

## Diversity of situations of urban margins in Lisbon Metropolitan Area Legal and urban planning instruments for its reconversion and upgrading

### Principal Investigator / PI

Isabel Ortins de Simões Raposo (Gestual-CIAUD-FA.ULisboa).

### Integrated Researchers of CIAUD

Project Members: José Luís Crespo, Andréa Figueiredo Arruda,

Francesco Biagi (Gestual-CIAUD-FA.ULisboa). Project

collaborator: Afonso Nuno Henrique Martins (DECA-UBI).

**Collaborating Researchers of CIAUD**

Project member: Rosa Arma (Gestual-CIAUD-FA.ULisboa).

Project collaborators: Debora Cavalcanti (NEST-FAU-UFAL),

Manuela Mendes (ISCSP-ULisboa), Vanessa Melo (CHAM-UAc).

### External Researchers

Béatrice Hibou (CNRS), Teresa Craveiro (CML), Helena Roseta

(CICS.NOVA), Alex Magalhães (LEDUB-IPPUR-UFRJ), Manoel

Ribeiro (LEDUB-IPPUR-UFRJ).

## Keywords

AML urban margins, legal and urban planning  
instruments for reconversion/ regularisation, upgrading,  
observatory

### Partner Institutions

LEDUB-IPPUR-UFRJ, Rio de Janeiro-Brazil (Laboratório de  
Estudos das Transformações do Direito Urbanístico Brasileiro).

### Expected Future Partner Institutions

Africa Habitat Observatory of Urban Margins (Angola-Luanda: DA-  
FE-UAN, CEICA-DA-ULA, DW; Mozambique-Maputo: CEDH-  
FAPF-UEM; Brazil-Maceió-AL: NEST-FAU-UFAL; Brazil-Cuiabá-  
MT: EPURA-FAET-UFMT, Brazil-Seropédica-RJ:UFRRJ)

## OBJECTIVES

To update Gestual's study on the AUGIs of the AML, in terms of: i) survey  
and mapping in GIS; ii) types of situations of reconverted and to be  
reconverted AUGIs and types of obstacles to their reconversion; iii)  
assessment of outreaches and limits of Law n. 91/95 (and updates) in the  
reconversion and upgrading of AUGIs; 4) role of municipal plans (master  
plans and urbanization plans) and other instruments to overcome the  
obstacles.

To draft the identification of other types of situations of illegal genesis or land  
and urban irregularity in the AML, and of the impact of the implementation of  
the legal and urban instruments in force and of the local housing strategies.

To cross urban marginality situations and intervention instruments in the AML  
and in Brazilian cities, to compare alternative proposals to solve the  
obstacles and select situations where to carry out collaborative pilot  
experiences of reconversion/regularization.

To connect the research on urban margins in the AML and Brazilian cities  
with the one in urban margins of Luanda and Maputo (Gestual's Project  
Africa Habitat) and to contribute to the implementation of the Observatory of  
Urban Margins of Lusotopia.

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## ABSTRACT + IMAGES

This embryo Project has the urban margins in the Lisbon Metropolitan Area (AML) as its  
research theme. The aim is to update the diversity of situations of land and urban irregularity  
and housing inadequacy and the legal and urban planning instruments for their reconversion  
and upgrading. The focus is on the Urban Areas of Illegal Genesis (AUGI) and on the  
situations that we called in previous research (2010, 2011 and 2017) "non-AUGI", both  
called, before the Law of AUGI (No. 91/95), "clandestine allotments".

We intend to: (i) update the reconversion situation of these territories in the last seven years  
by identifying the pace of reconversion with the updates of the AUGI Law and the new urban  
and housing instruments; (ii) systematize the type of obstacles that persist and prevent a  
large percentage of these territories from being reconverted and regularized; (iii) identify the  
best solutions in terms of strategies, instruments and processes. The aim is to revisit the  
research held in the framework of Gestual between 2007 and 2011, funded by the FCT, and  
the update carried out between 2016 and 2017, funded directly by Gestual, in order to  
identify the obstacles preventing reconversion and to co-create possible solutions. A  
publication will be launched with the synthesis of the research carried out and a public  
platform will be created for the dissemination of the results, with types of situations and  
types of instruments and obstacles.

