



INTERVENTIONAL POLICIES TO ADDRESS THE PROBLEM OF INFORMAL SETTLEMENTS IN SYRIA



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Introduction

The expansion of informal residential communities is a global phenomenon that is widespread in most developing countries. 862 million people live in informal settlements in developing regions of the world, %60 of them are in Asia, while Africa accounts for %26, and Latin America and the Caribbean countries make about %13. Estimates of the United Nations Human Settlements Program indicate that by 2030, more than %50 of the world's population is expected to live in informal settlements.¹

The phenomenon of informal settlements in Syria appeared in the middle of the last century and expanded in 1980s and began to form residential areas,² reaching large numbers due to the politicization of the problem. Statements of authority officials attempted to downplay the problem, such as the statement of the Minister of Housing in 2018 saying that “the percentage of informal settlements in Syria is between %40 to %50,” to negate the percentage that is commonly estimated at %60 of residential areas in Syria³.

1- Majida Ikram Obeid et al – evaluating the experience of improving informal settlements in the Broader Cairo Region and its economic and environmental return - applied study on Naser Facility – Environmental Sciences Journal – Environmental Studies and Research Institute – Ain Shams University – issue 41 – part 2, March 2018 – P113

2- Informal settlements in Syria: Harvest of Decades of negligence – research paper – TDA – 2020 – p7

3 - Al-Watan newspaper in Syria on 13 May 2018, mentioned in the study entitled: Informal settlements in Syria: Harvest of Decades of negligence – research paper – TDA – 2020 – p7

Then came the revolution and the destruction practiced by the regime, adding to the problem other complications, and increasing informal settlements. Wars play a major role in the migration of individuals leading to the emergence of informal settlements in different places on the state's territories.⁴ Informal settlements created in areas outside the control of the Syrian regime were estimated at approximately 200,000 informal housings, in addition to areas under regime control⁵.

Therefore, under the current circumstances, informal settlements have transformed from a social phenomenon into a political, socioeconomic and environmental problem, which raises the following question: What are the legislative policies required of Parliament to address this problem and limit its proliferation? What are the urban policies that must be implemented at the level of local and central authorities to address the existing informal settlements and prevent their emergence in the future?

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To answer these questions, it is necessary first to learn about informal settlements and the reasons for their emergence, because dealing with any problem starts from defining it and addressing the root causes for its emergence, then addressing the policies required of the legislative authority, and learning about the urban policies required of the local and central authorities to implement.

4- For example, what happened between 1975 and 1980 during the Lebanese civil war; also the informal settlements around Kabul city (the capital city of Afghanistan) following the US invasion and the conflict with the Taliban.

5- Informal settlements in Syria: Harvest of Decades of negligence – research paper – TDA – 2020 – p18

First . Definition of Informal Settlements

In English, the term "Slum" or "Squatters" refers to areas that violate the law. In French, it is often called "Bidonville", which means tin cities. In Morocco, it is called "Zriba" (which means a barn), in Tunisia it is called "GOURBI VILLE", which means shacks. In Algeria, it is called improvised housing⁶. Some have given it different names, from cardboard cities to shanty towns, poor neighborhoods, and chaotic construction. However, in Syria, it is known as informal settlements.

Just as societies differ in linguistic meaning, the meaning of the term "informal settlements" varies from one place to another, depending on the conditions of each society, living standards, values, and prevailing social systems⁷.

The UN-HABITAT defined it as the following: "informal settlements gather residents of specific socioeconomic characteristics in poor construction, lacking basic services, and where the legal status of ownership is illegitimate, and the types and materials of construction, although important, come second⁸." Linking informal settlements to deprivation of basic facilities is not always accurate. In Syria, some informal housing areas were provided with basic services and facilities based on a political decision, and they remained known as informal settlement areas.

While some see informal settlements as "poor and crowded areas, regardless of whether they adhere to the laws of the state or not⁹," this link is not always valid, as the establishment of some informal settlements has been for political purposes and to achieve benefits for pro-government individuals, exclude some residents from the characteristic of being poor. Despite the multiplicity of names and definitions, they all share one factor, which is that construction and development are carried out by households themselves and rely mainly on self-efforts¹⁰. But in Syria, the informal settlement business was run by a class of businessmen supported by the authorities.

