Urban Recovery Framework for Post-Conflict Housing in Syria

A first physical, social and economic approach

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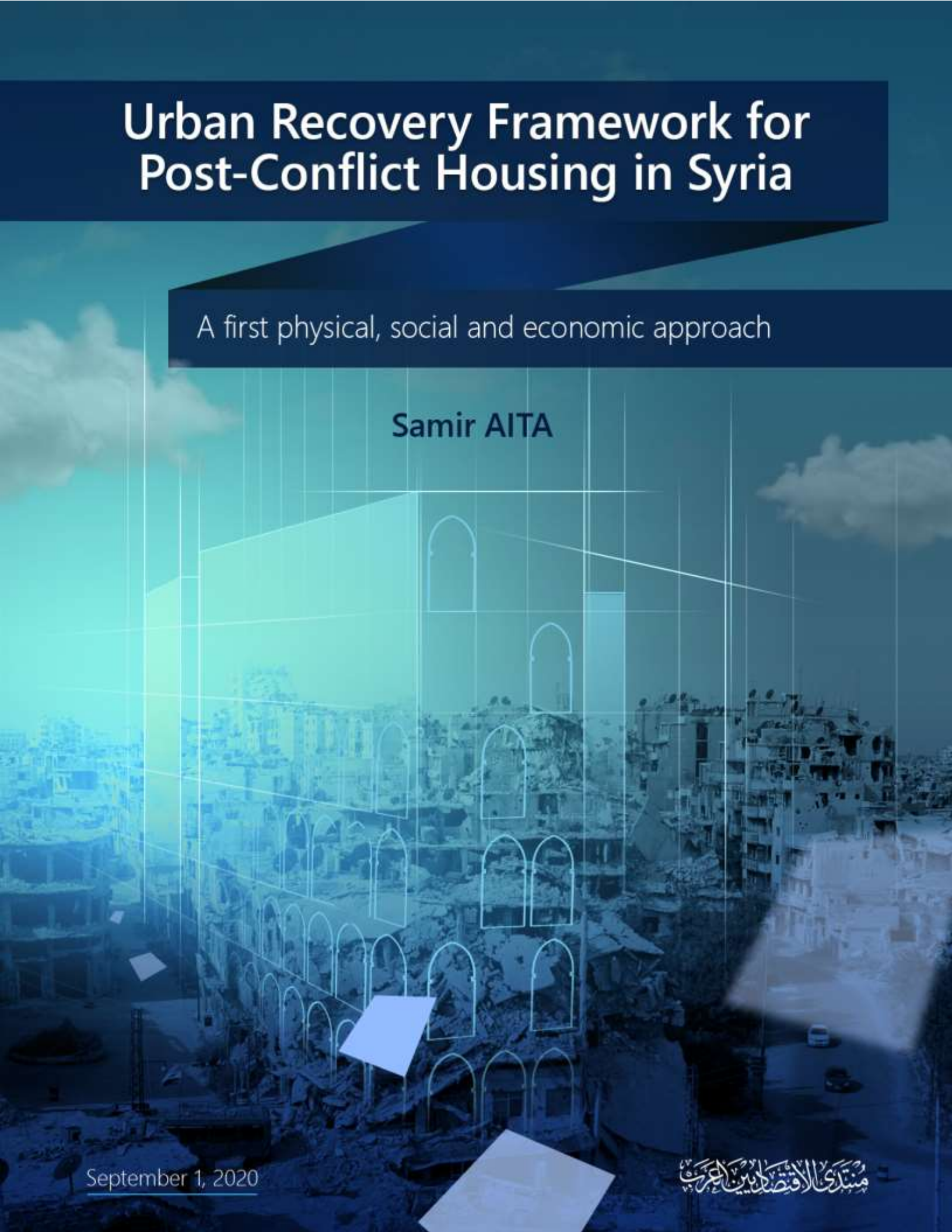

September 1, 2020

منتدى الاقتصاديين العرب

Urban Recovery Framework for Post-Conflict Housing in Syria. A first physical, social and economic approach.

إطار الانتعاش الحضري للإسكان بعد الصراع في سورية . منهج أوليّ مادي واجتماعي واقتصادي

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Acknowledgement

Support for this paper was provided by the Common Space Initiative (CSI) in Beirut. However, the content of the paper may not necessarily represent the views of CSI. Special gratitude is owed to Omar Abdulaziz Hallaj for having discussed the manuscript and provided valuable insights and editing remarks. Mohamad Diab and Mohamad Mufti have contributed to geographic information system (GIS) analyses and visualization of yet unpublished supporting research on the situation in Homs and Hauran. The author wishes also to thank all persons and institutions who supported this work and enriched it with their discussions, but who did not wish to be named.

Cover and layout design: Bilal Bassal.

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حول منتدى الاقتصاديين العرب

منتدى الاقتصاديين العرب هي جمعيّة فكرية تأسست في أبريل 2009 في باريس. طموحها هو تنشيط النقاش حول القضايا الاقتصادية والمالية والاجتماعية التي تواجه البلدان العربية، وكذلك الشروع في أنشطة بحثيّة. يجمع المنتدى شخصيات من خلفيّات مختلفة: اقتصاديين وأكاديميين وقادة أعمال وصحفيين اقتصاديين ومسؤولين تنفيذيين كبار من القطاع الخاص ومن المنظمات الدولية أو العامّة. تشمل الموضوعات التي يعمل عليها منتدى الاقتصاديين العرب بشكلٍ رئيسي: السياسات الاقتصادية (عوامل النموّ والسياسات الصناعية والطاقة) والسياسات الاجتماعية (التوظيف والقطاع غير النظاميّ وأنظمة الصحة والمعاشات التقاعدية) والسياسات المالية والنقدية.

EXECUTIVE SUMMARY

This report intends to establish a first approach for an urban recovery framework for post-conflict housing in Syria. This framework takes into account the country's past experiences in housing delivery and construction as well as the dynamics of the housing market. It also considers the facts on the ground during the conflict, including the massive damages and destructions and the unprecedent flow of displacement and refugees. It tries to embed the housing reconstruction process in its physical, economic, financial, social, legal, administrative, governance and political-economy environment. Special focus is made on ethical concerns for human rights but also within a realistic outlook on financial considerations. The final objectives of this framework approach are to create a public debate, mainly amongst Syrians, and to focus research on the major issues involved and the dynamic interplay among these issues.

The main messages and findings of this report can be stated as follows:

General framework

- The post-conflict housing reconstruction in Syria shall be, by essence, an economic and social **developmental process, a recovery process**, which should generate income to the working population, which, in turn shall be partly invested for housing repairs and reconstruction. Housing construction had continued in Syria during the conflict to cope with the growth of households and with the population displacement, damage and destruction. In a post-conflict situation, the issue is on how to increase these construction efforts and potentials to rebuild the damaged neighborhoods, cities and villages and to reactivate local economies.
- Post-conflict housing reconstruction in Syria is a **social, political and governance process, essential for peacebuilding.** The way severely damaged and informal neighborhoods will be dealt with, and the conditions of return of the displaced and refugees shall affect the social structure of each urban area and its economic functions. This is an essential concern to avoid the recurrence of conflict and/or the partition of the country. With all the difficulties of a post-conflict governance, this requires the establishment of well-designed policies on several levels and carefully steering their implementation, from regional and urban planning to financial and monetary management.
- Housing reconstruction should **not be understood as returning to the pre-conflict situation**. The conflict inflicted major transformations on an urban environment which had already experienced severe deficiencies for decades. Prior to the conflict, the informal housing represented 30 to 40% of total dwellings in some cities, a phenomenon that has only been exacerbated during the conflict. Housing reconstruction should be seen more as **an opportunity to help formalize the informal** and to **create a new sustainable urban environment** for the vast majority of the population. However, there are serious **risks** of limited available resources to rent-seeking real estate speculations. The structural conditions imposed by the war economy will also impose significant impediments to recovery. These must also be considered.
- While an overall framework is needed to steer policy for the whole of Syria, options and policies should be **adapted to the local context** of each city and neighborhood. Formal, informal and heritage neighborhoods in different urban contexts will require different approaches to capitalize on local resources and adapt to local conditions. The choice of the options and policies must be

done with strong implication and consent of the concerned communities. This is particularly sensitive with regards to dealing with the challenges of population displacement.

Housing demand and supply

- In **2010, demand for housing was estimated to have reached 180,000 units** yearly due to the natural growth of households, 66% of which was urban. That year, the country had an estimated housing stock of 4.13 million dwellings, around 15% non-occupied, for an estimated 4.17 million households and 228,000 yearly marriages. The **new demand represented a yearly necessary average increase of 4.4%** of the dwellings (up to 6% in urban areas due to the accelerating rural-urban migration). This demand was also strongly influenced by the arrival and return of 1.5 million Iraqi refugees. A **gap in housing** accumulated since decades, led to a **large development of informal housing**. The demand and ensuing supply gap varied significantly amongst governorates and cities.
- The **supply** of housing in Syria was **generally provided by small individual private developers**. The contribution of public and "cooperative" developers was historically less than 25% of total; the so-called "cooperatives" being a form of collective but largely private housing subsidized development. The policy framework stagnated for decades as the Syrian authorities maintained a **policy of scarcity limiting urban construction licenses**. This culminated in the largest shortage around the year 2000. The problem grew partly due to delays in the evolution of the urban plans, but also as real estate was a source of rent-seeking and political patronage. The situation started to change around 2005 and **Syria experienced a construction "boom" which culminated in 2010** with 120,000 new dwellings accounted for. This boom contributed to an inflationary trend. **Real estate prices of formal dwellings peaked** at levels similar to major Western cities.
- The **demand on housing continued during the conflict** with the natural growth rate of the still residing population of safer areas and with the arrival of internally displaced population (IDPs) from conflict affected areas. With the transformation of the uprising into a fully-fledged armed conflict in 2012, IDPs numbers reached around 6 million by 2013. Others sought refuge outside the country and by 2017 refugees reached more than 6 million. **The demand increased greatly in some localities with the population flight from fighting areas and with an even greater acceleration of rural-urban migration. Part of this increase was initially absorbed into the empty dwellings left by the refugees.** UN agencies report that only 14% of the IDPs sheltered in camps and "last resort sites" in 2017. Locally, during-conflict demand reached extreme highs in cities like Aleppo and Homs, as well as in some safe "heavens" such as Atmah on the North-Western border with Turkey. On the contrary, such demand was low in most of the North-Eastern areas.
- The **supply of housing during 2011 and 2012 was even higher than that of 2010, in particular because of informal constructions**, due to the weakening of State institutions and probably as a result of a deliberate "laissez-faire" policy. It continued, but at a slower pace in the following years. **600,000 dwellings are estimated to have been built during the conflict**. **This is while the conflict caused destructions and severe damages to around 328,000 dwellings** that could no longer be reoccupied. **Between 600,000 and 1 million dwelling were moderately or lightly damaged.** Some modest repair and reconstruction activities were observed. **Not all destructions resulted from fighting, but some from deliberated policies.** The largest number of destroyed buildings was observed in Hama where informal areas were bulldozed without the pretext of major combat activities.

