

ГОСУДАРСТВЕННОЕ И МУНИЦИПАЛЬНОЕ УПРАВЛЕНИЕ

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THE ROLE OF INFORMAL SETTLEMENTS AND THEIR IMPACT ON SOCIETY

Abstract. *A slum complex is a residential complex constructed informally on either government-owned or private land within city limits and without official approvals or pre-established designs. Most of them either conflict with or are unsuitable for the designated land utilized and supported by authorized metropolitan comprehensive plans and specific plans. The emergence of informal settlements in Iraq has occurred only recently. This problem became evident clearly and had a strong impact after 2003, mainly as a result of the lack of central authority or the weak rule of law, as well as widespread insecurity, which provoked waves of violence, which led to internal displacement, which was exacerbated by the scarcity of serviced and affordable land within cities, predominantly on state-owned land within municipal boundaries. Most of these settlements are comprised of inadequate housing that lacks essential physical and environmental standards, marked by severe poverty, deprivation, and insufficient services. Furthermore, certain informal divisions have enticed affluent residents to capitalize on the existing situation and the surge in unregulated real estate development, often with minimal oversight over construction activities.*

Many of these communities exhibit similar traits, such as poorly constructed housing, inadequate public services and infrastructure, and an urban environment in decline, contrasting sharply with the standards found in nearby formal residential areas.

The legislator and the official took into account this case and its illegal motive and created a legal formula that gave it the status of an official residential complex with some administrative controls and permits as a procedural solution for the existence of these random complexes for his prior work that it is not possible to remove them.

Keywords: *slums, informal settlements, Iraq, urban problems, infrastructure, quality of life, economic prospects, legislation, control.*

Introduction

The rapid urbanization trend is evident as approximately four billion individuals currently reside in urban areas globally [1; 2, p. 685]. Out of this population, more than 1.6 billion individuals reside in underserved urban areas or informal settlements, often referred to as slums [3]. The anticipated increase in slum residents will likely exceed a twofold rise over the next 30 years unless significant interventions are implemented [2, p. 685; 4, p. 337-338].

While large cities are projected to expand further, the majority of urban residents currently reside in smaller to mid-sized urban areas [5, p. 16-23; 6, p. 33-41; 7, p. 93-104]. These locales often face challenges such as inadequate local

governance structures, deficiencies in basic service provision, and limited capacities to ensure optimal living standards and healthcare for their inhabitants [5, p. 16-23; 8, p. 1-322; 9, p. 586-599].

Achieving sustainable and fair development in these urban areas will necessitate extensive, collaborative efforts spanning from local to global levels. Residents and participatory practices have a crucial role in this context. Their significance lies not just in accessing improved and more readily available data, but also in effectively transforming this data into actionable insights. These insights are essential for facilitating decision-making and planning across various levels [10, p. 47-57; 11, p. 31-46].

Enhancing the quality of life and economic prospects for residents in informal settlements hinges on a precise assessment at the urban scale. This assessment identifies severely underserved neighborhoods and pinpoints those that could rapidly benefit from targeted, minor infrastructure improvements [12, p. 8963-8968]. Assessments of whether a community lacks sufficient services heavily rely on local factors. Analyzing building topology concerning the established road network provides a measurable standard [13].

Informal settlements typically feature a complex and varied layout, often dense and irregular. Residents predominantly modify their homes through small-scale social and physical adjustments, reflecting local human-scale needs and preferences [14, p. 63-75].

Informal settlements encompass diverse residential areas where communities reside in self-built housing, characterized informally due to their legal status, physical conditions, or both [15].

The General Organization of Physical Planning in Egypt (GOPP) defined informal settlements in 2006 as; “areas developed through individual efforts, whether with single or multi-story buildings or shacks, without adherence to legal regulations and lacking physical planning. These settlements are typically situated on lands not designated for housing in the city's master plan. While some buildings may be in good condition, they often lack basic services and utilities, posing environmental and social risks” [16, p. 12-16].