This project aims to lay the foundation for the crossing of research on AUGI and non-AUGI  
situations with other situations of land irregularity, urban and housing inadequacy, resulting  
from occupation on third-party land, public or private. The research-action, education and  
university extension conducted by Gestual (between 2004 and 2022) in these types of  
territories will be used as a basis for further research in the framework of a project financed  
by the FCT.

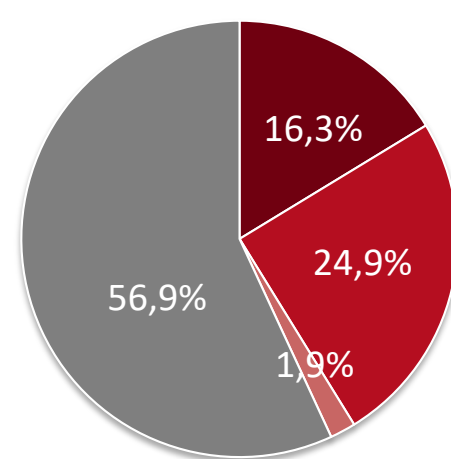
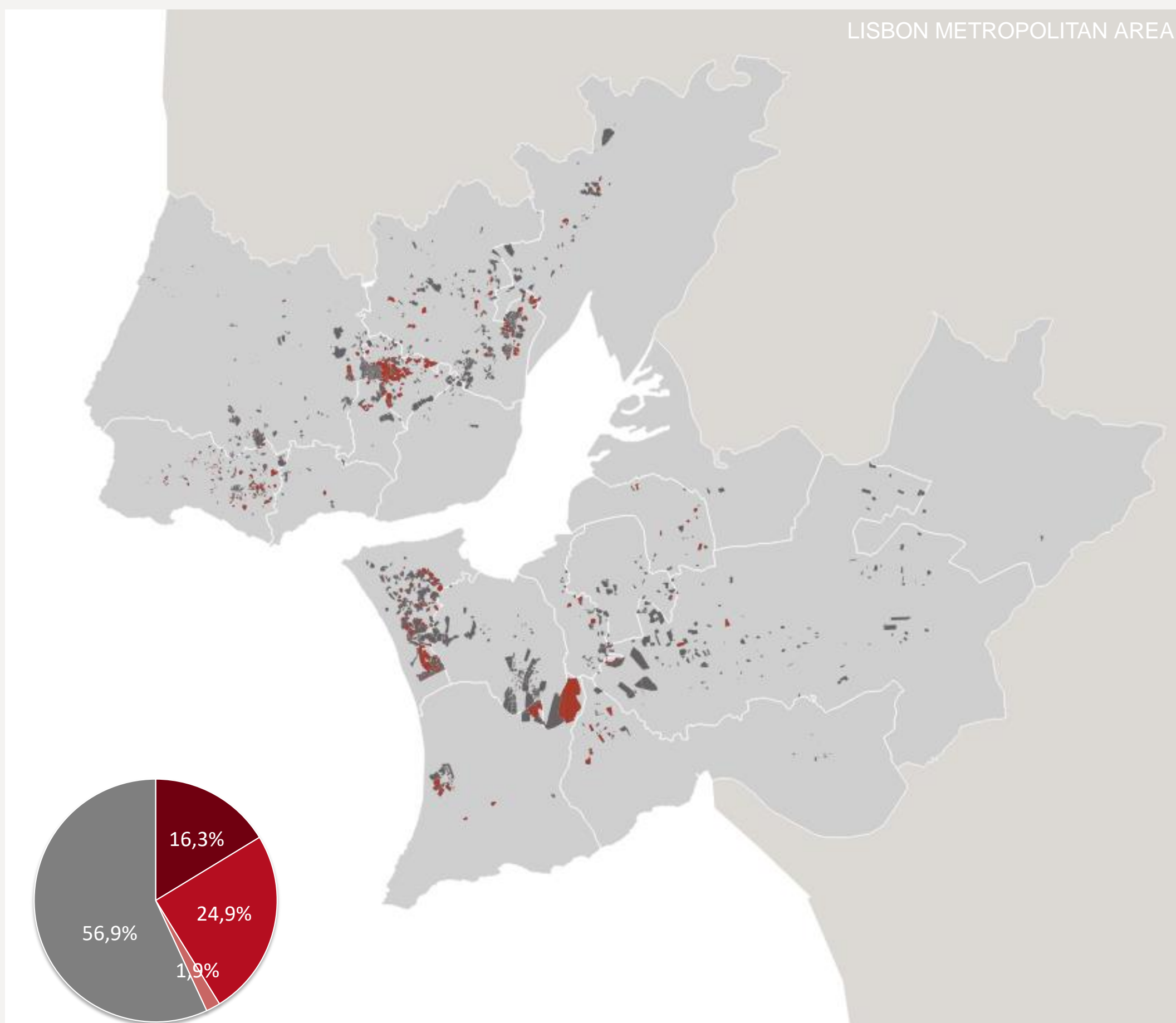
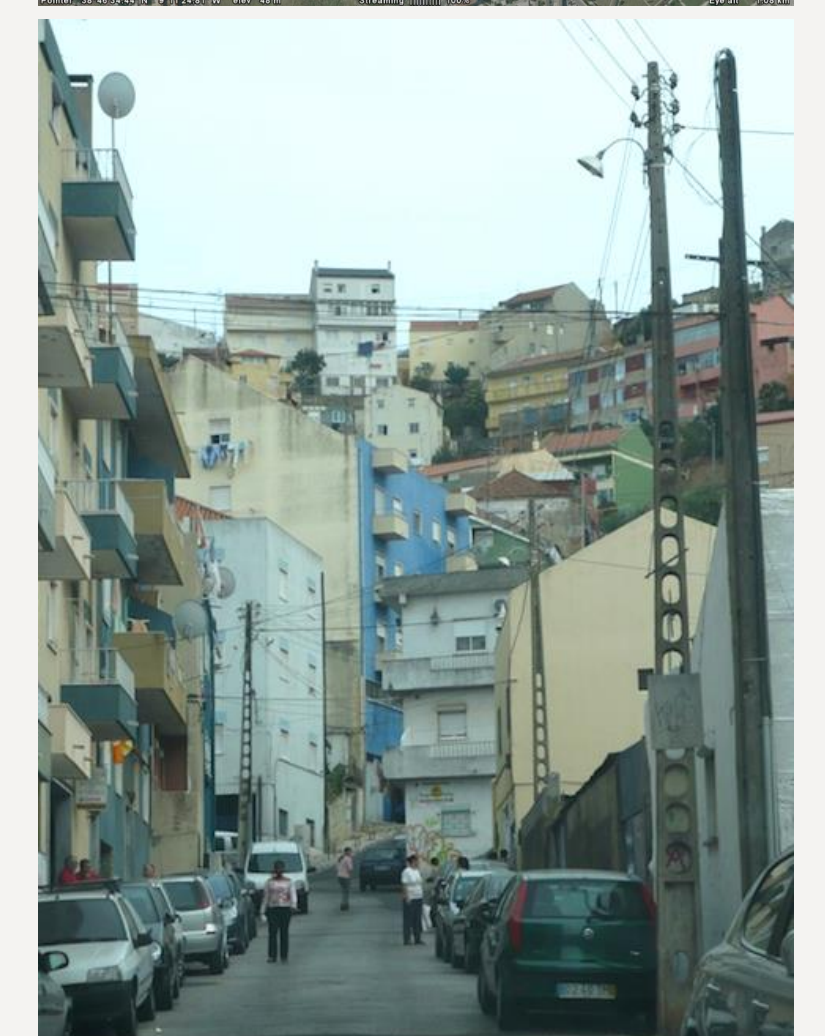