- The post-conflict demand on housing compiles the needs of construction due to the natural growth of still-remaining resident populations to the needs for reconstruction because of destruction, damage and displacement. **The need for construction to accommodate natural growth is estimated at around 160,000 units yearly**, 70% of which urban. **The yearly needs for reconstruction to recover damaged stock and accommodate displaced populations are directly associated with the rhythm of return of IDPs and refugees. Assuming a "quick" return in 5 years of both IDPs and refugees, these additional needs are estimated to reach another 108,000 to 242,000 dwellings per year depending on the effective status of damaged dwellings to be evaluated in detail in each locality after the clearance of debris and the cleaning of war remnants. Thus, the total demand would range between 148% to 222% that of 2010**. This demand varies significantly from one location to the next and will have to be assessed along the three typologies in formal, informal and heritage areas.
- Supply of resources will be limited. Individual and local resources were always in the past the motor for mobilizing supply. Despite the government's great investment in the supply side of housing, the bulk of the demand was satisfied in the private sector and in self-help housing situations. **Supply side financial instruments failed in the past to meet demand and are likely to fail again in the post conflict**. The policy framework should consider financial and administrative instruments that support demand and capitalize on local community resources. Supply side funding should be limited to essential infrastructure, and **a balanced approach between supply side and demand side policies will be needed to capitalize on the resilience of local communities**.
- The supply in informal areas poses issues of safety and sustainability of the informal stock as well as problems of social cohesion and competition over precious urban land. Land adjustment schemes will not likely provide a durable and sustainable answer to meet the magnitude of challenges in both damaged and non-damaged neighborhoods. **With the assumed 5 years return scenario, the total supply would have to be between 2 to 3 times its level in 2010**, large urban redevelopment schemes led by large development companies will not be a viable solution. The affordability of housing and the inability of disenfranchised populations to capitalize on social capital will render large development schemes out of reach for the bulk of informal areas' residents. An alternative approach to "***formalize the informal***" **will be essential to mobilize local economies and provide residents with security of tenure to invest and mobilize their own resources for reconstruction**.
- The post-conflict supply in the severely damaged **heritage areas**, as in Aleppo and Homs, poses critical challenges to balance priorities of cultural identity and authenticity, historic preservation, needs for change and possible gentrification and densification. Rapid assessment and focusing on critical technical and financial needs of such locations will have to be a priority, otherwise local municipalities are likely to succumb to pressures. One of the few and special local assets needed for the long-term economic recovery may be whipped because of lack of knowhow and skewed priorities.

The legal environment

- The largely developed informal housing does not consist in most cases of slums. Informality was mainly linked to construction licenses and urban plans. **Informal properties were recognized by the Syrian legal system, although the land on which it was constructed was not recognized by**

the urban codes. The informal properties were traded in the market and had their own market dynamics. Between 1/3rd to half of all properties in urban areas were not registered in formal urban cadasters, with multiple and complex regimes establishing some form of tenure guaranties for their residents. Prior to the conflict, **urban planning was often delayed for administrative and legal reasons and lagged** behind construction developments.

- In the **2000's decade, a series of legislative directives relaxed the constraints** on speculations in un-developed land, abolished rent controls, changed the regulations of cooperative housing, allowed the establishment of private real-estate development companies and promulgated procedures to formalize of the informal**. It led to a construction "boom" and unleashed speculative investments. In a very short decade this enabled a drastic increase in the ability of markets to produce new typologies of housing. However, this did not reverse the legacies of informality. Indeed, the share of informal housing still increased despite major increase in the supply of formal land for development. This came with serious consequences in political economy and in the ability of the State to control the process and hamper inflation.**
- **The conflict period in Syria had experienced unprecedented, more active and accelerated legislative efforts concerning property rights, urban management, as well as real estate and housing development; a striking trend to transform land and property regimes in war times that will have lasting consequences for reconstruction. Controversial laws** were issued to encourage large private development, public-private-partnerships (PPP) with municipalities and/or religious endowments (n°66 of 2012, n°19 of 2015, n°10 of 2018, n°31 of 2018). They were mainly dedicated to remove some informal areas "affected by war" without clear specifications on how to qualify such areas, nor due process for land pooling and adjustments. This legislative trend risks serious implication with regards the **"rights to the city" for the returning population and is in contradiction of the Pinheiro principles;** the most relevant international standard for ensuring the rights of displaced people.
- **Housing, land and property rights (HLP) have a central role in the establishment of the rule of law and in ensuring social, legal and economic stability.** The housing pillar of any urban recovery framework must address the complex claims and counter claims and tackle the needs of displaced populations, secondary occupants as well as disenfranchised and vulnerable populations. An approach similar to the **2005 Vienna declaration** (see appendix A) of the Balkan countries will be needed to ensure the voluntary return of IDPs and refugees in safety and dignity, secure the right to recover housing and properties, assert the right and resources for an equitable compensation and guarantee the rights of the most vulnerable individuals and populations. Women's HLP rights will create a major challenge, as many will likely face social as well as legal prejudices. While most HLP solutions are likely to be addressed through administrative processes and not legal ones, individuals should retain the right for adjudication before an independent judiciary if their grievances are not met.
- In addition, there is a **critical need for the establishment of a comprehensive framework for housing recovery and reconstruction**. The current legal framework is not likely to cope with the magnitude and complexity of post conflict challenges. Old legislation should be reviewed and new ones introduced to meet the challenge of finalizing urban masterplans, recovering and standardizing makeshift property registries, legalizing of informal settlements, providing incentives to speed the production of affordable housing, compensating owners of damaged properties and, last but not least, protecting and preserving urban heritage.

Housing approaches and patterns

- Many cities have changed their economic and social functions during the conflict. The **framework of housing reconstruction should be based on a regional planning perspective.** A regional plan will have to assess the need to accommodate rapid urban growth in some cities, ease the demographic, environmental and other pressures on the major Syrian cities and to insure the socio-economic integration and the unity of the Syrian territory.
- In the framework of housing reconstruction, **new master plans** should be produced for Syrian cities in their wider territorial context, considering them as connected and networked conurbations. A special focus should be given to the formalization of the informal zones in a realistic approach to meet the demands and challenges of urban demographics and economic transformations. Idealistic planning processes dependent on State resources will stand little chance of implementation given the limited prospect of public funding. Likewise, urban master plans should account for the limited absorption capacity of high-end residential development to meet the demand for affordable housing. Traditional master-planning process will not cope with the realities of urban growth and may inadvertently be transformed into instruments for gentrification and further displacement of fragile communities. Bottom-up participatory approaches to neighborhood development and planning will likely constitute a more flexible framework for housing and urban recovery.
- The framework of housing reconstruction is to be designed with an eye of readjusting the **political economy away from traditional patronage dispensation towards an economic revival, with income generation by the population as a focal issue**.
- At the local level, the **framework should encompass all reconstruction approaches**. On the supply side it can be a mixture of temporary housing, repairing damage, large new constructions, building-yard typologies where the affected communities rebuild their own housing as they have always done in Syria. While on the demand side non-construction related issues should also be considered such as loan guarantees, micro finance, housing subsidies, exemptions from building fees, technical knowhow, and formalization of informal areas. The choice of the approach is to be established on a neighborhood by neighborhood basis. It will depend on the degree of destruction and damage, precarity of the housing stock, and affordability of solutions to affected communities. This should be done in direct consultation with the population; those still present as well as those displaced or in asylum abroad.
- In all its aspects, the framework should **respect the Pinheiro principles** and ensure HLP rights are secured in the planning and implementation process. However, additional concerns must take into consideration the pressure emanating from gentrification and other motors for economic and social displacement typical of post conflict situations.

Financing post-conflict reconstruction

- Housing reconstruction, economic recovery and prosperity cannot be implemented without **an equitable, effective and integrated economic system** managed by the country's own institutions and with the engagement of all relevant national and local stakeholders. **The key challenges in a post-conflict situation are to secure the continuous functioning of the economy, steer financial resources towards the recovery of (local) production capacities, mobilize human resources,**

streamline institutional and administrative processes, and manage such critical issues in a transparent and fair manner to rectify the negative legacies of the conflict.

- This means **proper management and functioning of State regulatory institutions,** with the necessary balance between central and local ones.
- The foreign financial aid for post-conflict recovery should **avoid creating an "aid curse"** linked to the political agendas of the donors. It should rather drive new governance to set good policies.
- **Such a process will be greatly impeded by sanctions**. The war economy often fosters conditions that hamper the return to good governance and consecrate a political economy based on corruption and self-interests of war profiteers. Sanctions create a vicious cycle that empower such actors. Creating a reverse cycle requires critical negotiations to incentivize reforms and direct resources towards reconstruction efforts.
- **Creating jobs outside the public sector is key for post-conflict recovery.** This ultimately means that the employment creation policies should be designed in strong linkage with the physical reconstruction of housing and infrastructures, as per the UN secretary General recommendations. And **the solution does not lie in the expansion of formal employment** in public services and large companies. Managing informality will require flexible instruments to tap on the ability of the informal sector to create descent jobs, especially in the construction sector.
- The **role of government and central bank policies should be key**, much more decisive than in the pre-war situation, as household savings had been strongly depleted during the conflict. The stabilization of currency will impose strict controls on balancing the accounts which will hamper the import of materials needed for reconstruction. Inflation is likely to be one of the most difficult challenges to cope with.
- Assuming an average cost of US$ 260 per square meter (including infrastructures), as in 2010, and an average surface of dwelling of 100 m2, **the yearly cost of construction for the natural growth of the remaining resident population is estimated at US$ 4.1 billion**. **With the hypothesis of 5 years for the return of the refugees and the displaced, the additional cost for reconstruction should stand during these 5 years between US$ 2.5 and 6.0 billion. This means a total cost for the physical reconstruction of the housing sector ranging between US$ 14.0 and 31.5 billion**. Combining construction and reconstruction cost will require a **total effort** that is 3.9 to 9 times what had been spent for construction in 2010.
- **This cost is mainly in local currency,** with a significant share for the cost of labor, land and local building materials. **A well-governed housing reconstruction should tackle all major issues influencing construction prices and the needs for hard currencies for imports, avoiding bottlenecks.**
- In particular, **the new regional and urban plans should aim to lower the cost of land** for construction to a minimum, encouraging the development of new urbanities through land prices incentives, proper densities to minimize the cost of infrastructure and ensure proximity of the new housing stock to work locations.
- The extra needs for cement are available in neighboring countries at reasonable prices and should cost less than US$ 1 billion yearly. However, the ability to purchase cement is not the only problem. Transporting, storing and providing water resources to mix and cure concrete construction will also be critical.
- The **role of bank loans in a post-conflict reconstruction would be significantly higher** than before the conflict. However, the HLP issues are likely to be an impediment as property collaterals are

the basis of housing loans and real-estate development financing. This necessitates bold solutions based on proper documentation. **HLP is not only a human rights issue but also a financial matter, key for the financing of reconstruction**.