Informality represents a widespread trend present in both the Global South and increasingly noticeable in the Global North [17, p. 267-286]. In the Global South, this phenomenon has become deeply rooted as a lifestyle and is most evident in informal settlements' ongoing expansion and deteriorating conditions. These settlements are a lasting and increasing outcome of urbanization and are a prominent indicator of social, economic, and physical disparities [18]. In 2015, it was estimated that about one-quarter of the global population resided in informal settlements such as slums, amounting to roughly one billion people worldwide. This number is projected to increase twofold by 2030 [19]. Informal settlements, often burdened with a negative reputation and viewed as an urban policy challenge, play a crucial strategic role in urban development. They offer low-income populations access to affordable housing, land, and financial resources. Additionally, these settlements supply the formal city with labor for industries, construction, public services, and service sectors, as well as providing inexpensive goods and services [20]. Many informal settlements exhibit

innovative, resourceful, and well-organized housing practices. The development and expansion of these settlements typically occur without adherence to official codes and regulations [21; 22, p. 297-319].

Cities evolve through a combination of structured and unstructured practices and processes [23; 24, p. 1040-1051]. Urbanization mirrors broader patterns of globalization and commercialization, playing a crucial role in the social, political, and economic evolution of cities. Traditionally, significant physical transformations in urban areas have been driven by planned city renewals and expansions, which encompass city infills, land readjustment and acquisition initiatives, basic service provision, housing schemes, and public open space planning [19]. In Asia, rapid urban development spurred by market dynamics and extensive infrastructure initiatives has led to swift changes in cities. This shift has heightened the need for affordable housing, land, workforce, and job opportunities, while also amplifying the significant role of informal activities in the urban economy [20; 25, p. 1-21].

From urban and local master plans to various stakeholders and community groups targeting the 'development' of particular city regions and their segments, often with diverse standards, motivations, and results and minimal coordination, the city evolves on multiple levels [26, p. 169-195]. In this scenario, transformation is complex, debated, non-inclusive, evolving, and can take spatial, temporal, or functional forms. Informal settlements typically exhibit fine-grained, dense, and irregular patterns. Most transformations at the local, human scale involve residents making small-scale socio-physical changes and adaptations [26, p. 169-195; 27, p. 63-75].

The United Nations established the World Urban Forum in 2001 and introduced the "Cities without Slums" initiative. This program uses the term "slum" to refer to "a broad spectrum of low-income settlements and/or inadequate living conditions" [28].

Since then, there has been a growing international focus on informal settlements and their inhabitants, leading to the implementation of several key policy initiatives. These include the UN Charter on Housing Rights, the Universal Declaration of Human Rights, UN-HABITAT standards for informal housing, Chapter 7 of Agenda 21, and Goal 7, Target 11 of the Millennium Development Goals [29, p. 22-23].

Squatting refers to the unauthorized or informal occupation of buildings or land. According to UNCHS, housing tenure pertains to the rights

households have over the housing and land they occupy, specifically regarding land ownership. This encompasses households living in squatter housing without legal title to the land they occupy, and who do not pay rent, as well as those in squatter housing paying rent [30].

Due to the insufficient official response to the increasing housing demands, Informal Settlements have emerged as a natural solution. This trend can be attributed to several factors such as the post-colonial transition, rising urban poverty rates, and the effects of structural adjustment policies and other neoliberal programs that have limited formal welfare opportunities for the impoverished [30].

Unplanned urban sprawl has become a critical global issue today. The status of Housing, Land, and Property Rights (HLPR) not only impacts people's ability to live comfortably and sustainably, but it also directly affects their safety and well-being. According to the latest report from the Special Rapporteur on adequate housing, which emphasizes the right to an adequate standard of living and non-discrimination, transmitted to the UN General Assembly by Secretary-General Ban Ki-moon on 8 August 2016, adequate housing is intricately linked to the rights to life, security, and dignity. The report highlights that poverty and inadequate housing are estimated to contribute to a significant portion of global deaths, underscoring the urgent need for improved housing conditions worldwide [31].