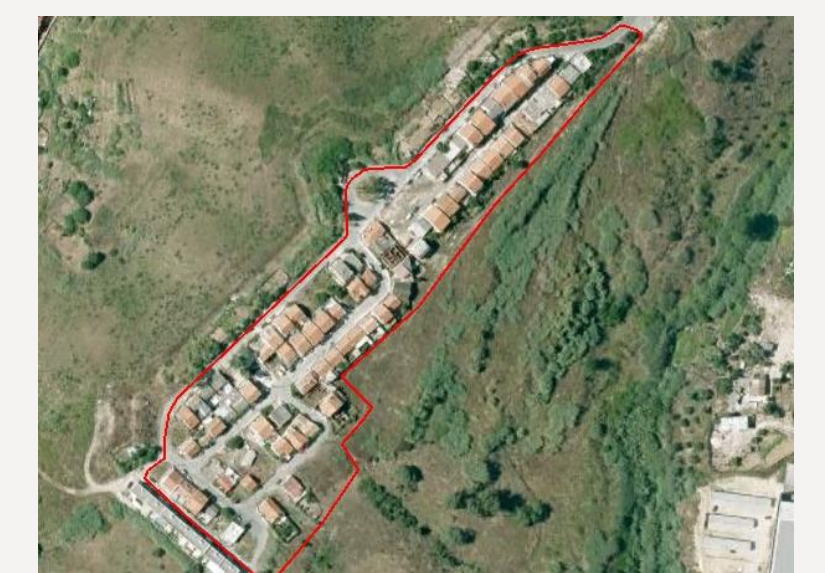
This embryo project also aims to confront the situations and interventions in the AML with  
the recent research project Africa Habitat conducted by Gestual (from 2018 to 2023), funded  
by FCT and AKDN, on situations and interventions in the urban margins of Luanda and  
Maputo and also in Brazilian cities. The aim is to enhance the theoretical and  
methodological comparison on situations and interventions in urban margins and to  
consolidate the Observatory of Urban Margins of Lusotopia launched in the framework of  
this last project.