- **Normative financing schemes** should be adapted to the Syrian context. Standard financial instruments tend to favor supply side financing with little multiplier effects in the local economy. Syria has a complex public and private institutional and regulatory environment. Understanding this environment will be key to deliver a balanced mix of supply side and demand side subsidies to reduce the risks of gentrification, reduce inflation and create sustainable local economies, which shall strongly depend on the general environment of the post-conflict situation, including **the suppression of sanctions on foreign trade and the financial sector**.
- Again, **the role of the Central Bank** shall be key in managing the financial end of the housing reconstruction process. In conjunction with the government, the Central Bank must elaborate a **feasible financial scheme** where compensations are set according to clear criteria for property valuation to avoid inducing inflation, burdening the public budget and/or increasing unreasonably public debt.

Key stakeholders

- Owners and users of housing are the prime stakeholders in an urban recovery framework. The **rights of ownership and tenure** should be solidly established, as well as the **legal ways to prove pre-conflict rights**, tackle the transformation of the HLP eco-system during the conflict and deal with the likely HLP emerging pressures in the post conflict. The urban recovery framework should develop **proper financing schemes adapted to the different reconstruction approaches** to be adjusted neighborhood by neighborhood as a function of the local situation. These schemes **should favor individual construction approaches**, or "building-yard", preferred in the Syrian context.
- The **regulations framing large public and subsidized cooperative developers and construction companies** should be improved to ensure focusing them **on the social objectives of the construction/reconstruction process**.
- The **regulations framing large private and PPP developers** should be improved to protect the rights of initial owners, **avoiding confiscation for speculation and ensuring proper valuation** of the rights of initial owners.
- Municipalities and local institutions are critical stakeholders and should be engaged in decision making and encouraged to reach out to their communities to ensure social acceptance of policies and maximization of community resources.

إطار الانتعاش المدينيّ في مجال الإسكان بعد الصراع في سورية.

تصور منهجيّ أوليّ ماديّ واجتماعيّ واقتصاديّ

ملخص تنفيذي

يهدف هذا التقرير إلى وضع تصوّر منهجيّ أوليّ لإطار التعافي المدينيّ (الحضريّ) في مجال الإسكان بعد الصراع في سورية. يأخذ هذا الإطار في الاعتبار التجارب السابقة للبلد في عرض وطلب المساكن والبناء بالإضافة إلى ديناميكيات سوق الإسكان. كما يأخذ في الاعتبار الحقائق على الأرض أثناء الصراع، بما في ذلك الأضرار والتدمير الجسيم والموجات غير المسبوقة للنازحين واللاجئين. ويجهد الإطار لتضمين عملية إعادة بناء المساكن في بيئتها المادية والاقتصادية والمالية والاجتماعية والقانونية والإدارية والحوكمية وكذلك في بيئة الاقتصاد السياسيّ. ويتم التركيز بشكلٍ خاص على الاهتمامات الأخلاقية لحقوق الإنسان، مع نظرة واقعية للاعتبارات المالية. وفي الواقع، يهدف وضع التصوّر المنهجيّ الأوليّ للإطار هذا إلى خلق نقاش عام، بشكلٍ رئيسي بين السوريين، وإلى تركيز البحوث القادمة على التحديات الرئيسية المعنيّة وعلى ديناميّات التفاعل بين هذه التحديات.

يُمكن تلخيص الرسائل والنتائج الرئيسية لهذا التقرير على النحو التالي:

الإطار العام

- **إنّ إعادة بناء المساكن بعد الصراع في سورية، هي في جوهرها، عملية تنموية اقتصادية واجتماعية، وعملية انتعاش، أي عمليّتان ينبغي أن تدرّان دخلاً للسكان العاملين، ما سيتيح بدوره استثمار هذا الدخل جزئيًا لإصلاح المساكن وإعادة بنائها. وفي الواقع، استمرّ بناء المساكن في سورية خلال فترة النزاع لمواكبة نموّ الأسر ونزوح السكان والأضرار والدمار. أمّا في حالة ما بعد الصراع، فيدور التحدّي حول كيفيّة زيادة جهود وقدرات البناء من أجل إعادة بناء الأحياء والمدن والقرى المتضرّرة وإعادة تنشيط الاقتصادات المحلية.**
- **إنّ إعادة بناء المساكن بعد انتهاء الصراع في سورية هي عملية اجتماعية وسياسية وحوكميّة ضرورية لبناء السلام. وستؤثّر الطريقة التي سيتمّ بها التعامل مع الأحياء المتضرّرة بشدة والأحياء غير النظاميّة، وكذلك ظروف عودة النازحين واللاجئين، على البنية الاجتماعية لكلّ منطقة مدينيّة وعلى وظائفها الاقتصادية. هذا مصدر قلق أساسيّ لتجنب تكرار الصراع و/أو تقسيم البلاد. يتطلب ذلك، رغم كلّ الصعوبات التي تواجه إدارة ما بعد الصراع، وضع سياسات جيّدة التصميم على عدّة مستويات وتوجيه تنفيذها بعناية، من التخطيط الإقليمي والحضريّ إلى الإدارة المالية والنقدية.**
- **لا ينبغي فهم إعادة بناء المساكن على أنّها عودة إلى وضع ما قبل الصراع. فقد أحدث الصراع تحوّلات كبيرة في البيئات الحضريّة التي كانت أصلاً قد عانت لعقودٍ من أوجه قصورٍ شديدة. إذ كان السكن العشوائيّ يمثّل قبل النزاع 30 إلى 40٪ من إجمالي المساكن في بعض المدن. وهذه ظاهرة تفاقمت أثناء النزاع. هكذا يجب أن يُنظر إلى إعادة بناء المساكن على أنّها فرصة للمساعدة في إضفاء طابعٍ نظاميّ على ما هو غير نظاميّ ولإنشاء بيئة مدينيّة جديدة مستدامة للغالبية العظمى من السكان. ولكن هناك مخاطر جديّة تتنوّع بين محدوديّة الموارد المتاحة والمضاربات العقارية التي تسعى إلى الربح. كما ستفرض الظروف البنيويّة التي فرضها اقتصاد الحرب عوائق كبيرة أمام الانتعاش. وكلّ هذه الأمور تحتاج إلى معالجات.**

- هناك حاجة لوضع إطار شامل لتوجيه السياسات على كلّ الأرض السوريّة، ولكن يجب تكييف الخيارات والسياسات مع السياقات المحليّة لكلّ مدينة وحيّ. هكذا ستتطلب الأحياء النظاميّة والأخرى غير النظاميّة وكذلك التراثية في السياقات الحضريّة المختلفة مناهج مختلفة للاستفادة من الموارد المحلية والتكيّف مع الظروف المحلية. ويجب أن يتمّ تحديد هذه الخيارات والسياسات عبر تضمينٍ قوي وموافقة المجتمعات المعنية. وهذا أمر حسّاس بشكلٍ خاص فيما يتعلّق بالتعامل مع تحديات نزوح السكان.

العرض والطلب على المساكن

- تمّ تقدير الطلب على المساكن في عام 2010 بنحو 180.000 وحدة سنويًا بسبب النمو الطبيعي للأسر، 66٪ منها مدينيّ. في ذلك العام، كان لدى البلاد مخزون مساكن يقدّر بـ 4.13 مليون مسكن، حوالي 15٪ منها غير مشغولة، لما يقدر بـ 4.17 مليون أسرة و228000 حالة زواج سنوياً. ومثّل الطلب الجديد على المساكن زيادة ضرورية في عدد المساكن بمتوسط سنويّ قدره 4.4٪ (تصل إلى 6٪ في المناطق الحضرية بسبب تسارع الهجرة من الريف إلى المدن). وقد تأثّر الطلب بشدّة حينها بوصول 1.5 مليون لاجئ عراقي ثمّ عودتهم إلى بلدهم. وأدّت الفجوة في الإسكان، المتراكِمة منذ عقود، إلى تطوّر كبير في السكن غير النظاميّ، في حين تفاوتت فجوة الطلب والعرض بشكلٍ كبير بين المحافظات وبين المدن.
- تمّ توفير عرض السكن في سورية بشكلٍ عام من قبل صغار المطوّرين العقاريين من القطاع الخاص. إذ كانت مساهمة المطوّرين الحكوميين و"التعاونيين" تاريخياً أقلّ من 25٪ من الإجمالي. وما سُمّي بـ"التعاونيات" هو شكلٌ من أشكال التنمية العقاريّة الجماعيّة المدعومة حكومياً، ولكنّها أيضاً تنتمي إلى القطاع الخاصّ. وقد بقي إطار سياسات التطوير العقاري راكداً لعقودٍ من الزمن، حيث أبقت السلطات السورية على سياسات تُدرة تحدّ من تراخيص البناء الحضريّ. وقد بلغت الفجوة ذروتها في عام 2000. وفي الواقع، جاء تنامي المشكلة جزئيّاً بسبب التأخير في إقرار المخطّطات العمرانية، ولكن أيضًا لأنّ القطاع العقاري كان مصدرًا للريع والمحسوبية السياسية. ثمّ بدأ الوضع يتغيّر حوالي عام 2005، حيث شهدت سورية "طفرة" في البناء بلغت ذروتها في عام 2010 مع 120.000 مسكنٍ جديد. وقد ساهم هذا الازدهار في الاتجاه التضخّمي. إذ بلغت أسعار العقارات للمساكن النظاميةّ ذروتها عند مستويات تشابه مستويات عواصم البلدان الغربيّة.
- استمرّ الطلب على المساكن خلال الصراع مع معدل النموّ الطبيعي للسكان المقيمين في المناطق الأكثر أمانًا ومع وصول السكان النازحين داخليّاً من المناطق المتضررة من النزاع. فقد وصل عدد النازحين داخلياً، مع تحول الانتفاضة إلى نزاع مسلّح في عام 2012، بحلول عام 2013 إلى حوالي 6 ملايين. ولجأ آخرون إلى خارج البلاد، وبحلول عام 2017 وصل عددهم الإجمالي إلى أكثر من 6 ملايين. هكذا ازداد الطلب بشكلٍ كبير في بعض المناطق مع فرار السكان من مناطق القتال ومع تسارع الهجرة من الريف إلى الحضر بشكلٍ أكبر. وقد تمّ استيعاب جزء من هذه الزيادة في البداية في المساكن الخالية التي تركها اللاجئون. بالتالي أفادت وكالات الأمم المتحدة أن 14٪ فقط من النازحين لجأوا إلى مخيّمات و"مواقع الملاذ الأخير" في عام 2017. وقد وصل الطلب المحليّ على المساكن أثناء النزاع إلى مستويات عالية للغاية، في مدنٍ مثل حلب وحمص، وكذلك في بعض "المحميّات الآمنة" مثل أطمة على الحدود الشمالية الغربية مع تركيا (لواء الإسكندرون). على العكس من ذلك، كان هذا الطلب منخفضاً في معظم المناطق الشمالية الشرقية.
- كان عدد المساكن المعروضة خلال عامي 2011 و2012 أعلى من عددها عام 2010، لا سيما بسبب البناء غير النظاميّ الذي انتشر بسبب ضعف مؤسسات الدولة وربما نتيجة لسياسة "عدم تدخّل" تمّ اعتمادها. وقد استمرّ نموّ العرض ولكن بوتيرة أبطأ في السنوات التالية. إذ تشير التقديرات إلى أنّ 600 ألف مسكن تمّ بناؤها خلال الصراع. هذا بينما تسبّب الصراع في تدمير وأضرار بالغة لحوالي 328 ألف مسكن لم يعد من الممكن إعادة السكن فيها، إضافة إلى تضرّر ما بين 600 ألف

ومليون مسكنٍ بشكلٍ متوسط أو طفيف. وقد لوحظت بعض أنشطة الإصلاح وإعادة الإعمار المتواضعة. واللافت أنّ عمليات الدمار لم تكن جميعها ناتجة عن القتال، إذ أنّ بعضها نتج عن سياسات متعمّدة. حيث لوحظ أكبر عدد من المباني المدمّرة كليّاً في مدينة حماة، حيث تم تجريف المناطق العشوائية من قبل السلطات دون ذريعة عمليات قتالية كبرى.

