National Technical University of Athens

School of Rural and Surveying Engineering

FORMALIZING INFORMAL SETTLEMENTS IN EASTERN EUROPE:
Lessons from Experience

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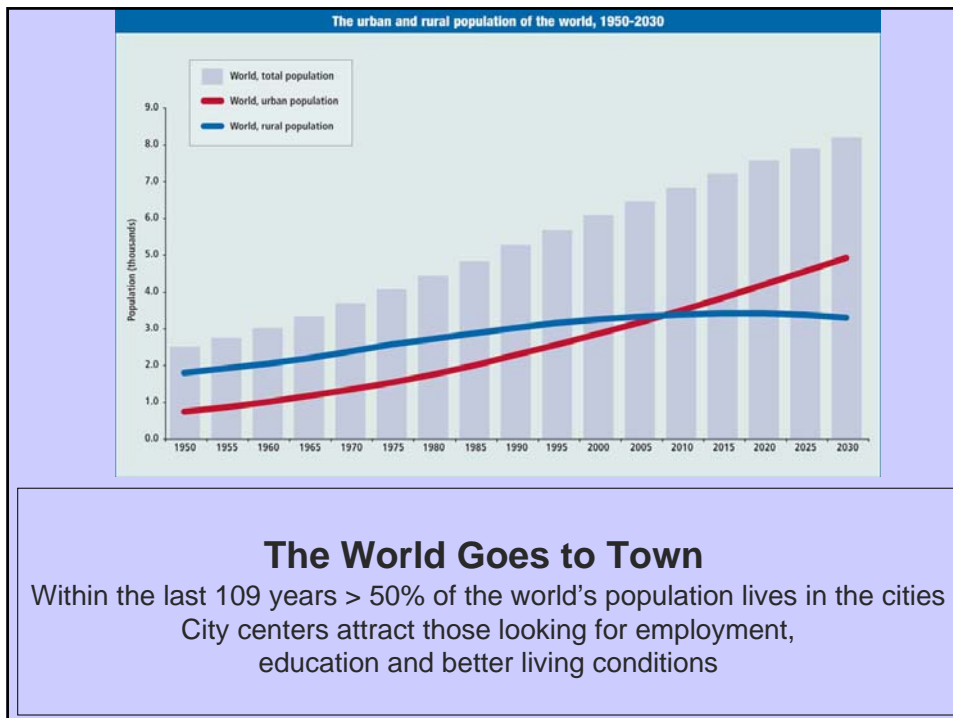*chryssyp@survey.ntua.gr*

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Content- Formalizing IS

- Rapid urbanization in Eastern Europe
- Causes and results of informal development
- State of the Art
- Environmental, legal, social & economic impacts of rapid informal development
- Tools used for formalization and good governance
- Thoughts and proposals

The urban and rural population of the world, 1950-2030

- World, total population
- World, urban population
- World, rural population

The World Goes to Town
Within the last 109 years > 50% of the world's population lives in the cities
City centers attract those looking for employment,
education and better living conditions

ID is not a novel issue for Europe
(20 countries, 50M people)

- Specific political, social, and rapid economic conditions, urbanization
- Minorities, refugees, migration, marginalization
- Post World War II poverty
- Lack of housing policy, financing mechanisms
- Inconsistent, complex & unrealistic legislation for regularization
- Excessive bureaucracy regarding building permits
- Illegal subdivision and construction on rural lands
- Weak monitoring, control tools
- Inefficient cadastre & planning
- Market pressure, high land values

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Types of ID in western Europe

- Land tenure: Squatter settlements, Inner city slums-Roma settlements, migration

- Illegalities in planning and building regulations: in rural land, coastal zone, forest, protected areas, city centers, etc

Tools long used in Europe

Portugal, Spain, Italy, Greece, Turkey have long experience

Various tools and urban development programs have been implemented in the last 50 years:

- privatization of urban and rural land, rural reforms,
- regularization,
- urban regeneration /upgrading projects,
- legalization and integration,
- affordable or alternative housing systems,
- resettlement and reallocation,
- spatial planning, urban planning, environmental impact control

Lessons from Experience in Southern Europe

- Social housing, resettlement-costly, can only be applied for specific groups

- Legalization (Italy, Turkey, Spain, etc): it works, but it does not solve the problem. Criteria are necessary.