The qualitative and interactive approach between the members and collaborators of the  
project and the actors on the field intersects with a quantitative approach giving continuity to  
previous research. A theoretical approach on the notions, the territories under study and the  
transformation processes ongoing is also articulated with an empirical approach of updating  
field research and also of co-creation of alternative intervention strategies. The research  
seeks to answer three guiding questions and the work is organized into nine tasks.

The Embryo Project constitutes the opportunity to complete and enhance research carried  
out by Gestual, in its twenty years of existence, on an urgent topic of the urban margins that  
has been on the margins of academia. And it also constitutes the opportunity to integrate in  
what was its dynamic, the new members of Gestual and its new coordination, facilitating its  
preparation for the presentation of an application for FCT funding in the next call for tenders.  
The multidisciplinary character of the Project team (architects, geographers, sociologists,  
political economist), the integration of two researchers exclusively and the collaboration of  
consultants, researchers of high merit and professionals with strong experience in terms of  
practice and policy-making, is promising in achieving the goals set.



Diversity of situations of urban areas of illegal genesis (AUGI) – Gestual



**SUBTITLE**  
% of processes without reconversion title  
% or reconverted processes before 1995  
% of reconverted processes between 1995-2010  
% of reconverted processes between 2010-2017

**TERRITORY OF ILLEGAL GENESIS**  
**TERRITORY OF ILLEGAL GENESIS**  
reconverted until 2016-2017



## SCIENTIFIC RELEVANCE FOR THE DISCIPLINE

Dissemination of the research on AUGs by Gestual in the 18 municipalities of the AML, completed on 2011, 2018 and 2024. Promotion of scientific and technical debate with municipalities on the main results of the research. Evaluation of the impact of legal and urban instruments of intervention in the AUGs, identification of weaknesses and difficulties of implementation and conception of intervention methodology and alternative solutions for situations to be reconverted and upgraded. Articulation of the research on AUGs with the launching of the research on other territories with land and urban irregularity in the urban margins of the AML and identification of study and experimentation cases to be developed later. Structuring of teaching methodology and university extension on urban margins in the framework of an elective discipline in the 2nd semester of 2023/2024 with other actors. Consolidation of the theoretical reflection on the territories of urban margins of the AML. Crossing of situations and interventions in the AML with Brazilian cities, Luanda and Maputo, to contribute to the consolidation of the Observatory of Urban Margins of Lusotopia.

## EXPECTED ECONOMIC AND SOCIAL IMPACT

The preparation of study and experimentation cases (to further develop later) aims to allow a better evaluation of alternative reconversion solutions. The dissemination of the data produced on the AUGs, on situations, instruments and intervention processes, aims to contribute to systematize models of intervention and regularization and to accelerate the solution from obstacles to reconversion. The creation of a public Platform, initiated in this embryonic project and to be further developed in a project financed by the FCT, aims to speed up the solution of the situations to be reconverted through the diffusion of knowledge about the obstacles and the best solutions and strategies to overcome them and to contribute to improve the quality of life of the most precarious situations. The dialogue with similar situations in Brazil, Angola and Mozambique and the consolidation of the network of the Observatory on the Urban Margins of Lusotopia, aims to promote comparative reflection on paradigms, instruments and ways of intervention and the sharing of the best solutions to improve quality of life.