Since the concept of informal settlements varies according to the political and socioeconomic circumstances from one society to another, this necessitates making a procedural definition of informal settlements in Syria. We see that they are "gatherings of housings that do not adhere to the real estate legal system in their establishment, plans or specifications, and are built on lands owned by the state or by individuals, which may be agricultural lands or lands not prepared for housing, and are mostly located outside the zoning plan, or within a zoning plan but in violation of the building code systems, according to unapproved divisions, and without licenses."

6- Bachir Mohamed Tidjani-La problématique de l'habitat illicite: spontané, précaire ou insalubre? Géographie et Aménagement- bulletin de l'Association de Géographie et de l'Aménagement du territoire- Fascicule n11- Université d'Oran- 2005- p 10 7- Jamal Bager Miltak – Haydar Razzaq Muhammad al-Shiber – Identifying Proposals to Solve the Issue of Informal Settlements "Analytical Study for the City of Baghdad for the Period 2003-2008 – Planning and Development Journal – 2016 – Issue 33 – P86 8- Intisar Jaber Kadem – Informal Settlements and their Impact on Services in the City of Baghdad – Masters thesis – Faculty of Education – "Ibn Rushd – Baghdad University – 2011 – pp 28-29 9- Muhammad Abdul Samea Eid – Lessons Learned from Informal Settlements within the Framework of Facilitating Housing – Faculty of Engineering – Assiut University – published research 2004 – p3 10- Muhammad Ayman Abdul Majeed Dayf – The Strategy of Developing Informal Settlements in Assiut City through al-Waleediya Area Case Study – unpublished research – 2001 – pp6-7

Second . Causes of the Problem of Informal Settlements

Studying and knowing the causes of any problem – in general – helps addressing it. Therefore, it is necessary to know the factors and reasons that led to the growth and spread of informal settlements, which can be summarized in a group of political, demographic, economic and regulatory factors, as follows:

1. Political Reasons

A quick review of the spread of the problem of informal settlements, we find that when al-Baath authority seized power the percentage was %8 of the current informal settlements that was built before 1965. After 1965, that is, after al-Baath seized power, the percentage rose to %55 of the total informal settlements, which was built between 1965 and 1990, and %37 was built after 1990¹¹. This is an indication that the current authority and its founding roots did not address the problem, which was limited, deliberately and even contributed directly to the expansion of informal settlements for the following reasons:

a. The Syrian legislative authority, to date, has not officially recognized the existence of the problem of informal settlements, so it did not issue a specific law to address the problem in Syria. The issue is being addressed in Real Estate Development Law No. 15 of 2008, which did not provide solutions to address the problem. However, the law was completely abolished and replaced by Investment Law No. 2 of 2023. Some members of the Syrian People's Assembly have recently called for the necessity to issue legislation for informal settlements¹².

b. In Syria, there is an absence of integrated planning capable of addressing housing problems, in addition to the absence of adopted plans for some communities in cities, lands or areas outside city boundaries. There is also a lack of policy related to regulating private ownership of lands. The biggest problem is the delay in issuing zoning plans or their incompatibility with the high demand for housing for years and decades. The expansion of informal settlements was the closest response to the growing need for housing.

c. Absenting local administrative bodies from addressing informal settlements, the transfer of powers to multiple central bodies, and the failure to define the jurisdiction of a single body to address informal settlements.

d. The partisan authority represented by al-Baath Party deliberately issued a decision in 1982 in a meeting of the Central Committee of the al-Baath Party, which included providing informal settlements with basic services and facilities¹³. That meant preserving their existence as they are and contributed to their spread, without thinking of a radical solution to the problem.