In Iraq, an informal settlement refers to a residential area constructed without proper approvals or predetermined designs on either state-owned or private land within municipal boundaries. These settlements often deviate from the intended land use originally outlined in urban master plans and detailed plans [32; 33, p. 1-28]. Several of these settlements exhibit similar features [34]:

1. Poor-quality housing construction.
2. Absence of essential public services.
3. Deteriorating infrastructure and urban environment.

The city of Baghdad faces challenges with unplanned settlements, as illustrated in figure 1 [35, p. 12]. These informal residential areas have arisen due to various factors, which we will explore further. There is a possibility to tackle the issue of informal housing and enhance the urban environment [36].

Informal settlements refer to areas where clusters of residential units have been built on land either not officially owned by the residents or occupied without legal permission [37]. The illegality of spontaneous housing constructions is partly due to the rapid population growth observed in numerous cities in developing regions. Various factors contribute to this phenomenon, such as incremental building according to financial capacity, a practice adopted by families to expand their homes gradually [38].



Fig. 1. Indiscriminate settlements in Baghdad [35, p. 12]

The Arab Institute defined unauthorized houses as constructions erected on government-owned or privately-owned land without proper permission. These dwellings are typically situated in regions lacking governmental services and beyond direct governmental oversight [39]. Approximately 1.6 billion individuals worldwide reside in substandard housing conditions, among them one billion people living in slums and informal settlements [40].

The Causes and Challenges of Informal Housing in Iraq: A Technical, Social, Political, Legal, and Administrative Analysis

1. Technical reasons

There is a lack of affordable residential plots due to delays in implementing adequate services and infrastructure, delays in implementing residential areas according to the proposed expansion and approval through master plans for financial and administrative reasons, and the failure to implement new cities and towns. In numerous areas, informal settlements by local populations gain social acceptance from the authorities as a resolution to housing issues. However, this approach intensifies the problem. Implementing control measures and enhancing oversight are the solutions.

2. Social reasons

One of the main reasons is the desire or necessity for certain ethnic groups or minorities to establish themselves in specific regions, which occasionally compels them to settle there and leads to the development of informal settlements. This situation is tied to the significant population growth rate, driven by societal norms that promote childbirth and large families. Consequently, the persistent demand for housing remains high, yet the development of new housing is not keeping pace.

3. Political reasons

The significant number of low-income households, caused by factors such as security tensions, terrorism, unemployment, forced migration, and displacement, prevents them from obtaining formal housing. The absence of subsidized economic and social housing has resulted in a significant increase in land and property prices, fostering the growth of informal settlements in Iraqi cities, particularly in Baghdad.

4. Legal reasons

Outdated laws and regulations create an unappealing economic environment for investors

interested in funding social housing projects. There is also no legislative framework allowing the organization of an informal settlement.

5. Administrative reasons

Various legislative hurdles, such as required approvals and fees, complicate the processes of buying, selling, and even renting properties. These barriers make the housing market less appealing for investors, particularly in the realm of social housing. The situation worsens the new economic housing construction shortage, leading to a decrease in informal settlement housing. Despite the availability of government loans at reduced rates, these are insufficient and primarily benefit middle and high-income groups, neglecting the needs of low-income individuals. The reason for this is that the loan necessitates the applicant to possess a residential piece of land as security, which most families do not have.

The increasing need and housing market have exacerbated the imbalance due to various elements, including rapid population growth, insufficient housing development, displacement, and migration. These elements collectively facilitate the expansion and proliferation of informal settlements unless the sector is revitalized, improved, and differentiated, and support is extended to people experiencing poverty.

At the community level, trial initiatives will be implemented in key sectors like residential development and public-private collaborations to create new neighborhoods, aiming to test and confirm the innovative strategies outlined in the policy. Projects that achieve success will be implemented in various other regions nationwide. Effective communication and promotion will be crucial for the success of field reform and pilot initiatives. This policy signifies a fundamental change from a top-down approach to housing provision to an enabling strategy where the government oversees the sector. At the same time, private enterprises construct the majority of housing. Engaging private sector firms in housing construction, providing financial support for housing projects, and overseeing the development and management of shelter infrastructure will necessitate extensive initiatives. Figure 2 illustrates the housing strategy implementation approach.

