

O FUTURO DO ESTATUTO DA CIDADE

CONCEPT NOTE

CONTEXT

In July 2021, the 20th anniversary of the City Statute will be celebrated. This Federal Law No. 10,257 establishes the **general guidelines for urban policy in Brazil** and regulates the use of urban property in favor of the collective good and environmental balance. Its approval, in 2001, regulated the Articles 182 and 183 of the Chapter on urban policy of the 1988 Federal Constitution. It was the result of a broad process of social mobilization and political negotiation. The Law has been internationally recognized as a pioneering effort to build a more suitable regulatory framework for the urban context.

Therefore, the City Statute establishes different instruments for the implementation of its general guidelines by the municipalities. Such instruments are considered major innovations, some of them being: democratic management, compulsory subdivision, building or use; progressive property taxes over time (IPTU); special usucapion; concession of special usage for housing purposes; surface right; preferential right; onerous grant of the right to build and change of use; partnered urban operations; and special zones of social interest (ZEIS). Some of these instruments come from previous municipal experiences that sought to **implement constitutional principles in urban management**, so that the City Statute came to support advances that were already being demanded and/or put into practice in several Brazilian municipalities.

Over the last few decades, due to its technical and legal quality, **several countries have been inspired by the City Statute** as a reference for formulating urban policies and managing public goods. Also, municipalities were recognized for their innovative capabilities in proposing participation models and creating new instruments. However, technical, financial, administrative, and political challenges as well as bottlenecks in the inter-federative cooperation strategies are resulting in a low level of implementation of those urban instruments, even when referred to in Master Plans and other local legislation in the vast majority of the municipalities.

Aiming to embrace the different points of view and identify the most relevant elements of the Law, a group of institutions that play a central role in the Brazilian urban agenda have joined to disseminate its importance to society and the new generation of public managers, in celebration of the 20th years of the City Statute. The partnership brings a political message about the relevance of the Statute, defending its wide implementation and believing that the Law can be used to achieve sustainable urban development in Brazilian cities, **leaving no one and no place behind**.

OBJECTIVES

MAIN OBJECTIVE

To value and promote the potential of the City Statute for sustainable urban development, defining the main hindering factors to its full implementation and recognizing relevant implementation experiences over the last 20 years as a way to provide inputs for the reflections on its importance as a tool capable of **responding to current challenges in line with global agendas**.

SPECIFIC OBJECTIVES

- Give visibility to the City Statute as an innovative, current legal framework capable of promoting effective changes aligned with global sustainable urban development agendas;

- Discuss the challenges and possibilities of the City Statute for the coming years, considering the current context of local, regional, national and global changes;
- Disseminate successful experiences in applying the instruments of the City Statute and that present concrete possibilities for the diversity of municipal realities in Brazil;
- Promote the use of the City Statute and its instruments as a reference for public management and urban policy through the engagement of strategic actors, especially municipal managers;
- Discuss the challenges and possibilities of the City Statute for the coming years.

ACTIVITIES

Activity 1: Open letter “The Future of the City Statute”

Elaboration of a document to be published in July, celebrating the 20 years of the City Statute, reviewing its principles, guidelines and instruments, pointing out the challenges faced for its implementation in recent years and bringing new perspectives and recommendations considering the international agendas and the post-pandemic urban context. The publication of the document seeks to publicize the joint initiative and bring together new actors interested in supporting, debating and advancing its effective implementation.

Activity 2: Online Platform “The City Statute is Possible!”

Creation of an online platform that will act as a database of good practices. The aim is to publicize and give visibility to relevant experiences of applying the City Statute, for reference and input for studies and new cases. The experiences will be selected from an open Call and will encompass initiatives at the local, municipal, regional and national scale.

Activity 3: Seminar The Future of the City Statute

In the week of the 20th anniversary of the City Statute, on July 7th and 8th, from 5:00 pm to 8:00 pm (BRT, GMT-3), a seminar will be held with two sessions to present the open letter, discuss the difficulties for the enforcement of the Law in the Brazilian municipalities, and identify opportunities for current management and expectations for the coming years. In this sense, the participation of actors from different sectors is essential for the debate, including: members of the judiciary and legislature, urban planners, public managers, public policy makers, academics, social movements, and civil society.

Activity 4: The City Statute during the Urban Circuit 2021

As part of the Urban Circuit, held by UN-Habitat in Brazil in celebration of the Urban October, a joint event will be held approaching the role of urban legislation and the importance of the City Statute in combating socio-environmental vulnerability and the impacts of climate change in cities. Urban October 2021 will promote the climate action agenda, with the theme "Accelerating urban action for a carbon-free world" on World Habitat Day, and "Adapting cities for climate resilience" on World Cities Day.

STEERING INSTITUTIONS

- Cities Alliance
- Confederação Nacional dos Municípios (CNM)
- Cooperação Internacional Alemã - Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)
- Instituto de Arquitetos do Brasil (IAB)
- United Nations Human Settlements Programme (UN-Habitat)
- University Nove de Julho (Uninove)