- يتركّب الطلب على المساكن في فترة ما بعد الصراع من مجموع احتياجات الإعمار بسبب النموّ الطبيعي للسكان المقيمين بالإضافة إلى احتياجات إعادة الإعمار بسبب الدمار والأضرار والنزوح. وتقدّر الحاجة إلى الإعمار لاستيعاب النموّ الطبيعي بحوالي 160 ألف وحدة سنويّاً، 70٪ منها حضريّ. كما ترتبط الاحتياجات السنويّة لإعادة الإعمار لاستعادة المخزون التالف ولاستيعاب السكان النازحين ارتباطاً مباشراً بإيقاع عودة النازحين واللاجئين. وبافتراض عودة "سريعة" في غضون 5 سنوات لكلّ النازحين واللاجئين، فمن المقدّر أن تصل هذه الاحتياجات الإضافية بين 108 إلى 242 ألف مسكنٍ آخر سنويّاً اعتمادًا على الحالة الفعليّة للمساكن المتضرّرة التي يجب تقييمها بالتفصيل في كلّ منطقة بعد إزالة الأنقاض وتنظيف مخلّفات الحرب. وبالتالي، فإن إجمالي الطلب السنوي سيتراوح بين 148٪ إلى 222٪ من مستواه عام 2010. ويختلف هذا الطلب بشكلٍ كبير من موقعٍ إلى آخر، وسيتعيّن تقييمه وفقًا للأنماط الثلاثة في المناطق النظاميّة وغير النظاميّة والمناطق التراثية.
- في جميع الحالات، سيكون العرض من الموارد محدوداً. والموارد الفردية والمحليّة كانت دوماً هي محرّك تعبئة الموارد في الماضي. فعلى الرغم من الاستثمار الكبير للحكومة إلى جانب عرض الإسكان، لبّى القطاع الخاصّ الجزء الأكبر من الطلب وكذلك آليّات المساعدة الذاتية في الإسكان، في حين فشلت الوسائل الماليّة لجانب العرض في الماضي في تلبية الطلب ومن المرجح أن تفشل مرّة أخرى في فترة ما بعد الصراع. هكذا يجب أن يتمّ اعتماد إطار للسياسيات بالنسبة للوسائل المالية والإدارية بحيث تدعم الطلب وتستفيد من موارد المجتمعات المحليّة. بالمقابل، يجب أن يقتصر تمويل العرض على البنية التحتيّة الأساسية، وستكون هناك حاجة إلى نهجٍ متوازنٍ بين سياسات العرض والطلب للاستفادة من قدرة المجتمعات المحليّة على التكيُّف والتأقلم.
- يطرح العرض في المناطق العشوائية قضايا سلامة المخزون غير النظاميّ واستدامته، بالإضافة إلى مشاكل التماسك الاجتماعي والمنافسة على الأراضي الحضريّة غالية الثمن. ومن غير المحتمل أن توفّر مخطّطات تعديل طبيعة الأراضي إجابة دائمة ومستدامة لمواجهة حجم التحديات في كلٍّ من الأحياء المتضررة وغير المتضررة. ومع سيناريو العودة المفترضة خلال 5 سنوات، ومع إجمالي عرض ما بين 2 إلى 3 أضعاف مستواه في عام 2010، لن تكون مخططات إعادة التطوير الحضريّ الكبيرة التي تقودها شركات التطوير العقاريّ الضخمة حلاً قابلاً للتطبيق. إذ أنّ القدرة على تحمّل تكاليف السكن وعدم استطاعة السكان المحرومين من الاستفادة من رأس المال الاجتماعي ستجعل مخطّطات التنمية الضخمة بعيدة عن متناول غالبيّة سكان المناطق غير النظاميّة. هكذا سيكون النهج البديل في "إضفاء طابعٍ نظاميّ على ما هو غير نظاميّ" ضروريًا لتعبئة الاقتصادات المحليّة وتزويد السكان بأمن الحيازة للاستثمار وحشد مواردهم الخاصة لإعادة الإعمار.
- يفرض العرض بعد الصراع في المناطق التراثية المتضرّرة بشدّة، كما في حلب وحمص، تحديات رئيسة لتحقيق التوازن بين أولويّات الهوية الثقافية والأصالة، والحفاظ على التاريخ، وبين احتياجات التغيير والتحسين وزيادة الكثافة السكانيّة المحتملة. لذا يجب أن يكون هناك أولويّة للتقييم السريع لهذه المواقع وللتركيز على الاحتياجات الفنيّة والماليّة المحوريّة، وإلاّ فمن المحتمل أن تخضع البلديّات المحليّة لضغوط المضاربات. هكذا قد تتلاشى إحدى الأصول المحليّة النادرة والخاصّة اللازمة لتحقيق الانتعاش الاقتصادي على المدى الطويل بسبب الافتقار إلى المعرفة أو لأولويّاتٍ خاطئة.

البيئة القانونية

- في معظم الحالات، لا تتكوّن المساكن غير النظامية التي نمت بشكلٍ كبير من عشوائيات فقيرة، حيث ارتبطت السمة غير النظاميّة بشكلٍ رئيسي بتراخيص البناء وبالمخطّطات الحضريّة. وقد تمّ الاعتراف بملكيّة المساكن غير النظاميّة في القانون السوري، على الرغم من أنّ الأرض التي شيّدت عليها لم يتمّ التعرّف عليها من قبل قوانين العمران المدينيّ. كما تمّ تداول العقارات غير النظاميّة في السوق، وكانت لها ديناميكيّات السوق الخاصة بها. هكذا لم يتمّ تسجيل ما بين ثلث إلى نصف جميع العقارات في المناطق الحضرية في السجلات العقاريّة الحضرية الرسميّة، مع وجود أنظمة متعدّدة ومعقّدة تؤسّس لشكلٍ من أشكال ضمانات الحيازة لسكانها. كلّ هذا لأنّ التخطيط الحضري كان قبل النزاع يتأخّر في كثيرٍ من الأحيان لأسبابٍ إدارية وقانونية عن نشاط الإعمار الفعليّ.
- خلال سنوات الألفين، لطّفت سلسلة من التوجيهات التشريعيّة القيود المفروضة على المضاربات في الأراضي غير المطوَّرة، وألغت ضوابط الإيجار، وغيّرت قوانين الإسكان التعاوني، وسمحت بإنشاء شركات تطوير عقاري خاصّة، واتخذت إجراءات لإضفاء طابع نظاميّ على ما هو غير نظاميّ. أدّى ذلك إلى "قفزة" في البناء والإعمار وإطلاق العنان للمضاربات في الاستثمارات العقاريّة. وفي عقدٍ قصيرٍ للغاية، مكّن ذلك من زيادة هائلة في قدرة الأسواق على إنتاج نماذجٍ جديدة من الإسكان. رغم ذلك، لم تتمّ معالجة تركات السمة غير النظاميّة. وفي الواقع، بقيت حصّة المساكن غير النظاميّة تزداد على الرغم من الزيادة الكبيرة في المعروض من الأراضي النظاميّة من أجل التنمية العقاريّة. وترافق ذلك مع تداعيات خطيرة على الاقتصاد السياسي وفي قدرة الدولة على السيطرة على العملية وكبح التضخّم.
- شهدت فترة النزاع في سورية جهودًا تشريعيّة غير مسبوقة وأكثر نشاطاً وتسريعاً من أيّة فترة سابقة. ذلك فيما يتعلّق بحقوق الملكية وإدارة المدن، فضلاً عن تطوير العقارات والإسكان. وكان هذا توجّهاً لافتاً لتحويل أنظمة الأراضي والممتلكات في زمن الحرب، ممّا سيكون له عواقب دائمة فيما يخصّ إعادة الإعمار . وقد صدرت مراسيم وقوانين مثيرة للجدل لتشجيع التنمية العقاريّة الخاصّة الكبيرة، والشراكات بين القطاعين العام والخاص (PPP) مع البلديات و/أو الأوقاف الدينية (القوانين رقم 66 لعام 2012، ورقم 19 لعام 2015، ورقم 10 لعام 2018، ورقم 31 لعام 2018). هدفت هذه المراسيم والقوانين بشكلٍ أساسي لإزالة بعض المناطق العشوائية "المتأثرّة بالحرب" دون تحديد واضح لكيفية توصيفها، ولا للإجراءات القانونية الواجبة لتحديد الأراضي وتعديل بنيتها. تجدر الإشارة إلى أنّ هذا التوجّه التشريعي ينطوي على مخاطِر ضمنيّة جسيمة فيما يتعلق بـ"الحقّ في المدينة" للسكان العائدين ويتعارض مع مبادئ بينهيرو؛ المعيار الدولي الأكثر صلة بضمان حقوق النازحين واللاجئين.
- تلعب حقوق الإسكان والأرض والملكيّة دوراً مركزياً في ترسيخ سيادة القانون وضمان الاستقرار الاجتماعي والقانوني والاقتصادي. هذا في حين يجب أن تُعالِج ركيزة الإسكان، في أيّ إطارٍ للانتعاش المدينيّ، المطالبات المعقّدة والمطالبات الخلافيّة وكذلك احتياجات السكان النازحين والشاغلين الثانويين وكذلك المحرومين والذين في أوضاع هشّة. لذا ستكون هناك حاجة إلى نهجٍ مشابهٍ لإعلان فيينا لعام 2005 (انظر الملحق أ) لدول البلقان كي يتمّ ضمان العودة الطوعيّة للنازحين واللاجئين بأمانٍ وكرامة، وتأمين الحقّ في استعادة السكن والممتلكات، وتأكيد الحقّ والموارد اللازمة للتعويض العادل وضمان حقوق الأفراد والسكان الأكثر ضعفاً. وتمثّل حقوق النساء في الإسكان والأرض والملكية تحديًا كبيرًا، حيث من المحتمل أن تواجه الكثير منهنّ تحيزات اجتماعية وقانونيّة. ومن المرجّح أيضاً أن يتمّ التعامل مع معظم حلول الإسكان والأرض والملكية من خلال عمليات إدارية وليس من خلال إجراءات قانونية، في حين يجب أن يحتفظ الأفراد بحقّ اللجوء إلى هيئة قضائية مستقلة إذا لم يتمّ معالجة مظالمهم.
- أضِف أنّ هناك حاجة ماسّة لإنشاء إطارٍ شاملٍ لتنشيط قطّاع إعمار المساكن وإعادة إعمار البناء. في حين أنّه من غير المرجّح أن يعالِج الإطار القانوني الحالي تحديات ما بعد الصراع وحجمها وتعقيداتها. بالتالي تنبغي مراجعة التشريعات القديمة وإدخال تشريعات جديدة لمواجهة التحدّي المتمثّل في الانتهاء من وضع المخطّطات التنظيميّة الحضرية الرئيسية، واستعادة سجلاّت الممتلكات المؤقتة