11- Informal settlements in Syria – Enab Baladi – issue 503 – 10 October 2021 – available at: <https://www.enabbaladi.net/archives/518664>, last visited on 18 March 2023. 12- Members of the Syrian People's Assembly, in the session dated 24 April 2021, considered the issues of informal settlement areas should be addressed in a separate legislation, due to the complicated problems resulting from the rights of owners, tenants and occupants in those areas. See more: <https://www.enabbaladi.net/archives/477020#ixzz7wHlgW2OF> 13- Informal settlements in Syria: Harvest of Decades of negligence – research paper – TDA – 2020 – p8

e. The problem of informal settlements has political dimensions and functions, including the resettlement of pro-regime constituency in informal settlement areas, especially in Damascus and Homs, which formed a security belt to defend the regime when necessary. In addition to the fact that the issue of informal settlements has been part of the equations of power and control in the country for decades, because by transforming almost half of the country's population to become living in violation of the law in their residence, these people become, in one way or another, under the mercy of the authorities and without any legal protection for their property¹⁴.

After 2011, things become clearer on the ground and the regime's use of the problem as a weapon of war has become evident, for strengthening its political and security control, and serving the interests of its economic elite.

To confront the demonstrations that were staged in informal settlement areas, the regime found the destruction of those areas and the displacement of their residents an opportunity to deprive them of returning to them, either by legalizing non-return, or by intimidating them by security threats.

14 - Informal settlements in Syria: Harvest of Decades of negligence – research paper – TDA – 2020 – p14

2. Demographic Reasons

The steady increase in the number of city residents came as a result of the natural increase in population, in addition to internal migration from the countryside to cities, and from the outskirts of cities to their centers, which has not been met by an increase in housing units. All of this led to an increase in demand for housing. This large increase in the population of major cities (Damascus – Aleppo – Homs) led to the emergence and expansion of informal neighborhoods around those cities.

In light of this demographic change represented by the encroachment of the countryside to the outskirts of cities, Syrian authorities did not address its main cause, which is the search for job opportunities. It did not work either to meet the rates of migration to cities by building sufficient housing units for the migrants, due to the delay in issuing zoning plans or their incompatibility with the high demand for housing. This was accompanied by the lack of sufficient budgets, which did not allow for the availability of formal buildings, so corruption became widespread in the real estate sector, all of which point to the clear negligence of the authorities in Syria. After 2011, as a result of the war launched by the regime against revolting areas and the destruction of large areas of Syria, people were forcibly displaced, which created new informal settlements, whether in regime-held areas or areas outside its control.

3. Economic Reasons

The imbalance between the average income of Syrian households and the cost of producing housing units caused the inability of poor families to obtain adequate residence¹⁵. This has been accompanied by the state's lack of intervention and its inability to provide adequate housing for citizens in need, which is a duty that falls on the state's shoulders.

In addition to the above, the rise in land prices within cities due to real estate speculation, and the rise in the prices of building materials due to the monopoly of their manufacture and import by influential people in power, have led to the exclusion of a large segment of poor citizens from the possibility of obtaining a residential plot that can be built within their capabilities.

The concentration of investments in cities such as (Damascus – Aleppo – Homs) rather than in other Syrian cities made them a center of attraction. Immigrants to those cities increased to find jobs and improve their financial conditions, but that has been faced by an increase in housing prices and rents in those cities.

The high demand for informal housing because their prices and rents are cheaper, whether for housing or commercial stores¹⁶, especially considering the sharp decline in income after 2011, led to holding to informal settlements and the growth of new informal settlements.

15- The higher the levels of poverty the more informal settlements appear. This is evident in Central America and India.

16- Muhammad Mahmoud Yousef – Informal Settlements and Arab and International Experiences – 2008 – published on Edal website - <http://www.edal.com>

4.Regulatory and Administrative Reasons:

The Syrian administrative system tends to be more centralized in general, and in real estate matters in particular, which led to the weakening of the powers of local administrative units in dealing with informal settlements. The lack of genuine regulatory strategies that guide planning processes and regulate urban expansions exacerbated the problem of informal settlements.

The centralization of the regulatory decision on real estate in Syria was accompanied by the absence of administrative oversight over municipalities, which were unable to control the areas of encroachment within their administrative borders, due to inexperienced cadres, lack of capabilities, and the spread of corruption. All of the above contributed greatly to the emergence and continuation of these informal settlements.