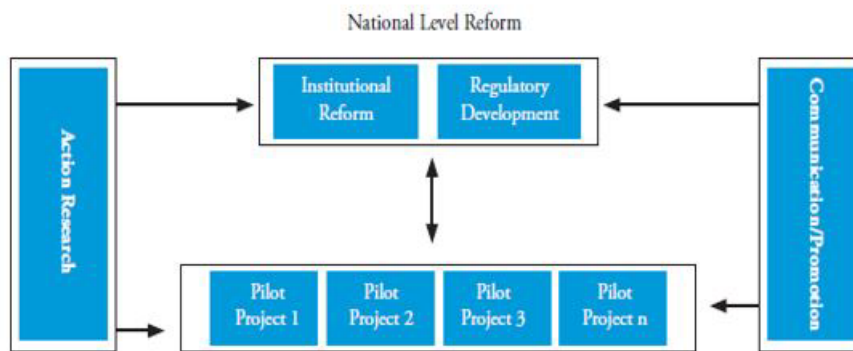


Fig. 2. Housing Strategy Implementation Approach

Efforts will be made to promote the new approach and persuade stakeholders that the benefits exceed the risks. Another important aspect is applied research, focusing on key topics to enhance policies or implementation methods over time.

Enhancing the housing sector's performance is a multifaceted endeavor that necessitates a variety of diverse and ultimately interconnected efforts.

The primary approach to implementing Iraq's National Housing Policy is to improve the operating environment at senior government levels while formulating and testing pilot projects at the local level. As illustrated in figure 3, this approach will pave the way for the long-term sustainable development of the housing sector and begin to meet pressing housing needs from the earliest stages of policy implementation.

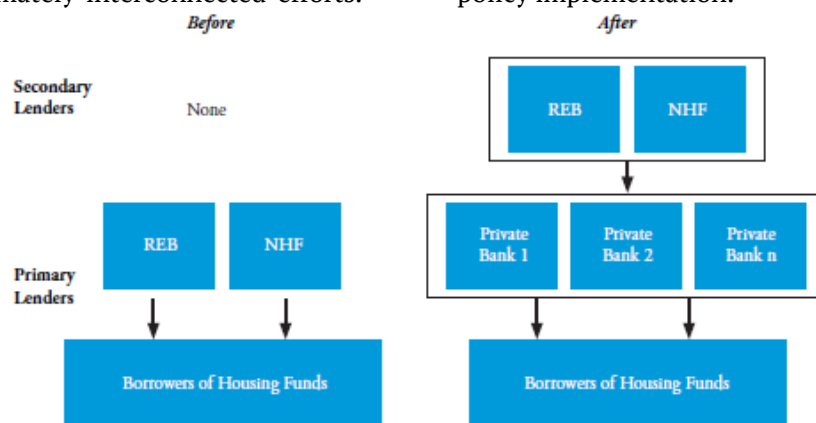


Fig. 3. Evolution of the housing finance subsector

The primary initiatives of the housing policy are set to be rolled out within a span of five years. Although it will take longer to achieve the objectives of this policy, it is possible to start all major initiatives before 2015 to begin reaping the benefits of a rational and productive housing sector, which is increasing significantly to meet the needs of the Iraqi people. This is different from saying that reform is expected to be achieved overnight. On the contrary, the overall shift from the public sector to the provision of housing on a larger scale in the private sector must be gradual, occurring over several years as the private sector's ability to respond to growing demand in a secure and economically vibrant Iraq improves. The capacity of housing lending by commercial banks is not at the easy, required and administratively successful

level, and this capacity is expected to grow at a tremendous pace. The sooner commercial banks enter the market significantly, the sooner they go. However, given the long time required to reform the legal framework, many banks will likely remain on the sidelines until the necessary collateral and financial asset recovery means are in place. Politics adopts this gradation not because the slower change is better but because it is the most realistic. Timely changes are expected to occur at a gradual pace.