Private sector's pro-poor construction? Example in Italy:

Construction in violation to zoning regulations to be sold to low-income families. Agreement with politicians for connections to services

Policy needs to be formalized

- Sporadic demolition (Italy, Greece)
  unpopular, cost and time consuming, democratic procedures needed to be respected, possibility for court resolution

- Urban regeneration and formalization

  organization of urban units and neighborhoods & provision of infrastructure
  Time and cost- consuming

  **public acceptance + participation
  Constitutional constraints???**

Example in Greece

since 1983, in total:

➢ Urban plans compilation: 60,000 ha

➢ Land readjustment completed: 45,000 ha

➢ Legalization process completed: 25,000 ha

Informal development in Eastern Europe: Causes

1990-2009 (~ 20 years of development!)

- Poverty: rural poor searching for job opportunities and better living conditions
- Rural land is not farmed for various reasons
- Lack of **low-cost**, but also of **good quality** housing
- Lack of serviced areas
- Conflicts led to massive movement of people to more safe places:
  many fled their homes and their countries to escape danger

Informal development in Eastern Europe: Causes

- Outdated Mater-plans (some even from soviet period) and soviet period construction norms
- Lack of important strategic/policy documents on: spatial and urban development, settlement policy, housing policy etc
- Lack of urban planning regulations and plans
- Inefficient monitoring tools and sanctioning systems
- Development is carried out by the private sector rapidly without any regularization or control for sufficient scientific or professional involvement

Informal development in Eastern Europe: Causes

- Weak regulation, **reluctance for any state control** or enforcement of rules
- Poor administration and total relax based on extreme neo-liberal approaches
- Low level of **public participation**
- Low salaries of civil servants, high level of **corruption**, problems with court decision executions

Informal development in Eastern Europe: Causes

- Problems in **securing ownership rights** after privatization of land
- Overlapping responsibilities both within land tenure, and environmental control aspects
- Lack of coordination in applied policies
- Considerable environmental degradation inherited from the past regime (e.g., complete absence of industrial and hazardous waste management, urban water supply systems are plagued by problems)

Homo-Soviet was not an owner so he has limited understanding of rights and responsibilities

Lack of **experience and knowledge** about:

"private **ownership rights**"

and the value of keeping **records** updated, and

other **responsibilities** owners have:

- *maintenance* of constructions,
- property *taxes*,
- *fees* for connections to services,
- *contribution with land and money* for improvements

Public Administration is not reliable

In many cases there are problems with:

✓ Unfair land privatization process
✓ Corruption to:
  – Register a transaction
  – Acquire a building permit,
  – Overcome field inspection,
  – Overcome court decision, to overcome execution

The actual situation: uncontrolled urban development

- ➢ scattered urban development often exceeds thresholds for economic provision of communal and other services
- ➢ creates additional pressure on the environment and natural resources
- ➢ public interest often neglected or ignored
- ➢ transformation of agricultural land into construction land

All types of Informal Development exist

The extent of informal development varies mainly squatting on public or private land, and violation of regulations

In some regions these are single-family houses, while in some others they may even be as extensive as 10 story multi-family buildings!

Informal Development in protected areas with tourist potential

Illegal waste disposal on the way to an eco village in a National Park

Logging in a National Park

Illegal construction in a National Park

"Village" : illegal settlement without connection to municipal infrastructure for fresh water and sewerage system

Illegal garbage dumps

Smoke from burning waste

Risks:
- ugly cities
- loss of state and local revenue
- unsafe constructions
- disappeared recreational, green zones and parks

Extension of existed multifamily housing by additional construction was very common for several years and is still permitted in some areas There is a risk that multi-flat houses will turn into slums

Formalization of ID in Eastern Europe

- Massive legalization with limited general criteria focused on ownership rights and registration, in order to activate "dead capital"

- Demolition of sporadic constructions

- Massive demolitions: 1,600 informally built buildings were torn down and 4,000 legalized in Croatia

- Informal buildings are registered in a separate layer in the Cadastre in some countries