وتوحيدها، وإضفاء الشرعية على المستوطنات غير النظاميّة، وتوفير الحوافز لتسريع إنتاج المساكن الميسورة التكلِفة، وتعويض مالكي الممتلكات المتضرّرة، وأخيراً ولكن ليس آخراً والأقلّ أهميّة حماية التراث العمراني والحفاظ عليه.

مناهج وأنماط الإسكان

- لقد تغيّرت الوظائف الاقتصادية والاجتماعيّة للعديد من المدن خلال الصراع. وبحيث ينبغي أن يرتكز إطار إعادة بناء المساكن على منظور التخطيط الإقليمي. وسيتعين على هذا المخطّط تقييم الحاجة إلى استيعاب النموّ الحضريّ السريع في بعض المدن، وتخفيف الضغوط الديموغرافية والبيئية وغيرها على المدن السورية الرئيسية، وضمان الاندماج الاجتماعي والاقتصادي ووحدة الأراضي السورية كلّها.
- في إطار إعادة إعمار المساكن، ينبغي وضع مخططات تنظيميّة جديدة للمدن السورية في سياقها الإقليمي الأوسع، باعتبارها تجمّعات مترابطة ومتشابكة. ويجب التركيز بشكلٍ خاصّ على إضفاء الطابع النظاميّ على المناطق غير النظاميّة من خلال نهجٍ واقعيّ لتلبية متطلّبات التركيبة السكانيّة الحضريّة والتحوّلات الاقتصادية وتحدياتهما. لكن لن تحظى عمليات التخطيط المثاليّة التي تعتمد على موارد الدولة إلاّ بفرصٍ ضئيلة للتنفيذ نظرًا لمحدودية فرص التمويل العام. وبالمثل، يجب أن تراعي المخطّطات التنظيميّة الحضريّة القدرة المحدودة على استيعاب التطوير السكنيّ غالي الثمن والتركيز على تلبية الطلب على الإسكان الميسور التكلِفة. وليس متوقّعاً أن تتكيّف عملية التخطيط التنظيميّ التقليديّة مع حقائق النموّ الحضري بل ستتحوّل بقصدٍ أو عن غير قصد إلى أدوات لتوطين الأغنياء وحدهم والمزيد من النزوح بالنسبة للمجتمعات الهشّة. إنّ منهج التشاركية من القاعدة إلى القمّة لتطوير الأحياء والتخطيط يحظى بفرصٍ أكبر كي يشكّل إطارًا أكثر مرونةً للإسكان والانتعاش المدينيّ.
- يجب تصميم إطار إعادة بناء المساكن بهدف تعديل الاقتصاد السياسي بعيدًا عن المحسوبيّة التقليدية في النموّ الاقتصادي، مع وضع توليد دخلٍ للسكان كمسألة محوريّة.
- على المستوى المحليّ، يجب أن يشمل الإطار جميع مناهج إعادة الإعمار. فمن ناحية العرض، يمكن أن يكون مزيجاً من المساكن المؤقتة، وإصلاح الأضرار، والإعمار الجديد الواسع، وأنماط "البناء المجتمعيّ" حيث تعيد المجتمعات المتضرّرة بناء مساكنها كما فعلت دائمًا في سورية. أمّا فيما يخصّ الطلب، يجب أيضاً التركيز على القضايا غير المرتبطة بالبناء بحدّ ذاته، مثل ضمانات القروض، والتمويل الصغير، ودعم الإسكان، والإعفاءات من رسوم البناء، والمهارات الفنيّة، وإضفاء الطابع النظاميّ على المناطق غير النظاميّة. هكذا يجب أن يتمّ تحديد اختيار النهج على أساس كلّ حيٍّ على حدة. بحيث يعتمد ذلك على درجة الدمار والأضرار، وهشاشة المخزون السكني، والقدرة على تحمّل تكاليف الحلول للمجتمعات المتضرّرة. كما يجب أن يتمّ ذلك بالتشاور المباشر مع السكان؛ أولئك الذين ما زالوا موجودين وكذلك النازحين أو اللاجئين إلى الخارج.
- يجب أن يحترم إطار العمل مبادئ بينهيرو في جميع جوانبه ويضمَن تأمين حقوق الإسكان والأرض والملكيّة في عملية التخطيط والتنفيذ. كما يجب أخذ المخاوف الإضافية في الاعتبار، مثل الضغوط لتحويل الأحياء لتوطين الأغنياء وحدهم والعوامل الأخرى التي تؤدّي للنزوح الاقتصادي والاجتماعيّ الذي كثيراً ما يحدث في حالات ما بعد الصراع.

تمويل إعادة الإعمار بعد الصراع

- لا يمكن تنفيذ إعادة بناء المساكن والانتعاش الاقتصادي والازدهار بدون نظامٍ اقتصاديّ عادلٍ وفعّال ومتكامل تديره مؤسّسات الدولة، وليس جهات خاصّة أو خارجيّة، مع مشاركة جميع أصحاب المصلحة الوطنيين والمحليين. وتتمثل التحديات الرئيسية في حالة ما بعد الصراع في ضمان استمرار عمل الاقتصاد، وتوجيه الموارد المالية نحو استعادة قدرات الإنتاج (المحليّة)،

وتعبئة الموارد البشرية، وتبسيط العمليات المؤسساتيّة والإدارية، وإدارة مثل هذه القضايا الحاسمة بطريقةٍ شفافة وعادلة قادرة على معالجة الموروثات السلبية للصراع.

- **إدارة وعمل سليمان لمؤسسات الدولة التنظيميّة، مع التوازن الضروريّ بين المؤسسات المركزيّة والمحليّة.**
- **ضرورة أن تتجنّب المساعدات المالية الخارجية للانتعاش بعد الصراع خلق "لعنة مساعدات" ترتبط بالأجندات السياسيّة للمانحين. بل ينبغي بدلاً من ذلك أن تساعد على دفع مسار حوكمة جديدة تضع سياسات ناجعة.**
- **العقوبات (الأحاديّة الجانب المفروضة من بعض الدول) تعيق هذه العملية بشكلٍ كبير. وغالبًا ما يعزّز اقتصاد الحرب الظروف التي تعرقِل العودة إلى الحكم الرشيد ويكرّس اقتصاداً سياسيّاً قائماً على الفساد وعلى المصالح الذاتية لمنتفعي الحروب. كما تخلِق العقوبات حلقة مفرغة تزيد من قوّة هذه الجهات الفاعلة. ممّا يتطلب مواجهة هذه الأمور بإنشاء دورة معاكسة عبر مفاوضات حسّاسة لتحفيز الإصلاحات وتوجيه الموارد نحو جهود إعادة الإعمار.**
- **خلق وظائف خارج القطاع العام يشكّل مفتاحاً للانتعاش بعد الصراع. وهذا يعني في نهاية المطاف تصميم سياسات لخلق فرص للعمل عبر ارتباطٍ وثيق مع إعادة البناء الماديّ للإسكان وللبنى التحتية، وفقًا لتوصيات الأمين العام للأمم المتحدة. ولا يكمن الحلّ بأيّ شكل في زيادة التوظيف الحكوميّ في الخدمات العامّة والشركات الكبيرة. إذ ستتطلّب إدارة السمة غير النظامية للسكن أدوات مرِنة للاستفادة من قدرة القطاع غير النظاميّ على خلق فرص عمل لائقة، لا سيّما في قطاع البناء.**
- **ضرورة أن تلعب الحكومة وسياسات البنك المركزي دورًا رئيسيًا وأكثر حسماً في إعادة الإعمار مما كان عليه الأمر ما قبل الحرب، حيث تمّ استنفاد كبير لمدّخرات الأسر أثناء الصراع. كما ستؤدّي ضرورة استقرار العملة إلى فرض ضوابطٍ صارمة على ميزان الحسابات العامّة، ما سيشكّل عائقاً أمام استيراد المواد اللازمة لإعادة الإعمار. ومن المرجَّح أن يكون التضخّم أحد أصعب التحديات التي يتوجّب مواجهتها.**
- **بافتراض متوسّط تكلفة 260 دولارًا أمريكيًا للمتر المربع (بما في ذلك البنى التحتية)، كما في عام 2010، ومتوسط مساحة المسكن 100 متر مربع، تقدّر التكلفة السنوية لتشييد المساكن لمواكبة النمو الطبيعي للسكان المقيمين المتبقّين بـ 4.1 مليار دولار أمريكي. ومع فرضية عودة اللاجئين والنازحين خلال 6 سنوات فقط، تتراوح التكلفة الإضافية لإعادة الإعمار خلال هذه السنوات الخمس بين 2.5 و6.0 مليار دولار أمريكي. وهذا يعني أن التكلِفة الإجمالية لإعادة البناء الماديّ لقطاع الإسكان تتراوح بين 14.0 و31.5 مليار دولار أمريكي. وسيتطلّب الجمع بين تكلفة الإعمار وإعادة الإعمار جهدًا إجماليًا يبلغ 3.9 إلى 9 أضعاف ما تمّ إنفاقه على البناء عام 2010.**
- **هذه التكلفة سيتمّ دفعها بشكلٍ رئيسيّ بالعملة المحلية، مع حصّة كبيرة منها لتكلفة العمالة والأراضي ومواد البناء المحلية. ويجب أن تعالج الإدارة الجيّدة لإعادة بناء المساكن جميع القضايا الرئيسية التي تؤثّر على أسعار البناء والحاجة إلى العملات الصعبة للواردات، وتجنّب الاختناقات.**
- **يجب أن تهدف المخطّطات الإقليمية والمدينيّة الجديدة على وجه الخصوص إلى خفض تكلفة الأرض للبناء إلى الحدّ الأدنى، وإلى تشجيع تطوير مدنٍ جديدة من خلال حوافز أسعار الأراضي، كما ينبغي أن تهدف إلى خلق كثافات عمرانيّة مناسبة بغية تقليص تكلفة البنية التحتية وضمان قرب المخزون السكني الجديد من مواقع العمل.**
- **تبدو الاحتياجات الإضافية للأسمنت متوفّرة في البلدان المجاورة بأسعارٍ معقولة، ومن المفترض أن تكلِّف أقلّ من 1 مليار دولار أمريكي سنويًا. رغم ذلك، لا تشكّ القدرة على شراء الأسمنت المشكلة الوحيدة، إذ سيكون نقلها وتخزينها وتوفير الموارد المائيّة لخلط وعلاج البناء الخرساني من الأمور البالغة الأهمية.**