We can conclude that the emergence, exacerbation and continuation of the problem of informal settlements is mainly caused by the Syrian authority, which runs the state affairs through a mentality of dominance and security, and in the economy by distributing it according to political loyalty, under an authority that lacks a sense of responsibility, and works on political and economic investment in crises. Such an authority will exacerbate the problem rather than solve it.

Third . The "Proposed" Legislative Policy to Solve the Problem of Informal Settlements

The first step to address any problem or even a phenomenon in modern states is done through the legislative authority that passes a law to limit the phenomenon and address the problem. However, the Syrian People's Assembly, despite the exacerbation of the problem at the level of whole of the country, has not passed a law specific to informal settlements to date, but we can find scattered provisions that do not fulfill what is needed to address the issue. Therefore, the beginning of the solution is to pass legislation that contributes to limiting and addressing the problem of informal settlements.

1. The Right to Adequate Housing is a Constitutional Right

The problem of informal settlements in Syria deserves to be stipulated in the highest legal rules, i.e. the Constitution. Addressing the issue should be done by stipulating two things:

First: Administrative decentralization with broad powers for administrative units, obliging them to eliminate informal settlements, through re-planning and providing the basic environment. They should also undertake to provide the necessary resources and specify the period required for implementation. This should be accompanied by a commitment to implement a population program that aims to achieve a balance between population growth rates and the availability of housing, so that we do not have new informal settlements.

Second: The new constitutional provisions must impose the duty to protect the right to adequate housing, as the negative obligation of the state to refrain from interfering in the enjoyment of the right to adequate housing is not enough; it rather should have a positive obligation, that is to take measures to prevent third parties from interfering in this right¹⁷.

2. The Philosophy of Legislation in Addressing Informal Settlements

The solution to the problem of informal settlements must be made to address the root causes. Any solution that ignores the root causes is a leap into the void, and as we have seen, all the causes and factors that create informal settlements fall largely on the authority, and citizens are the victims of a wrong housing policy that has failed to provide their right to housing. The right to housing is one of the basic modern rights, and the failure of the authorities to secure it inevitably pushes citizens to search for alternatives. For example, when the authority prevents a right such as "forming parties", citizens will certainly look for alternatives to exercise the right and establish secret parties. Therefore, John Turner believes that the negative view of illegal settlements represents a major mistake, and that these areas represent a great victory through the self-efforts of low-income people, and they indicate the energy and ability of individuals to solve their problems without government assistance¹⁸.

The "Syrian legislator previously" dealt with occupants of informal settlements as violators or criminals, in order to shift the responsibility from the state to the citizens who have a legal, legitimate and human right to housing.

Therefore, when mentioning them in some legal provisions, the legislator deliberately referred to them as violators, and did not consider their right to compensation or alternative housing. This policy is one of forward escape which leaves the problem behind. The authorities evade their responsibility to provide housing for citizens and put citizens in the position of violators and turn a blind eye to them in exchange for political loyalty. Therefore, when issuing legislation to address informal settlements, the legislator must adopt a philosophy based on the fact that right owners within informal settlements are victims who must be redressed, rather than violators who must be punished. They are victims of either the corruption of the authority and businesspeople cooperating with it; the unfair legal system that denied them their right to adequate housing; the failure of development policies; or the maliciousness of the hegemonic policies implemented by the regime. This view, if adopted by the legislator, legal provisions will be based on the following:

A. Securing alternative housing

The solution should not come at the expense of citizens' right to housing, but rather the solutions provided by the authorities must take into account securing adequate housing for all residents of these informal settlements, because any solution that does not take this right into account is a partial and delusional solution,

and will quickly collapse with the establishment of new informal settlements. Since the right to housing precedes the violation of the law and is even an established right before the existence of the constructions violations law, and the state has positive obligations, including refraining from carrying out forced evictions before finding alternative solutions, or demolishing homes before securing alternative housing. Hence, recognizing the existence of "informal settlements by legislation" must be accompanied by recognizing the right of their residents to be compensated for their lost homes, whether that be permanent housing or temporary housing until the completion of the informal settlements' removal and redevelopment thereof and then returning them to the same place.