## RESEARCH PLAN AND TASKS

Theme and rationale of the Project -This application for a project on the diversity of situations of urban margins in the AML and on the legal and urban planning instruments for their reconversion and upgrading, aims at:

1. firstly, update the previous research on the AUGs in the AML (called, before the AUGI Law, *illegal allotments*, AUGI from *non AUGI* situations being distinguished in this research), which was funded by the FCT (between 2007-2010) and later by Gestual and CIAUD (between 2016-2018), in order to finalize and disseminate the results of that research in the scientific, technical and associative environment and to add the search for solutions to the research on the diversity of situations and possible instruments of intervention;

2. simultaneously, launch the bases for the articulation of this research with the research-action, education and university extension, carried out by Gestual (between 2004-2022) in the AML with other types of land and urban irregularity and of housing inadequacy, aiming at the comparison of the spatialization of the different types of situations and interventions, problems and solutions, to be deepened in a subsequent research project, with an application to be presented in the framework of the FCT call for IC&DT projects, in 2024;

3. finally, compare the situations and interventions in the AML with the recent research of Gestual, funded by FCT and AKDN (from 2018 to 2023, with the latest publications in the final stage), on situations and interventions in the urban margins of Luanda and Maputo and Brazilian cities, aiming at the theoretical-methodological comparison and consolidation of the Observatory of Urban Margins of Lusotopia launched in the framework of this last Project.

Coordination, members and collaborators/consultants - This project will be coordinated by Isabel Raposo, coordinator of the above-mentioned projects, seeking the handoff to the new Gestual coordinators who will be active members of this project: José Luís Crespo, who was a member of a Gestual project on the AUGI of Odivelas Vertente Sul Area; Andréa Arruda and Francesco Biagi, Gestual researchers (CIAUD) focused on empirical and theoretical research on urban margins. Another member of the project will be Rosa Arma, PhD student at FAUL with a thesis in conclusion on the urban margins of the AML. 4 researchers from the initial AUGI project will be collaborators/consultants of the project: Béatrice Hibou (CNRS), Teresa Craveiro (CML), Manuela Mendes (ISCSP-UL) and Teresa Sá (FAUL) with texts in revision/updates for a book under publication. Experts on legal and urban planning policies and instruments in Portugal will also be consultants: Helena Roseta (CICS. NOVA) and, in Brazil, Alex Magalhães and Manoel Ribeiro (UFRJ), as well as some members of the Africa Habitat Project – Observatory of Urban Margins of Lusotopia, namely from their institutions in Angola-Luanda (DA-FE-UAN, CEICA-DA-ULA, DW); Mozambique-Maputo (CEDH-FAPF-UEM); Brazil-Maceió-AL (UFAL); Brazil-Cuiabá-MT (UFMT) and Brazil-Seropédica-RJ (UFRRJ) and Portugal (DECA-UBI).

Notions and theories of reference - Instead of the notion of urban area of illegal genesis (from AUGI Law) or territories of illegal genesis (Raposo, 2010), we opted in this project for the notion of urban margin in line with previous studies (Raposo, 2016 and Africa Habitat Project), in order to cover the different situations of self and co-produced urban periphery, with land irregularities and housing precariousness in the AML and allow the crossing with similar situations in Brazilian cities and in Luanda and Maputo. The notion of self and co-production of the popular territory, refers to the notion of space as a social product of Henri Lefebvre (1974) and the evocation of the urban margin to the critical urban theory of the same author aiming to uncover the social reality of fordism and functionalist ideology, as underlined by Biagi (2023). We avoid generalizing the hegemonic notions of illegality and informality which do not refer to the full complexity of production of these popular urban spaces. The term marginal urbanization has been evoked by other authors such as Joan Busquets (1999) or Pedro Abramo (2003). In her text, "O ilegal na cidade moderna", Hibou (2011), with a Foucault approach, refers to the unceasing flux between legal and illegal and the dilution of the notion of illegality into the context of what she calls the neoliberal art of governing in Portugal, demonstrating that the AUGI Law is revealing of the neoliberal turn of urban management. Craveiro and Costa Lobo in Bógus, Raposo and Pasternak (2010) contribute with a critical analysis of the legal instruments that preceded the 1995 AUGI Law which is critically evaluated by Raposo (idem) in an urbanistic perspective. With this project we intend to discuss the terms and evaluate the latest changes to the AUGI Law, their impact on the reconversion and upgrading of the territories, on the basis of the critical reading of the new texts of the Law.