- وسيكون دور القروض المصرفية في إعادة الإعمار بعد الصراع أهمّ بكثير مما كان عليه قبل الصراع. إلاّ أنّه من المرجّح أن تُشكِّل قضايا الإسكان والأرض والملكيّة العقاريّة عقبات لأنّ الضمانات العقارية هي أساس قروض الإسكان وتمويل التطوير العقاريّ. وهذا يستلزم حلولٌ جريئة تستند إلى التوثيق المناسب. إن الإسكان والأرض والملكيّة العقاريّة ليست مجرّد قضايا حقوق إنسان ولكنّهم أيضاً مسائل ماليّة، كون أنّها تشكّل مفاتيح لتمويل إعادة الإعمار.
- بالتالي يجب تكييف مخطّطات التمويل النمطيّ مع السياق السوري، حيث تميل الوسائل المالية القياسية إلى تفضيل تمويل جانب العرض مع تأثيرات مضاعفة قليلة على الاقتصاد المحليّ. لكنّ سورية تتمتّع ببيئة مؤسّسية وتنظيمية معقّدة، عامّة وخاّصة. بالتالي سيكون فهم هذه البيئة أمراً أساسياً لتقديم مزيجٍ متوازنٍ من دعم العرض ودعم الطلب للتقليل من مخاطِر الإنعاش وكبح التضخم وإنشاء اقتصادات محليّة مستدامة تبعاً للبيئة العامة لحالة ما بعد الصراع، بما في ذلك إلغاء العقوبات المفروضة على التجارة الخارجية والقطاع المالي.
- مرّة أخرى، سيكون دور البنك المركزي أساسياً في إدارة الطرف الماليّ لعملية إعادة بناء المساكن. ويجب على البنك المركزي، بالاشتراك مع الحكومة، وضع خطّة مالية ناجِعة حيث يتم تحديد التعويضات وفقًا لمعايير واضحة لتقييم العقارات بهدف تجنيب التضخّم أو إثقال كاهل الميزانية العامة و/أو زيادة الدين العام بشكلٍ غير معقول.

اللاعبون الأساسيّون

- أصحاب ومستخدمو المساكن هم أصحاب المصلحة الرئيسيّون في إطار الانتعاش المدينيّ. بالتالي، يجب ترسيخ حقوق الملكية والحيازة، بالإضافة إلى ترسيخ الطرق القانونية لإثبات حقوق ما قبل النزاع، ومعالجة تحوّلات منظومة بيئة السكن والأرض والملكيّات أثناء النزاع والتعامل مع الضغوطات المحتملة التي ستنشأ في مجال الإسكان والأرض والملكيات في مرحلة ما بعد الصراع. كما ينبغي تطوير إطار الانتعاش الحضري عبر خطط تمويل مناسبة تتكيّف مع مناهج إعادة الإعمار المختلفة كي يتمّ تعديلها لكلّ حيٍّ على حدة انطلاقاً من الوضع المحليّ. كما ينبغي إيلاء الأفضليّة في هذه المخططات لأنماط البناء الفرديّة، أو "البناء المجتمعيّ"، المفضّلة لدى السوريين.
- تحسين القوانين والقواعد التي تؤطّر عمل مطوّري العقارات المدعومين من التعاونيات أو شركات البناء العامّة الكبيرة لضمان التركيز على الأهداف الاجتماعية لعملية البناء وإعادة الإعمار.
- تحسين القوانين والقواعد التي تؤطّر عمل المطوّرين العقاريين الكبار من القطاع الخاص أو القطاع المشترك لحماية حقوق المالكين الأصليين، وتجنّب المصادرات للمضاربة وضمان التقييم المناسب لحقوق المالكين الأصليين.
- مشاركة حقيقيّة للبلديّات والإدارات المحليّة ذات المصلحة الأساسيّة، في صنع القرارات وتشجيعها لضمان القبول الاجتماعي للسياسات وزيادة موارد المجتمع.

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LIST OF ACRONYMS

AOG	Armed Opposition Groups
BOT	Build-Operate-Transfer
CBS	Central Bureau of Statistics
CCE	Central Committee for Endowment
CHF	Cooperative Housing Fund
DAA	Democratic Autonomous Administration (Kurdish)
EU	European Union
FAO	Food and Agriculture Organization
GCDRI	General Commission of development of Real Estate Investment
GDP	Gross Domestic Product
GEH	General Establishment for Housing
GKF	Gross Capital Formation
GUOHC	General Union of Housing Cooperatives
HLP	Housing, Land and Property
HNO	Humanitarian Needs Assessment
IDP	Internally Displaced Person
IFI	International Financial Institutions
IFRC	International Federation of Red Cross & Red Crescent societies
IMF	International Monetary Fund
IS	Islamic State (also known as ISIS)
LAC	Local Administration Council
LER	Local Economic Recovery
MAM	Municipal Administration Modernisation
MCE	Military Construction Establishment
MHE	Military Housing Establishment
MOLA	Ministry of Local Administration & Environment
MPWH	Ministry of Public Works and Housing
NRC	Norwegian Refugee Council
OCHA	UN Coordination Office for Humanitarian Affairs
OHCR	Office of the UN High Commissioner for Refugees
OSCE	Organization for Security and Co-Operation in Europe
PPP	Public-Private Partnership
PYD	Democratic Union Party (Kurdish)
RPC	Regional Planning Commission
SDC	Syrian Democratic Council
SPC	State Planning Commission
SYP	Syrian Pound
UAN	Urban Analysis Network
UFA	Urban focus area
UN	United Nations
UNDP	United Nations Development Program
UNHCR	United Nations High Commissioner for Refugees
URC	Urban Research Center
WB	World Bank
WORS	Workers Observatory for Research and Studies

0. INTRODUCTION

With the very large damage experienced in numerous urban areas in Syria and the long-term displacement of a sizeable portion of the population, a basic problematic question : Should the recovery of the housing in Syria be a humanitarian or development issue and whether such recovery should be market driven or resulting from public planning and implementation? The answers are not easy. Housing is a non-consumable long-term asset, but approaching housing in a post conflict situation involves many factors, including the local severity of the damage, the modalities of refugee return, the urban environment concerned and its legal, economic, social and symbolic value, the possible financial mechanisms and the involvement of local communities, etc. Developing a critical evidence-based framework for answering this problematic question will be the subject of this study.

Housing reconstruction in Syria is going to be a complex process, and its success requires a good deal of time and preparation. It necessitates planning, insertion in the political, economic or social environment, with documented philosophies, methods and processes. It touches basic human dignity, identity, security as well as social and political peacebuilding. In particular it necessitates that conflict-affected people are encouraged and enabled to look forward and invest in the future. "*In the wake of conflict, housing reconstruction may be a crucial incentive to repatriation and resettlement, and the rebuilding of communities as part of wider efforts towards peace*"[1]. The housing reconstruction needs then to be integrated into a wider recovery context, in an economic "transition", "recovery' or "reconstruction"[2].

This report considers the physical and economic aspects for an urban recovery framework for post-conflict housing in Syria. It sets housing "reconstruction" on the bases of Syria pre- and during conflict experience of housing "construction", with its realities, its actors and its legal environment. It focuses on the economic issues of such construction and reconstruction, as the housing sector has been by far the most affected asset. Already in 2016, housing constituted 65% of the estimated physical damages[3]. It depicts also how "reconstruction" *per se* is directly linked to the return of the refugees and the displaced.

The report first analyzes the pre-conflict demand on housing and shows that this demand was for decades never met by supply. This demand followed the natural growth rates of households and their rate of formation through marriages and/or splintering of extended families, much higher than the growth rate of the population. Approximately two thirds of this demand are urban, and this share is ever growing as a result of accelerating rural-urban migration. It was largely underestimated in governmental plans. The gap created by the low supply of construction licenses encouraged the development of informal settlements forming in some cities more than 1/3rd of their housing stock. These informal settlements were not in most cases related to poverty. Such scarcity of licenses is due to many factors including archaic urban management frameworks and corruption; it appears to be characteristic of the rent-seeking political economy of the real-estate sector, as in many Arab countries. Informal settlements occupy then a significant place in this report. They are "*all housing units that are not in compliance with building and zoning laws and rules*", following an enlarged definition from Ahmed M. Soliman[4].

[1] Sultan Barakat, 2003.
[2] del Castillo, Graciana, 2008.
[3] Gobat, Jeanne & Kostial, Kristina; IMF, 2016.
[4] Soliman, Ahmed ; 2003.

During the conflict, the yearly demand decreased with the large flow of refugees migrating abroad, partially creating a source of residual supply for those still resident or displaced. Meanwhile, an increase in demand to substitute for dwellings lost or damaged during the progression of the war. A deep assessment of the damage during the conflict segmented by housing typologies and geographic location is key to analyze the post-conflict demand for rebuilding/rehabilitation. This is especially relevant as some of the "destruction" did not result from the conflict but from the implementation of policies on informal settlements and real-estate development.

In a second step, the report addresses the supply side and shows that the small private sector was always the main contributor. The last years before the conflict had experienced a significant increase in such supply: "a construction boom" of sorts. This took place in both the formal and informal areas. This "boom" continued in the first two years following the Syrian uprising at even a higher pace. It continued even later, following the transformation of the uprising into a civil war, but at a slower pace as confirmed by the levels of cement consumption and satellite images. The analysis of this supply during the conflict and its relationship with the demand of the remaining resident population, internally displaced or not, is key to estimate the post-conflict demand and the necessary housing "reconstruction" efforts.

Accordingly, the report tries to estimate the housing "reconstruction" needs in Syria, comparing it with the natural demand due to the growth of households. However, the rhythm of return of the refugees is key for such comparison. The report offers some speculation with this respect. Also, the post-conflict supply is a differentiated function of the local damage and of the typologies of housing stock: heritage, informal and formal urban areas. These typologies are likely to shift in the years following the conflict.