B. Preserving the Social Fabric

Syrian society is ethnically, religiously and denominationally diverse, like most contemporary societies. Out of fear that the authorities may use the removal and reconstruction of informal settlements as a pretext for demographic change in the fabric of Syrian society, it is necessary to stipulate in the legislation that the authorities are obliged, when removing, redeveloping and rebuilding informal settlements, to return residents to their environment and neighborhoods, because this is one of their social and moral rights. The state is obliged to return everyone to their place of residence, even if there is no evidence of its desire for demographic change.

Fourth . Informal Settlements and Proof of Ownership

Under the past stable circumstances, proof of ownership of informal settlements was already a complex matter that the legal system was unable to address, because the ownership is not documented in the real estate registry as buildings and residential apartments. The largest part is registered as agricultural common property,

because they are built on state-owned lands that are not sorted into residential apartments, and cannot be sorted or transferred, or the lands are owned by individuals and are not sorted in the real estate registry, and cannot be licensed in the municipality.

Therefore, ownership is affirmed either by a judicial ruling, the ultimate goal of which would be to register an encumbrance on the title register, or a ruling to confirm the sale with an indication of the necessity of sorting and correcting its descriptions, which does not happen. The sale can be done through notary public, who issues an irrevocable power of attorney for the content of the property.

It is also possible for the owner to pay taxes to the Finance Department or obtain a subscription to a utility service (electricity – water) and obtain a receipt for paying the utility bills in their name.

The owner of an apartment in informal settlements will not be able to acquire anything more than the above. Failure to obtain a title register generates negative results,

including selling the property several times, which leads to overlap between the original owners, especially when it is a common property.

In the current circumstances and under the destruction that has occurred since 2011 and the security challenge to obtain the above-mentioned documents, further complicates the problem of proving ownership. Therefore, the proposed informal settlements legislation must take into account addressing the problem of proving ownership according to a set of parameters that make it easier for citizens to prove their ownership, including:

1. Accepting the aforementioned documents as proof, which can be dealt with as documents that give their owners the right to real compensation with a new house.
2. Before carrying out any demolition, development or change in any informal settlement area, it must be surveyed, a general blueprint drawn for it, and a detailed plan for all the houses constructed with the names of their owners should be developed.
3. Under the current security circumstances, some suggest working to establish an independent body that brings together specialists from initiatives and organizations focusing on the documentation and archiving of documents related to property in general, and real estate documents in particular, while taking care to include a special interest in informal settlements to ensure the preservation of rights away from the disputes of parties to the conflict¹⁹.

Fifth . Classification of Informal Settlement Areas

The legislator must work to set standards for classifying informal settlements, and the specialized technical agencies carry out the classification according to the bases established by the legislator, and the law explains how to deal with each type of these classifications. Informal settlement areas have several classifications according to different standards, but the classification standard that matters here is the ability of the standard as a contributing factor in determining the mechanism by which we deal with informal settlements in order to include it within the urban fabric. Based on that, the following are the most important standards:

1. The Criterion of Security and Safety

This classification gives the ability to differentiate informal settlements that can be developed²⁰ and others that are difficult to develop. According to this criterion, there are several types, including:

a. Solid informal settlement areas:

These are buildings adequate for living, and can be improved and settled based on their structural and urban condition, such as being built with building materials known in modern construction, or according to an architectural design that can be rehabilitated and integrated into the urban fabric²¹. Such areas are not at the same level, rather there is a difference among them in the degree of solidity, services, etc. So, there is no single technical form of dealing with them, but rather multiple and diverse forms, not including removal.

1. Urban Renewal

This term used to refer to erasing and removing the old, but since the nineteenth century the view has changed to become directed towards rehabilitation, improvement and renewal of deteriorating informal residential areas, and improving their infrastructure with the contribution of residents²². The renewal policy applies to informal settlements whose buildings are in good,

average and old condition that "do not require removal" except for those that cannot be repaired, and which need to improve their road networks, facilities and public services. The urban renewal policy is applied to deteriorating informal settlement areas according to the strategic plan for the city and the detailed plan for the region. Hence, rehabilitation and improvement policy is contained within the renewal policy, side by side with removal and reconstruction of the irreparable bad facilities. This also comes with the utilization of the vacant lands surrounding the area for uses that are in accordance with the detailed plan for the region.

