



National Technical University of Athens
School of Rural and Surveying Engineering

**RESOLUTIONS OF FIG COM3, UNECE CHLM &
WPLA JOINT WORKSHOP ON:**

**SPATIAL INFORMATION MANAGEMENT
TOWARD LEGALIZING
INFORMAL URBAN DEVELOPMENT**



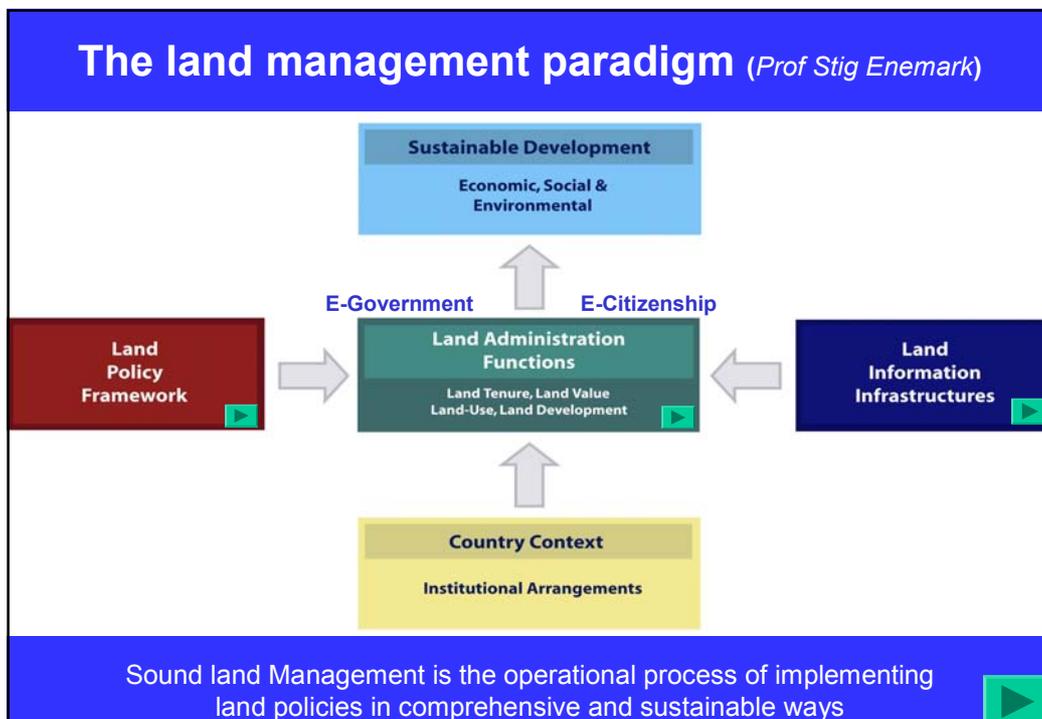
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*FIG Working Week 2008 – Integrating Generations & FIG/UN –HABITAT Seminar
Improving Slum Conditions through Innovative Financing*

**RAPID POPULATION INCREASES OFTEN LEAD TO
UNPLANNED OR INFORMAL DEVELOPMENT**

- **50% of the world's population lives in the cities. City centers often attract those looking for employment, education and better living conditions. Much of the world's current urban expansion is caused by the poor migrating in unprecedented numbers. This situation is found in low- or middle- income areas and results in an overwhelming capacity in certain places.**
- **1 of every 3 city residents lives in inadequate housing with few or no basic services, like fresh water sanitation or security. The world's slum population is expected to reach 1.4 billion by 2020. People seem to prefer to live in urban squalor to rural hopelessness.**
- **It is a matter of human rights that people are free to choose where they will live; however it is a matter of good governance to achieve sustainable urban growth.**

- Why do surveyors and land administrators care?
- How are they involved?
- What is their role?



Land Policy

(Prof Stig Enemark)

Land policy is part of the national policy on promoting:

- Economic development
- Social justice and equity
- Political stability

Land policies may be associated with:

- Security of tenure
- Land markets – land transactions & access to credit
- Real property taxation
- Sustainable management and control of land use
- Provision of land for the poor, minorities and women
- Measures to prevent land speculation and to manage land disputes



Land Administration Functions

(Prof Stig Enemark)

Land administration functions ensure proper management of rights, restrictions, responsibilities and risks in relation to property, land and natural resources

- Land tenure, securing and transferring rights in land and natural resources
- Land value, valuation and taxation of land and properties
- Land use, planning and control of the use of land and natural resources
- Land development, implementing utilities, infrastructure and construction planning