In a third step, the report explores the regulatory and legal environment on construction issues in Syria, including regional and urban planning, real-estate development and investment, rental, the endowments and heritage. Special focus is made on the necessity to apply the Pinheiro principles concerning the housing, land and property rights of the refugees and the displaced, as well as on how to "formalize the informal" dwellings. The rhythm of the regulatory "reforms", before and during the conflict, concerning property rights and construction, is analyzed as well as the scope of these regulations and their socio-economic and political implications.

The report analyzes then the different possible reconstruction approaches and patterns, taking into account international experience and available literature. The crucial role of regional and urban planning is discussed in as far as they impact the housing reconstruction process. What is at stake is "*the rebuilding of the socio-economic framework of society" and "the reconstruction of the enabling conditions for a functioning peacetime society, explicitly including governance and rule of law as essential components*"[5]. These framework and conditions are necessary to understand. Historically the "building-yard"[6] approach had always been preferred in Syria; future growth will depend on the ability of the sector to develop new modes of construction.

In a fifth step, the financial aspects of reconstruction are treated, within an eye on economic, institutional and employment environment, as well as constraints and opportunities for post-war recovery. The

[5] World Bank ; 2018.

[6] The typical housing construction modality involved small scale single plot or small number of plots. Owners engaged specialized construction teams and rarely involved general contractors. Most of the labor and material procurement happened through informal processes. In the local Syrian nomenclature, this type of construction is called "building-yard".

potential role and impact of international aid is reviewed, and an estimation of the cost of housing construction and reconstruction in a post-conflict phase is made. Costs will be variable and subject to various pricing assumptions and influences and this will have implications on possible financing mechanisms. This will be discussed further next. Finally, the key stakeholders in a reconstruction framework and market in Syria are explored, reflecting on the political economy implications of the reconstruction process.

A key issue in the post-conflict reconstruction will still have to follow sound economic principles. Keynesian economics will apply in the post conflict: is the economy going to continue to function, will it be well managed, could it quickly recover (local) production capacity, would human resources and institutional and financial management be available, and finally would such recovery not be impeded by sanctions.

1.THE DEMAND FOR HOUSING FOLLOWING CONFLICT

The demand for housing following a conflict depends on many factors involving the socio-economic eco-system in which population settlement shall take place and evolve. This is not restricted to the demand generated by the displaced and the returning refugees, but also involves the changing patterns of demand following demographic transformations. Naturally this is affected by how such demand had been dealt with before and during the conflict. For the Syrian case, two main factors have strong influence: on the one hand, the large share of informal urban housing within cities prior to the conflict and how such informal housing shall be approached, and on the other hand the large numbers of the displaced and refugees, the "*biggest crisis of our time*" according to UNHCR[7], and the rhythm of their returns "home".

It has been widely recognized that, prior to the conflict, Syria suffered from a significant supply gap in (formal) housing licenses and constructions, resulting in a large shift in the demand being satisfied in the informal settlements. This arguably, is one of the structural conditions that led to the popular uprising of 2011, which subsequently transformed into an all-out conflict[8]. The last six years before 2011 had experienced some acceleration of licensing and formalization of the construction of new housing. However, the backlog in demand ensured that construction of informal dwellings continued unabated. This phenomenon continued well into 2011 and 2012, where the government relaxed the restrictions on informal housing construction to absorb popular anger in informal settlements. However, the conflict had also led to considerable damage in housing, especially in informal areas. Thus, the nine years of conflict had then seen simultaneously both construction as well as damages and destructions. The availability of housing units and the conditions of the stock determine to a great extent the dynamics for future development during and after the end of the conflict. This will have direct implications to where demand is likely to emerge and for what type of housing.

A proper assessment of the post-conflict demand and supply of housing needs the establishment of a general multi-dimensional framework resulting from a multi-disciplinary assessment involving among other issues:

- A socio-demographic-economic assessment of urban areas, including population displacement and the population in need;
- The pre-conflict and during-conflict assessment of the housing situation, including the relations between regional and urban planning and the actual realities of social settlement (temporary housing, informal housing, etc.);
- A damage assessment of the housing structures affected by the conflict, including the identification of the damaged areas needing special attention due to their historical or heritage value, or to their economic valorization potential;
- An assessment of public infrastructures and services in the urban environment, including the identification of the major issues posed by the scarcity of resources (for example drinking water);

[7] https://www.unhcr.org/news/press/2016/3/56e6e3249/syria-conflict-5-years-biggest-refugee-displacement-crisis-time-demands.html

[8] The transformation into a fully fledged war can be dated to mid-2012, see Aita, Samir ; 2015.

- An economic assessment of the capacity of the conflict-affected population to participate and finance housing recovery.

The result of such assessments should lead to a **local framework zoning** to classify housing demand and identify where "market mechanisms" could operate and where "planning" and "structural modifications" should be imposed, to different levels of State regulation. The framework would also specify the types of development and financial schemes that should be implemented for the population in need in each zone.

This zoning framework would depend on 1) the level of damage experienced, 2) the future socio-economic perspectives of the zone and 3) on its context in a humanitarian/development policy with the potential of refugee return. It has been clearly noticed that: "*Among the post conflict reconstruction interventions, post conflict housing reconstruction is paramount important as it contributes to development and peace through restoring the economic and social life of conflict affected people*"[9]. One should define "*housing measures that provide a general guideline in addressing housing needs and that addressing such needs leads to minimiz[ing] the problems of post conflict housing reconstruction*"[10].

1.1 The demand of housing prior to the conflict

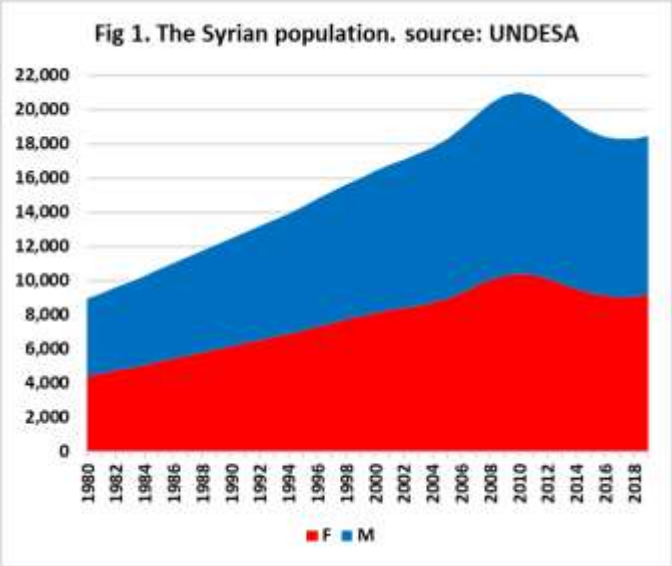
Prior to the conflict, Syria experienced a "baby-boom" in the 1980-1990's, followed by a "youth bulge" in the late 2000's magnified to be a "youth tsunami" in urban areas due to the acceleration of rural-urban migrations. In addition, Syria had received in 2006 around 1.5 million Iraqi refugees because of the civil war in that country, they mostly moved back around 2010 and early 2011. Furthermore, the decade from 2000 to 2010 was marked by neo-liberal "reforms", which had led to massive rural-urban migrations[11], and aggravated by new land market dynamics. Added to this dynamic was the draught that persisted for several years and caused substantive population displacement of populations to peri-urban areas.

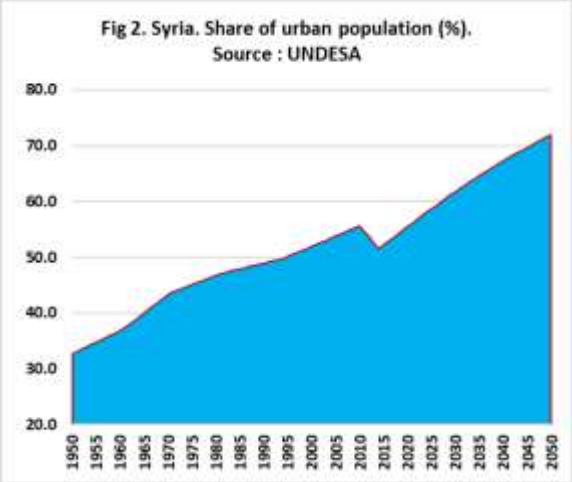
Population and dwellings

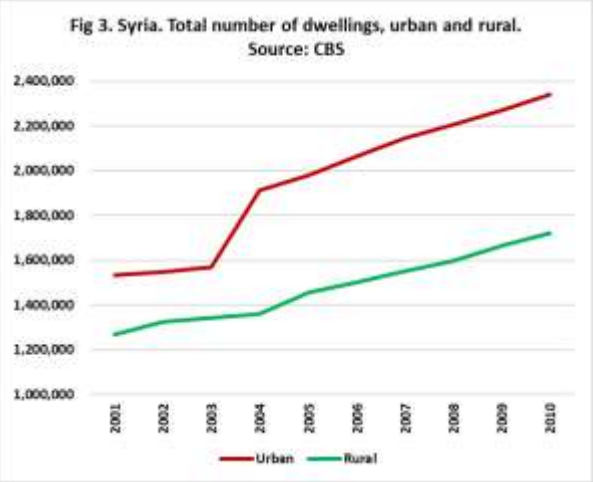
In the 2004 census[12], Syria had 3.15 million households[13], (58% of which were urban), and a population of 17.92[14] million (54% of which were urban), with and average household size of 5.5. The population growth peaked at an average of +3.5% yearly during 1980-1985, declining to 2.2% in 2000-2005 then getting a new peak of +2.78% during 2005-2010, due partially to the significant wave of Iraqi refugees. Then, when the conflict developed after 2011, Syria witnessed massive out-migration to neighboring countries (Turkey, Lebanon, Jordan, Egypt, Iraq) and to Europe (see figure 1)[15]. The size of the population and number of households had since dropped drastically, but natural growth is picking up again and will soon bring numbers to their pre-war levels.

[9] Seneviratne, Krisanthi & al, 2013.
[10] Ibid.
[11] Aita, Samir; 2009 and Ababsa, Myriam; 2019.
[12] CBS : The 2004 census results ; 2005. The census data included resident Palestinian refugees.
[13] The concept of household is used here as in the Syrian Statistics as a family unit living in the same location ; the dwelling as a housing unit which can host several family units.
[14] 17.81 million in UNDESA database. https://population.un.org/wpp/DataQuery/
[15] https://population.un.org/wpp/

In the last decades before the uprising, the urbanization of the Syrian society was also accelerating at a rapid pace. The share of urban population evolved from 33% in 1950 to 56% in 2010[16]. According to UNDESA, it had dropped to 51% in 2014 because of the conflict, to rapidly reach again 54% in 2018 and is expected to accelerate with an even more rapid pace to reach 72% only in 2050[17] (figure 2). However, the World Bank estimates that the share of urban population had already reached 72.6% of resident population in 2018, due to the massive rural-urban migration during the conflict[18]. A finding that was corroborated in the unpublished State of Syrian Cities Report commissioned by UN Habitat in 2018[19] and Syrian cities Needs' Review commissioned by ESCWA[20]. The discrepancy arises from the formal definition of urban areas. Whereas many of the larger cities shrunk in size, mid-sized cities actually grew substantively, but the bulk of the change took place from small rural settlements to small towns expanding them into new urban areas overnight[21]. Scores of such small cities emerged and, in some cases, they formed new continuous urban corridors. The boundaries between urban and rural are becoming blurrier than ever.