Another critical axis for regulatory development will be in the area of housing finance, where a new axis will be that the Housing Finance Law and its accompanying implementing regulations are required to ensure that lenders and banks obtain these loans through adequate access to assets

in the event of loan default. This will require a comprehensive new law to provide for confinement, property restitution, and collateral resale.

Results

Due to rapid population growth, internal migration trends, insufficient affordable housing, failed previous housing initiatives, low household incomes, and soaring real estate prices in urban residential areas, Baghdad and its suburbs are experiencing a significant rise in slum settlements. The need for synchronized urban planning strategies and effective responses to population growth and housing challenges have perpetuated informal housing developments. This expansion has encroached upon agricultural lands surrounding Baghdad, extending into state-owned properties, institutions, and even allocated citizen plots. The proliferation of informal housing has risen across various parts of Baghdad. Residents have independently constructed dwellings within residential neighborhoods, military department headquarters, military industrial zones, mass organizations' facilities, and army camps, resulting in their conspicuous presence. Implementing robust urban planning strategies and housing policies is imperative to tackle these challenges effectively.

Indiscriminate land utilization poses numerous challenges, encompassing economic, social, and planning issues, which can result in urban deterioration, decline, and conflicting land use demands. The primary objective is to enhance the quality of life for both current and future citizens by effectively managing resources and ensuring a visually appealing urban landscape. Key risks associated with excessive land use include:

Urban hazards and distortion of the urban fabric: The issue arises from residents' widespread disregard and failure to adhere to urban planning laws and regulations. Authorities issue building permits through planning committees. Instances have been observed where houses are constructed without proper authorization, resulting in mixed-use conflicts. Consequently, this situation contributes to architectural discrepancies, the abandonment of many demolished structures, and an incongruity in building functionalities.

Environmental and health hazards: Proper urban planning ensures that cities can mitigate environmental and health risks by adhering to carefully devised strategies. Failure to adhere to these plans or the presence of urban blight can significantly harm the local environment and the well-being of its inhabitants.

Economic risks: Responsible authorities develop frameworks to oversee citizens' welfare and societal benefits and ensure adherence to laws. Non-compliance incurs costs for both authorities and citizens, impacting service provision and necessitating additional expenses for alternatives or enforcement measures.

Security risks: The authorities have developed a structural blueprint to ensure citizen welfare and security while minimizing risks that could jeopardize them. This necessitates careful consideration and maximum avoidance of such risks through efficient utilization.

Social risks: Social risks emerge when individuals do not adhere to laws governing construction and regulation, jeopardizing social security and causing social disruption and division.

1- Informal settlements diminish the space of the green belt encircling Baghdad, exacerbating desertification and posing a significant challenge to agricultural livelihoods.

2- Deficient services and healthcare issues arise from inadequate infrastructure and service accessibility in these localities and their environs.

3- Extensive loss of agricultural land and green areas within the city has environmental consequences, notably contributing to regional desertification.

Institutional reform

The development of Iraq's institutional and regulatory framework following the war continues. Although the Constitution provides clear directives for exercising various authorities, legislation and regulations concerning crucial economic sectors like housing are still being delineated. A comprehensive law covering the housing sector's requirements is needed. How housing-related institutions will exercise their new responsibilities in the future has not changed and has not yet been defined, nor have legal and administrative frameworks been established.

Discussion

Various factors contribute to the emergence of slums and urban sprawl, such as population growth, ineffective deterrent laws, a shift from agricultural activities resulting in land neglect for construction, and migration dynamics. Urban expansion contributes to the proliferation of city outskirts and informal settlements, resulting in the reduction of essential green areas vital for purifying Baghdad's environment. The green belts encircling the city serve as its final defense against environmental pollution.

- New residential developments should refrain from encroaching on agricultural land. The majority of housing units, over 70%, were constructed during the period from 2010 to 2020.

- The expansion initially emerged in various locations adjacent to the authorized residential zones, gradually spreading outward.

