr>
<tr>
<td></td>
<td>Ability to meet housing demand</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td></td>
<td>Compliance with a minimum lot size</td>
<td>A</td>
<td>B/C</td>
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<td></td>
<td>Designated uses are met (rural land)</td>
<td>C</td>
<td>D</td>
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<tr>
<td>LGI-9</td>
<td>Speed and predictability of licenses</td>
<td></td>
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<tr>
<td></td>
<td>Requirements for building licenses are realistic</td>
<td>B</td>
<td>B</td>
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<tr>
<td></td>
<td>Time for the granting of building licenses</td>
<td>D</td>
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<tr>
<td>LGI-10</td>
<td>Transparency of Valuations</td>
<td></td>
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<tr>
<td></td>
<td>Transparency of the valorization process</td>
<td>D</td>
<td>D</td>
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<tr>
<td></td>
<td>Advertising of taxable values</td>
<td>D</td>
<td>D</td>
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<tr>
<td>LGI-11</td>
<td>Efficiency in tax collection</td>
<td></td>
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<tr>
<td></td>
<td>justification of property tax exemptions</td>
<td>A</td>
<td>C</td>
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<tr>
<td></td>
<td>Existence of a comprehensive taxpayer list</td>
<td>D</td>
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</tr>
<tr>
<td>x</td>
<td>Effectiveness of collection</td>
<td>D</td>
<td>C</td>
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<tr>
<td></td>
<td>Amount of collection cost of collection</td>
<td>A</td>
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<tr>
<td></td>
<td><strong>Management of public land</strong></td>
<td></td>
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<tr>
<td>LGI-12</td>
<td>Identificación de Tierras del Estado</td>
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<tr>
<td>x</td>
<td>Land ownership in favor of the State is justified and effectively exercised</td>
<td>B</td>
<td>C</td>
</tr>
<tr>
<td></td>
<td>The integrity of the State land inventory</td>
<td>B</td>
<td>D</td>
</tr>
<tr>
<td>x</td>
<td>Adequate allocation of management responsibilities</td>
<td>A</td>
<td>C</td>
</tr>
<tr>
<td></td>
<td>Availability of resources to manage State land</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>x</td>
<td>Accessibility of the State Land Inventory</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td></td>
<td>Accessibility of information on state land concessions</td>
<td>A</td>
<td>A</td>
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<tr>
<td>LGI-13</td>
<td>Incidencia de expropiaciones</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Expropriation is used for public purposes</td>
<td>A</td>
<td>A</td>
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<tr>
<td></td>
<td>The expropriated land is quickly used for the established purpose</td>
<td>A</td>
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<td>LGI-14</td>
<td>Transparencia de procedimiento de expropiación</td>
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<tr>
<td></td>
<td>Adequate compensation is paid to the owners</td>
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<td></td>
<td>Adequate compensation is paid for all rights (even if not registered)</td>
<td>C</td>
<td>B</td>
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<td></td>
<td>Compensation is paid promptly</td>
<td>D</td>
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<td></td>
<td>There are adequate mechanisms to appeal expropriation</td>
<td>B</td>
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<td>Expropriation appeals are resolved promptly</td>
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<td>LGI-15</td>
<td>Transparencia de actos sobre tierra Estatal</td>
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<td></td>
<td>Transparency of state land transactions</td>
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<td>D</td>
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<td></td>
<td>Collection of State Land Payments</td>
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<td>Market valuation of public land</td>
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<td>LGI-16</td>
<td>Public provision of land information</td>
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<tr>
<td>Registry Integrity</td>
<td>The records are identifiable by maps</td>
<td>D</td>
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<td></td>
<td>Private taxes are registered</td>
<td>A</td>
<td></td>
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<tr>
<td></td>
<td>Public restrictions are registered</td>
<td>B</td>
<td></td>
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<tr>
<td></td>
<td>Ways to access registered information</td>
<td>A</td>
<td></td>
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<tr>
<td></td>
<td>Accessibility of registered information</td>
<td>A</td>
<td></td>
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<tr>
<td></td>
<td>Quick response to information requests</td>
<td>A</td>
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<td>LGI-17</td>
<td>Incidence of expropriations</td>
<td></td>
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<tr>
<td></td>
<td>Focus on customer satisfaction</td>
<td>A</td>
<td></td>
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<tr>
<td></td>
<td>Registered information is up to date</td>
<td>B/C</td>
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<td>LGI-18</td>
<td>Transparency of expropriation procedure</td>
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<tr>
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<td>Accessibility of registration costs</td>
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<td>Financial sustainability</td>
<td>A</td>
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<td></td>
<td>Capital investments</td>
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<td>LGI-19</td>
<td>Transparency of acts on state land</td>
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<td></td>
<td>Advertising rates</td>
<td>A</td>
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<td></td>
<td>Disincentive to corruption</td>
<td>A</td>
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</tbody>
</table>

**Dispute resolution and conflict management**

| LGI-20 | Assignment of responsibilities |
| Accessibility of conflict resolution mechanisms | B |
| Recognition of informal (or communal) conflict resolution mechanisms | B |
| Parallel processes are avoided | C |
| Accessibility of appeal procedures | C |
| LGI-21 | Low level of pending conflicts |
| The proportion of land conflicts to total conflicts | B/C |
| Speed of conflict resolution | B |
| Existence of long-term conflicts | B |