The aim is also to analyse the new legal, urban planning and housing instruments presented as alternative solutions for AUGI situations awaiting reconversion and non-AUGI situations (corresponding to construction on owned land but without a building permit), as well as for other situations of irregularity (corresponding to occupation processes on public and private land owned by others). The diversity of situations and terms is greater in Brazilian cities and is different in Luanda and Maputo where land is State property. The Project will update the systematization of notions, instruments and results (problems and solutions) in Lisbon, in comparison with Brazil and Angola and Mozambique.

### Questions

This project aims to answer three main questions: 1) To what extent the changes to the AUGI Law have contributed to accelerate their reconversion? 2) What are the main obstacles to the reconversion of AUGs and non-AUGs today, despite the changes in the Laws and the new instruments, and what are the strategies to overcome them? 3) What can be learned and how can mutual learning between different urban contexts in Lusotopia (Portugal, Brazil, Angola and Mozambique) be enhanced and how can the consolidation of the Observatory contribute to better practices and quality of urban margins?

The following tasks will be held:

1. Preparation of the basis for the construction of the online Platform. November 2023
2. Update of data on the situation of urban margins in the 18 municipalities of the AML, in order to: A) update the mapping of AUGI and non-AUGI situations; B) produce a draft of identification, localization and characterization of other situations of land and urban irregularity and housing inadequacy; C) survey and reflect on local housing strategies and legal and urban planning instruments; D) identify future study and experimentation cases. November and December 2023
3. Preparation of the FCT application. November 2023
4. Preparation of programme for elective discipline *Upgrading of Urban Margins*, to be offered in the second semester of 2023/24. November 2023
5. Update of the GIS mapping of AUGI and non-AUGI situations, with different types of reconversion and to be reconverted situations. Proposal of identification of other situations to be considered in the project to be submitted to FCT. Filling of the online Platform with the collected data. January to March 2024
6. Synthesis of the diversity of AUGs and non-AUGs situations, the obstacles to their reconversion, the instruments and solutions. Online meetings with members and consultants. March 2024
7. Seminar AML for the presentation and discussion of research results, identification of problems and solutions with municipal technicians and local leaders. Comparison with legal and urban situations and instruments in Brazil. Book presentation. April 2024
8. Elective discipline "Upgrading of Urban Margins", with articulation between research, teaching and university extension. February to May 2024
9. Consolidation of the Observatory of Urban Margins of Lusotopia, articulating team at Gestual with members from Brazil and partners from Luanda and Maputo and including private online meetings and public talks. April to June 2024

## EXPECTED SCIENTIFIC RESULTS

Prototype of the digital Platform of public access for the dissemination of updated data on AUGs and non-AUGI situations in the AML and preparation for later inclusion of other types of urban irregularity and housing inadequacy situations (November 2023). Submission of application to FCT and programme for an elective discipline (November 2023). Filling of the digital Platform with AUGs and non-AUGI situations in the AML, from the GIS mapping, with identification of the types of reconversion situations (April 2024). 1 book updating the research from 2010, 2018 and 2024 (April 2024). 1 Seminar to present and discuss the results of the AML research update (April 2024). Draft of solutions and methodology for the subsequent implementation of pilot experiences of collaborative regularisation, crossing cases to be selected in the AML and in the cities studied in Lusotopia (April 2024). Rehearsal of an elective discipline on the Project's theme and publication of the results of the course (February-July 2024). Operationalisation of the Observatory of Urban Margins of Lusotopia (June 2024). 1 journal issue to present research results (October 2024).

## BUDGET: € 7.500,00

Missions: 3.300€.

Fieldwork journeys in the municipalities of the AML for visits, photographic surveys, meetings and interviews: 500 euros. Travel, accommodation and meals for external consultants within the framework of the Seminar: 2.500 euros. Travel for study visits by bus as part of the Project's tasks: 300 euros.

Acquisition of Other Goods and Services: 4.200 euros.

Acquisition of services to update the mapping of the AUGs in GIS and to build the online Platform to disseminate the research data: 3.500 euros. Acquisition of services to transcribe audio recordings of meetings, interviews and seminars: 400 euros. Printing and copying of research material, seminar dissemination material (small booklets) and large format panels: 300 euros.