- Most households boast favorable incomes, with a majority employed in public sector roles, thereby aiding in addressing the issue.

- Urban regulations have a substantial impact on mitigating the overuse of agricultural land.

- Sprawling areas suffer from inadequate infrastructure such as schools, hospitals, police stations, and other essential facilities, posing health and safety risks for residents. This issue requires immediate attention.

The Steering Committee endorsed the roadmap, which was crafted with technical support from the UN representative. It was subsequently presented to the Poverty Reduction Strategy Committee, as mandated by Cabinet Resolution 91 (2014), in collaboration with the Ministry of Planning. Alongside the Ministry of Migration and Displacement and the Ministry of Housing and Construction in Baghdad, the UN representative initiated the "National Informal Sector Programmer for Settlements and IDPs." This initiative aims to establish an execution framework that supports national housing policies and a strategy for sustainable shelter solutions.

Conclusions

The burden of solving the problem of informal settlements does not lie with a single entity in any country; instead, multiple parties must take on this responsibility and find practical, permanent mechanisms with the future in mind. Planning issues are often costly for future generations, and they may have different resources, climate, security, and political situations to correct the course. It is disgraceful for an official to think with individualism and selfishness when making decisions in any profession, especially concerning one of the most essential human and citizen rights: housing. The failure to address the issues in an oil-rich country like Iraq, with its vast resources and immense human potential, exemplifies narrow-minded thinking, indifference, and shifting responsibility onto others, including future generations. This is evident in the actions of oversight and executive bodies in the parliament, government, and judiciary. The problem is that the burden of this responsibility does not allow the few professionals to challenge an entire system called

the people, who need to know their rights and duties before blaming the government or parliament, despite the importance of the latter and the revival of principles of accountability and oversight.

That being said, there are many solutions to the housing and informal settlements crises, both inside and outside Iraq, and there are excellent examples of other capitals overcoming this contemporary phenomenon since the beginning of the new millennium. In Iraq, the relinquishment of headquarters by political parties in government buildings and the evacuation of presidential palaces would have significant implications and be received as a moral gesture from the top of the political hierarchy to the rest of society. This step could restore a glimmer of hope in reestablishing respect and dominance of the law and its influence on everyone in society, thereby enhancing the application and appreciation of the Constitution by all.

Furthermore, starting to address the crisis of informal settlements and housing in the capital will have positive repercussions on national unity and rebuilding trust between the components of the Iraqi people and its provinces, which also suffer from a lack of trust and whose wounds from sectarian wars and sectarian tensions have not healed. Iraq's history is rich with crises, and researchers, academics, and historians must influence the political class to benefit from the vast amount of studies conducted by Iraq's esteemed universities, whose scientific connections date back to the British mandate days. The scientific heritage can find practical solutions to the current crisis, provided that officials are committed to professional implementation, free from favoritism, quotas, and political conflicts that burden the current political scene in Mesopotamia.

Recommendations

In order to reduce slums, the research recommends the following points:

1. Strengthen the capacity of central and local authorities to help prevent sprawl mechanisms.
2. Improvements to the legal framework.
3. Explore actionable solutions that build on successful experiences
4. Creating adaptability in the execution or restructuring of urban or environmental regulations, particularly focusing on their practical implementation and application. Identify the authorities responsible for this task, and establish or clarify the executive responsibilities through a dedicated parliamentary committee in collaboration with the Baghdad Municipality, which oversees these regulations.

5. Raising public awareness about the issue of informal settlements and their risks by distributing brochures and magazines that detail their detrimental impact.

6. Limiting the issuance of building permits on agricultural lands should be prioritized.

7. Encouraging residents to engage in agriculture, promoting investment in agricultural lands rather than leaving them unused for construction purposes, guiding farmers on modern farming techniques, and training them in using advanced agricultural machinery to enhance productivity.

8. Various methods exist to decrease informal settlements. These include constructing vertically rather than horizontally, minimizing land usage for buildings, focusing on building in rugged, non-agricultural terrain instead of fertile land, and adhering to policies that promote satellite cities.

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