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20- Zuheir Abdul Wahab al-Jawahiri – Studies of the land area of informal settlements growth of some residential areas in the city of Karbala by the use of GIS – Babel University Journal – Engineering Sciences – Volume 23 – Issue 1 – Faculty of Engineering – Karbala University – 2015 – pp74-75
 21- Zuheir Abdul Wahab al-Jawahiri – Studies of the land area of informal settlements growth of some residential areas in the city of Karbala by the use of GIS – Babel University Journal – Engineering Sciences – Volume 23 – Issue 1 – Faculty of Engineering – Karbala University – 2015 – pp74-75
 22- Antar Bukrein – Osama Hilmi Muhammad – Shaimaa Muhammad Yasin – Urban Policies Appropriate for Dealing with Informal Residential Areas in the Cities of the North of Upper Egypt – al-Minya Journal for Engineering and Technology – Volume 37 – Issue 1 – January 2018 – p48

2. Rehabilitation

The rehabilitation policy means restoring an area to a certain level of efficiency and repairing its facilities. This is done by providing the informal settlements with the necessary infrastructure and social services, and improving the existing situation in these areas for the better, provided that this is done in an integrated manner, in stages commensurate with the existing conditions and linked to the existing local reality and actual needs, and in a manner balanced with the available capabilities²³.

This applies to deteriorating informal settlement areas that contain old buildings that have lost their function, i.e. unsuitable for housing or use, but there is no defect in their physical structure, so they do not require removal, but need a certain level of rehabilitation. This policy is also directed to areas characterized by a concentration of heritage buildings, a unique urban character and a local personality²⁴.

3. Improvement Policy

The "improvement policy" refers to any work that aims to raise or increase the value and level of comfort and improve facilities. Such work can be in the urban and environmental fields. The improvement policy includes raising the level of existing services in

the area while adding aesthetic and functional touches²⁵. It applies to informal settlements that contain buildings of medium to good condition, and need to improve the level of services and facilities. Such areas are in better condition than areas that need rehabilitation, and this treatment is temporary within a framework that aims at renewal²⁶.

It is applied by utilizing the capabilities available to the government and residents, and the largest part of this policy falls on residents who benefit from improving the area.

b. Unsafe Informal Settlements:

They include several types, including dilapidated neighborhoods²⁷ and non-informal governmental housing which has become deteriorated²⁸. These are buildings that are not suitable for living due to their structural condition and urban characteristics. They are often built with worn-out materials, they are in a bad location, or they pose industrial hazards (high-voltage power line, gas or water network, highway, on the outskirts of industrial zones) or they are built on lands that pose a natural hazard (such as floods and landslides). This type can only be treated by demolition and removal.

23- Muhammad Abdul Samea Eid – Lessons Learned from Informal Settlements within the Framework of Facilitating Housing – Faculty of Engineering – Assiut University – published research 2004 – p9 24- Nahed Naja Abbas al-Ibyari – "Urban Growth of Egyptian Cities and its Impact on Historical Areas" – PhD dissertation – Faculty of Engineering – Tanta University – 2006 – p67 25- Antar Bukrein – Osama Hillmi Muhammad – Shaimaa Muhammad Yasin – Urban Policies Appropriate for Dealing with Informal Residential Areas in the Cities of the North of Upper Egypt – al-Minya Journal for Engineering and Technology (MJET) – Volume 37 – Issue 1 – January 2018 – p48; for more information see Ghada Muhammad Reihan – The Process of Upgrading Informal Settlements in the Effectiveness of Implementing Plans with Special Focus on the Western al-Mouneira Region in Cairo Province – Masters thesis – the Faculty of Engineering Library – Cairo University – 2000 26- Abdul Baki Ibrahim – An Entry Point for Upgrading the Urban Environment and its Socioeconomic Dimensions – Seminar of Upgrading the Urban Environment of Cities – the Center for Planning and Architectural Studies – al-Shorouq Publishing – Cairo – 1986 – p12 27- Old deteriorated residential neighborhoods where living standards have decreased socially and economically, but was not like that when established and their residents are enduring so much more than what they endured when these neighborhoods were created 28- The negligence of the state, and the inability of residents to conduct the necessary maintenance works, whether for facilities or façades, in addition to the plenty of violations in these buildings, all caused these buildings to transform to an additional areas of informal settlements

Removal is divided into complete and partial, and there are several matters that must be taken into account when determining the type of removal for the informal settlement area, including alternative temporary housing, costs, etc.