- Upgrading and regularization

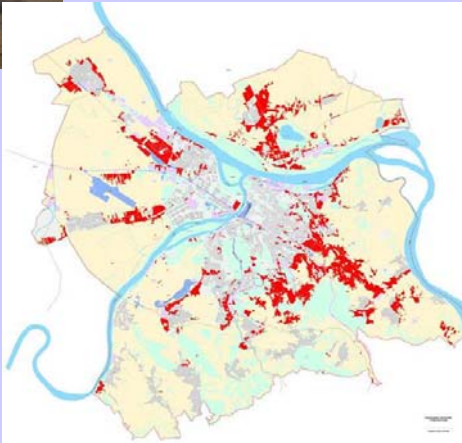- Improvement of spatial & urban planning, permitting & inspection

Regularization example

Kalugerica

Located just 8 km away from Belgrade

It has grown rapidly since the 1980s when it was home to 12,000 people.

Its population today is estimated at 50,000

Challenges in improving planning   (1/2)

- Citizen participation should be empowered
- Participation of public authorities and institutions, for coordination and integration of spatial information, has to be improved
- Qualitative Environmental Reports are necessary
- Clarification of responsibilities for the various types of inspection
- Illegal constructions usually are not registered in the Cadastre. This has a negative impact on the preparatory works for elaboration of urban plans

Challenges in improving planning   (2/2)

- Constitutional constraints make it impossible to apply urban regeneration projects, since it is difficult to persuade people to contribute with land
- Coordination and cooperation regarding land management between state and local level is needed.
- Lack of funds and personnel in planning authorities is a problem
- Enforcement of the plans?

Proposals   (1/2)

Improvement of legislation is needed to:
- strengthen institutional coordination, empower local governments
- elaborate urban planning documentations for the cities
- adopt simple, transparent procedures to facilitate legalization of property rights
- enable demolition of the very obvious illegalities and adopt transparent, fair and democratic procedures, and resettlement
- develop the sanctioning/punishment system to eliminate corruption and strengthen monitoring system (reduce human involvement, improve transparency of the procedures)
- encourage public participation in processes

Proposals   (2/2)

- adopt a strategic spatial plan and only those regulations that can be easily controlled
- eliminate Constitutional constraints (e.g., in land taking)
- improve education and raise awareness about property registration and planning; keep fees low
- formalize the role of the private sector
- adopt flexible, realistic, and incremental planning procedures for urban expansion to avoid corruption and informalities

Current informal urban expansion make it unlike any of the big changes that countries have experienced in the past

Results of informal or unplanned Development cannot be easily addressed:

markets cannot function well
high urban density,
traffic congestion, parking areas
crime,
pollution,
hazards (floods, fires, earthquakes)
lack of services
fresh water
energy supply,
waste management, sanitation,

- It is a matter of human rights that people are free to choose where they will live
- Nobody wants to live in a city which is congested, suffers constant blackouts and frequent floods, with few parks, awful schools and clinics, devoid of any buildings of charm and character, governed by incompetent public sector
- It is a matter of good governance to achieve sustainable urban growth
- Restrictions on private rights in the use of land in terms of air, soil and water pollution have to be applied and accepted by all market participants. All must share the costs of the natural resources they consume. Protection of the environment is an emerging priority

References

Photographs and information used for this presentation are derived from:

- papers presented in the recent FIG Commission 3 and UNECE WPLA Workshops

  Doris Andoni, Flamur Kuci, Shpresa Leka, Sonila Jazo, Jeronimo Miron, Chryssy Potsiou, Efi Dimopoulou, Akrivi Leka, TCG, Yvonne Mueller, Sasha Tsenkova, Damir Pahic, Natja Jokhadze, Babis Ioannidis, Panunzi, etc

- internet research

Bio information

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She is a Dr. Surveying Engineer, Lecturer, Lab. of Photogrammetry, School of Rural and Surveying Engineering, National Technical University of Athens (NTUA), Greece, teaching Cadastre, Land Management, and Spatial Information Management.

Since 1982, she also works as a private consultant mainly in cadastral, photogrammetric, urban planning and regeneration projects.

She has been an elected member of the UN-ECE WPLA Bureau for the periods 2001-2003, 2003-2005, 2005-2007, and 2007-2009. She is the chair of FIG Commission 3 on "Spatial Information Management", for the period 2006-2010.