Land Information Infrastructure

(Prof Stig Enemark)

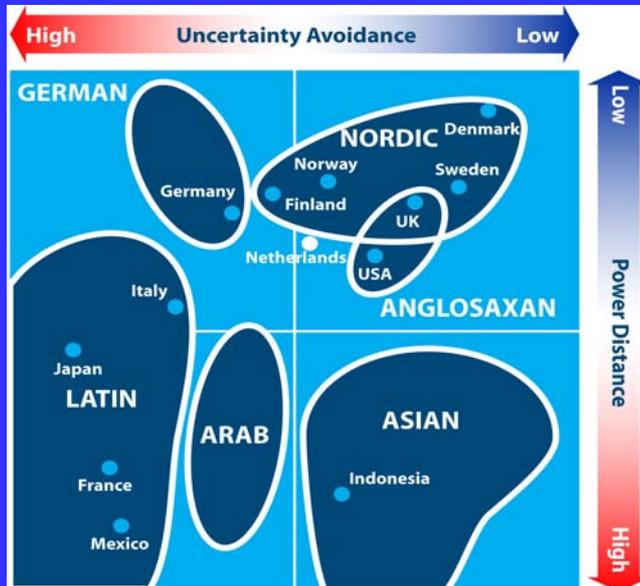
- Cadastral data, topographic data
- Spatial data infrastructure (data sharing, cost recovery, access to data, data models and standards)



Lack of an integrated approach

- In many countries there is a tendency to separate land tenure rights from land use rights
- Planning and land use control is not linked with land values and the operation of the land market
- This may be compounded by poor management procedures that fail to deliver required services
- This reveals a much deeper problem: the failure to treat land and its resources as a coherent whole
- Many countries in Europe are facing problems in this regard and with regard to informal urban development

A cultural map of the world



Uncertainty avoidance:

The preference of structured situations over unstructured or flexible ones

Power distance:

The degree of inequality among people accepted by the population

Geert Hofstede (2001)

Informal Urban Development

- “Informal”, “unplanned”, “illegal”, “unauthorized” or “random” urban development is an issue of major importance in a large number of countries. There is no clear common definition of what an “informal settlement” is
- The most important factors for characterizing an area as such are: **land tenure, quality and size of construction, access to services, and land-use zoning**
- **According to UN-HABITAT, the largest slum areas are in sub-Saharan Africa, South and East Asia, Latin America and the Caribbean, ex-Soviet countries, and West Asia**
- **Although not all informal development can be characterized as slums, it may still present serious environmental, social and economic problems**

The major reasons for informal settlements are:

- historic, political, social, and economic conditions leading to urbanization
- Population fluxes as a result of armed conflicts and natural disasters
- lack of spatial information & planning
- unrealistic zoning regulations
- marginalization, poverty and lack of financing mechanisms for affordable housing
- inconsistent and complex legislation
- excessive bureaucracy regarding land development and building permits
- illegal subdivision and construction on agricultural lands
- political reluctance to confront the situation

Social exclusion

Roma communities in Serbia & Montenegro (up left)



The housing crisis of refugees and displaced people in:

- Azerbaijan 12% of the population (down left)
- Georgia (right)
- Montenegro

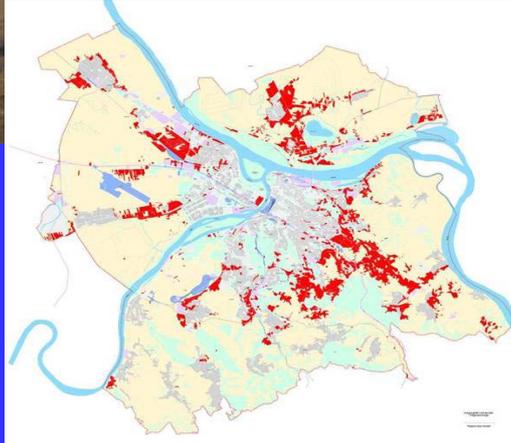


Regularization

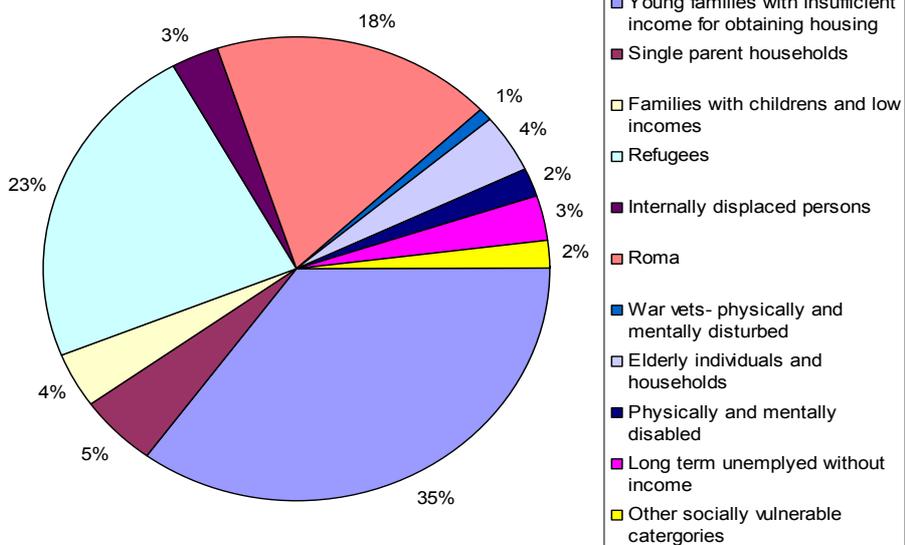


KalugERICA

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



Informal settlement residents in Belgrade



Squatting on state land is less common phenomenon in western Europe today

- Today the majority of informal construction in many parts of the UNECE region is of a **good, permanent type**, and can be characterized as “affordable housing” especially where no affordable housing policy is provided by the state.
- Land values at the fringe of urban areas are lower and more affordable to low-income households. Therefore, informal development is located in such areas, and is accompanied by illegal construction on either legally owned small land parcels or on squatted public land for housing purposes. This is usually characterized as “illegality of need”.

Matrix of Informal Settlement Types in Eastern Europe

	Inner city	Peri-urban	Substandard/Slums	Relatively good quality
Squatter settlements on public or private land;	•	•	•	
Settlements for refugees and vulnerable people;	•		•	
Upgraded squatter settlements	•	•		•
Illegal suburban land subdivisions on private or public land		•		•
Overcrowded, dilapidated housing without adequate facilities	•		•	

THE EFFECTS OF UNPLANNED DEVELOPMENT

Illegal construction often involves:

- **high construction costs,**
- **poor construction quality,**
- **lack of access to public services, and**
- **cannot be transferred or mortgaged**

A considerable amount of capital is tied up in such buildings

Types of Informal buildings

The extent of unplanned development varies

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 appears in attractive vacation areas due to the rapid increase of land demand by local or international market participants





Informal buildings within forest land

Situation after a big fire



Views on Legalization

- Those who have followed the building and land-use regulations do not support the legalization of unplanned development.
- Unplanned development though as a major social phenomenon indicates a need for system change.
- Legalization where feasible, can support the real estate market and the national economy.
- Legalization initiatives accompanied by penalty fee charges have been applied in several European countries and other areas worldwide.
- Some experience shows that legalization initiatives may encourage new unplanned development in the following years.
- Legalization may be accomplished through integration into a formal urban plan, with parallel land improvements and provision of services

Legalization & Upgrading



Across Albania, ALUZNI is in the process of legalizing 681 informal zones, (23 000 ha). ALUIZNI has recorded some 350,000 requests for legalization, out of which some 80,000 are multi-dwellings apartments and shops

Demolition versus Legalization

- Illegal buildings should be judged according to their safety and environmental impacts. Many believe that those constructions leading to general environmental burdening should be denied legalization. Demolition of such buildings has been ordered and accomplished in Italy, Greece, and on a larger scale in Croatia.
- Experience shows that informal constructions built to serve a social need for housing needs should be dealt with differently from those constructed purely for profit.
- An agreement for an exchange of land may be an example of good practice.

Reducing the phenomenon

- Legalization initiatives, punishments, penalty fees, demolition do not stop the phenomenon!
- The promising tools of today are satellite imagery and automated photogrammetric procedures for environmental monitoring
- Adoption of affordable housing policies, reduction of unrealistic regulations and standards can help to increase land supply while decreasing land costs.
- The lack of reliable SDI tools frequently creates delays in spatial planning
- Access to property rights, ownership, information, legal advice, dispute resolution mechanisms, mediation should be considered as fundamental rights of the disadvantaged people.

Reducing the phenomenon

- Registration of property rights of both formal and informal constructions is important for proper decision making.
- Land-use planning is the task of government at appropriate levels. Citizen participation should be part of the planning process.
- Coordination among land related agencies should be strengthened. The private sector should play a role.
- Municipalities should be independent from governments in terms of funding. Real property taxes should be collected and reinvested locally, while citizens should recognize their responsibility to contribute to the cost of land improvement and the provision of services.