These areas are demolished and rebuilt according to a new plan that shows the uses of the land. The aim is to eliminate the existence of some informal settlement areas for the purpose of redesigning them in a new urban manner. Residents of informal settlements are handled by building new residential areas in empty areas around cities, and resettling, distributing, and transferring them to such areas permanently or temporarily²⁹.

The deteriorated and unsafe areas in which such a policy can be followed have the following characteristics³⁰:

- ▶ **a.** Structural problems, which is normal for deteriorated areas
- ▶ **b.** The number of residents can be moved, and alternative housing can be provided for them
- ▶ **c.** High rate of overcrowding, and the presence of several households in the dwelling
- ▶ **d.** The area lacks basic services such as water, electricity and sanitation, and it is difficult to provide them with such services

- ▶ **e.** The presence of environmental hazards or pollution that cannot be treated
- ▶ **f.** Lack of privacy and proximity of dwellings, and narrow streets
- ▶ **g.** Security problems.
Before removing the area, it is necessary to ensure that it cannot be developed. The cost required for removal should be also known, and the impact should be studied. Compensating residents for the homes they lost with new housing should be ensured as well³¹.

2. The Criterion of the Potential Growth of Informal Settlements

This criterion helps to know whether we need to "encircle informal settlements" so that they do not expand further, or whether there is no need for that.

This method aims to limit and contain the expansion of informal settlements, which usually happens due to the lack of clear urban boundaries. Areas that can be expanded into zoned areas and neighborhoods are encircled to prevent such expansion. Of course, encirclement can take place alongside developing the areas themselves to prevent the expansion of these informal settlements³².

29- ESCWA - United Nations Economic and Social Commission for Western Asia – "Housing and Urbanization Policies" – United Nations – New York – 2003 – p6

30- ESCWA - United Nations Economic and Social Commission for Western Asia – "Housing and Urbanization Policies" – United Nations – New York – 2003 – p8

31- Ministry of Housing, Utilities and Urban Development in Egypt – 1986 – General Authority for Urban Planning – Towards a Unified Definition of Informal Settlement, Comparative Study about the Concept of Informal Settlement – Cairo – p3

32- Ministry of Housing, Utilities and Urban Development in Egypt – 1986 – General Authority for Urban Planning – Towards a Unified Definition of Informal Settlement, Comparative Study about the Concept of Informal Settlement – Cairo – p45

There are several types, including:

a. Saturated Informal Settlements:

These are areas surrounded by residential areas, other informal settlement areas, or adjacent industrial areas, which limits the horizontal growth of these areas, so they do not need to be surrounded.

b. Peripheral semi-closed or semi-open informal settlement areas:

These are areas where at least one side is still a desert, agricultural or fallow land, and there is still possibility for horizontal expansion. This kind of areas needs to be delineated from the side from which it can expand.

c. Open informal settlement areas:

These are areas open towards agricultural lands adjacent to urban development areas, to which informal settlements can expand to them. they target vast areas of agricultural lands³³.

Therefore, existing informal settlements should be surveyed, and a plan thereof based on the status quo should be drawn, then they should be encircled to prevent their horizontal growth, and their vertical growth must be monitored. Unsafe informal settlements should be prioritized in this process, but should not be limited to them. Rather all informal settlements should be included, especially those that can horizontally expand. This preventive policy prevents the problem from worsening and helps addressing it.

3. The Criterion of the type of damage caused by informal settlements

The type of damage an informal settlement can cause to its surroundings necessitates determining the type of treatment in order to integrate it into the zoning plan. There are several types:

a. Informal settlements threatening the national heritage:

These include housing within archaeological areas, as well as growth of informal settlement areas near and around heritage areas, which are sometimes informal settlements of the wealthy. These informal settlements must be dealt with through rehabilitation and improvement with extreme caution so as not to affect the national heritage.

b. Informal settlements threatening agricultural lands:

These include informal settlements built on agricultural lands within cities, or on their outskirts, which are areas of urban expansion on agricultural lands. They should be dealt with through limiting the encroachment on agricultural lands, especially the highly fertile ones, taking into account the new reality produced by creating informal settlements and the destruction of agricultural lands.

c. Informal settlements with hotbeds of environmental pollution:

These are areas of temporary environmental pollution that can be removed or whose level of pollution should be reduced³⁴.

d. Informal settlements built on state-owned lands:

They are supposed to be the easiest to deal with and transfer ownership of that land to its occupants after the real estate district is included in the zoning plan, bringing it under the plan's boundaries and requirements³⁵.

Sixth . Policy to Limit the Emergence of New Informal Settlements

To limit the emergence of new informal settlements, the state must develop a plan that relies on re-planning existing urban areas, because the real problem is not in the lack of lands, but in the failure of zoning plans to respond to the population growth, so providing lands covered under zoning plans prevents the emergence of new informal settlements.

Conclusion

The phenomenon of informal settlements began in the middle of the last century and expanded rapidly after 1965. Informal settlements have transformed from a social phenomenon that can be addressed into a social, political, economic, cultural, and environmental problem that needs an urgent solution. Therefore, the paper proposes below a set of intervention policies to address the problem:

- 1.** When seeking a solution to the problem of informal settlements, the solution should start from its root causes, because all the causes and factors that caused informal settlements fall largely on the authority, while citizens are the victims of a wrong housing policy that has not been able to secure their right to housing.
- 2.** The right to adequate housing must be guaranteed in the Syrian constitution, and the authorities must be obliged to address the problem of informal settlements, taking into account the provision of housing for citizens living in informal settlements.
- 3.** When passing legislation to address informal settlements, the legislator must adopt a philosophy based on the fact that right holders in informal settlements are victims who must be redressed, rather than violators who must be punished.
- 4.** Acknowledgment of the existence of "informal settlements" must be accompanied by recognition of the right of residents to alternative housing instead of the homes they lost, because the right to housing precedes the violation of the law, and is even a right established before the existence of the building violations law.
- 5.** The legislation must stipulate that the authority, when removing, redeveloping and rebuilding informal settlements, must return the residents to their environment and neighborhood, as one of their social and moral rights.
- 6.** The proposed informal settlements legislation must address the problem of proving ownership, according to a set of controls that provide citizens with facilitated means to prove their rights to ownership, and take into account the circumstances of the conflict and the resulting loss of documents, and the difficulty of reaching their original homes, especially refugees or IDPs wanted for security reasons.
- 7.** In terms of urban policies that should be adopted to address informal settlements, the settlements must be divided in the legislation into categories according to several criteria. The important point in this context among such classification criteria is the ability of the criterion as a factor for determining the mechanism by which informal settlements are to be dealt with to be included within the urban fabric.

- 8.** Since solid informal settlements are not of the same degree of solidity or the same level in terms of public facilities, and they also vary in the extent of adherence to zoning plans, it is necessary to choose the appropriate urban model for them. Some informal settlements can be restored by "urban renewal", others by "rehabilitation", and a third type by improving the level of facilities and comfort.
- 9.** As for unsafe informal settlements, the only solution that works for them is "removal" be it complete or partial removal. However, the administrative body should not start the removal without providing guarantees of alternative housing for the residents of such informal settlements and returning them to their areas after reconstruction.
- 10.** Existing informal settlements should be surveyed, a plan thereof should be drawn according to their current situation, and they should be encircled to prevent their horizontal growth. Their vertical growth should be monitored.
- 11.** Preventing the establishment of new informal settlements by issuing zoning plans in a timely manner, which meets the population growth and people's needs for housing.

2024

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