The census of 2004 reported a total of 3.6 million dwellings in Syria (figure 3); 83% were occupied (3.0 million), 10% empty and 7% were under final construction stages. This suggests that around 150,000 households had no independent housing already in 2004. The average age of the dwellings was of 21

[16] CBS, Statistical Abstract, 2011 and World Bank 2019.
[17] https://population.un.org/wup/Download/
[18] World Bank, 2019 without documenting this assessment.
[19] Hallaj, O. A, et. Als. 2018. The State of Syrian Cities Report.
[20] Aita, S., 2020, Syrian cities Needs' Review
[21] Hallaj, O. A, et. Als. 2018.

years. Approximately 98% of the occupied and empty dwellings were assumed to be connected to the electricity network, 89% to a collective or public water network, 73% to some type of a general sewage system[22].

On average each dwelling was constituted of 3.7 rooms with an average surface of 101 m2, with some major discrepancy between regions and between urban and rural areas. The average number of rooms and the size of the dwelling had shown a steady pattern of increase over the last two decades. 86% were considered by their occupants as owned: 54% with regular property registration (*tabo/tapu*), 13% had formal titles to an agricultural property often owned collectively with other households, and 10% had weaker forms of proof of ownership such a sales deed registered at a notary office or a court order recognizing their ownership of the building structure but not the land. As for the typology of the stock: 36% of the dwellings were private apartments, 19% in dense popular housing, 21% countryside houses, 18% Arabic traditional houses and 4% villas.

By 2010, the CBS had estimated the total number of dwellings at 4,128,941[23], 56% of which were in urban areas (2,338,465). This means that around 83,000 dwellings were erected yearly between 2004 and 2010[24].

The demand for housing

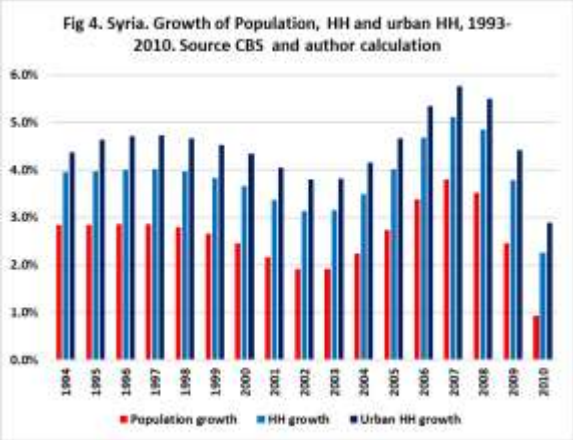
The demand for housing results mainly from the growth of the evolving number of households seeking new residence. This latter is not equal to overall population growth, as it depends on complex factors such as the age of marriage[25] and family composition, social and cultural patterns and economic capacity of households. The growth of the number of households in Syria was considerably higher in late 2000's than that of population at that time, as the former reflects the arrival of the generation of the "baby-boom" two decades earlier to the age of marriage.

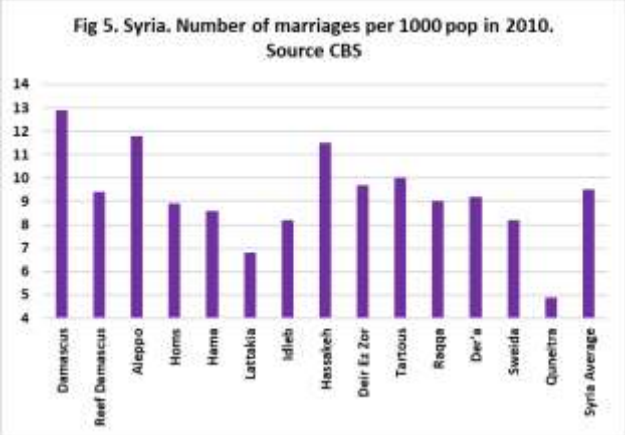
Moreover, there was a noticeable change in the structure and composition of the household itself. In fact, the size of households varied significantly over time in Syria, decreasing from 6.1 in 1993 to 5.5 in 2004 to 5 in 2009. Thus, while the population growth rate evolved from a 3.6% high in the 1980's to 2.7% in 2009 (excluding the Iraqi refugees), the household growth rate stood higher, between 3 and 4.7%[26] for the same period.

Also, demand for housing varies considerably over the geography. With the acceleration of rural-urban migration, both urban population and urban household growth rates were higher in the last decades than the country average. The urban population growth rate evolved from 4.2% in the 1980's to 3.3% in 2009. The average household size in urban areas (4.7 in 2009) was also much lower than that rural (5.4), when the country average was of 5. Thus, **the growth of the number of urban households stood at around**

[22] However, the extent and quality of these infrastructure data were later challenged by the analyses and reports of the Municipal Administration Modernization (MAM) surveys and reports on regional planning.
[23] CBS, Statistical Abstract, 2011 and World Bank 2019.
[24] The figures are according to the Statistical Abstracts of the Central Bureau of Statistics (CBS). Note the correction on the total that has been made in 2004.
[25] It has been demonstrated that the age of marriage is correlated with the dynamism of the housing rental market ; see Assaad, Ragui & al : 2017.
[26] The highest rate of growth of population and households occurred with the arrival of Iraqi refugees after 2003.

4.0% in 2009-2010, if Iraqi refugees were not to be included (see figure 4). **The growth rate of the supply of urban dwellings had to be at least similar to match the demand, a challenge that by far not met.**





One approach to estimate the country's yearly demand for housing in 2011 can then be made through tracking the rate of growth of the number of households. This approach gives a yearly demand of at least 160,000, 66% of it being urban housing (107,000) instead of 59% in the early 1990's. Another approach considers the number of marriages[27], which was 227,808 in 2010[28] (199,606 if divorces are extracted and 161,816 if the number of registered deaths is also extracted). These marriages constituted 9.5 per thousand of population, with a large disparity between governorates (figure 5). **A reasonable estimate between these two approaches situates the demand on housing at 180,000 in 2010-2011 (119,000 urban)[29], with a growth rate of total urban dwellings of 4.0% yearly.**

The housing gap

It was widely recognized that a gap existed in Syria between demand and supply of housing, and this phenomenon persisted for decades. The Central Bureau of Statistics documented the numbers of dwellings licensed yearly, those executed as well as the total number of permit seekers[30]. Major gaps in construction are noticeable around 1990 and 2000, both in terms of licensing and execution, and for both urban and rural areas. The gap of 1990 seems to result from the financial crisis of 1986, and that of 2000 of the "lost years in Syrian economy"[31], the end of the era of the presidency of Hafez Assad. Wide variations existed between governorates with Aleppo, the largest governorate registering the least number of licenses issued consistently through the period[32]. Later in the 2000's the rhythm of licensing

[27] See Seifan, Samir, 2011.

[28] CBS : Statistical Abstracts 2011.

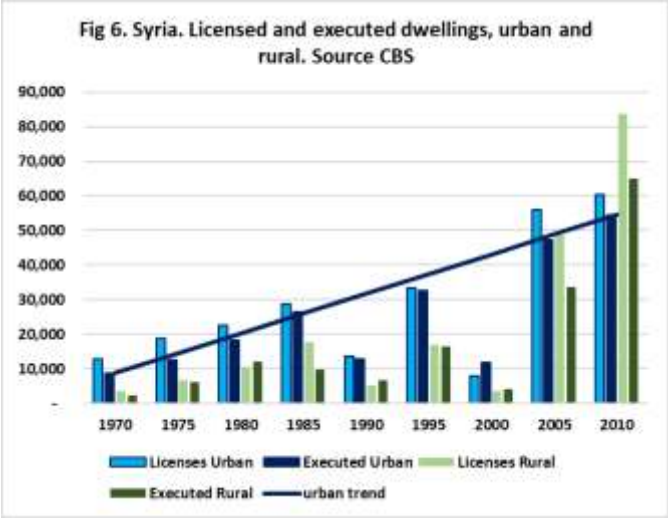
[29] The SCPR criticized the basics for the assessment of the population growth in Syria in the late 2000's and estimated the population growth rate in 2009 at 2.9. This means that the total population of Syria in 2010 was 1.0 million higher than the admitted figure.

[30] A systemic difference can be observed between the number of reported executed dwellings each year and the differential number of dwellings from last year, suggesting that the reporting on executed dwellings each year concerned only the formal ones and that the total reported yealy included also the informal dwellings. Another plausible explanation resides in the fact that GoS used to give subsidies for building materials for rural housing construction. Many found it profitable to go through the permit process to get cement and steel alocations and then sold these materials in the market and never really constructed. This lasted till subsidies were stopped in the early 2000. In 2004, a major correction was made on the reporting of the total number of dwellings. This documentation was partial in 2011 and stopped since 2012.

[31] Aita, Samir ; 2013.

[32] CBS: Statistical Abstract, for the years 2000-2011

and executions accelerated again in urban areas to reach their pre-1986 rhythm. With the partial data available (see figure 6), it was reported that this acceleration was much higher in rural areas[33] (!), especially that actual rural construction licenses granted in the period 2000-2005 exceeded by a factor 2 those of urban licenses[34]. Nonetheless, the total yearly executed dwellings barely reached totally 120,000 in 2010, the highest ever, without even closing the yearly gap in demand.



The State Planning Commission (SPC) 9th five-year plan 2000-2005 had already acknowledged this housing gap and forecasted the execution of 268,800 dwellings in its five years period: 15% by the public sector (39,344 dwellings), 28% by the cooperative sector[35] (75,328) and 58% by the private sector (154,128). In 2005, the actual realization of 81,000 units surpassed the plan's yearly forecasted average of around 54,000.

Then, the 10th five-year plan 2005-2010 had recognized that even this planned acceleration did not meet the growing gap in housing and estimated that, owing to the growth of the population, the needs until 2010 are of 687,000 additional dwellings (408,000 new demand; 183,000 unfulfilled gap from the former 5 years plan; 63,000 obsolete dwellings needing to be replaced and 33,000 corresponding to an 8% margin). **These new needs for 5 years constituted 23% of the total of occupied dwellings.** This was very ambitious given that Syria's median age of housing unit was over 20 years (see above). The plan forecasted policies consisting of completing the 166,000 dwellings under construction, of putting yearly 1.5% of empty dwellings in investment (38,000, mostly by renting these dwellings) and by constructing 483,000 new dwellings: 10.3% by the public sector, 12.4% by the cooperative sector and 77.3% by the private sector. The relative shares of the public and cooperative sectors were reduced compared to the 9th plan, but their absolute quantities remained approximatively the same. This was still an ambitious assumption as both sectors never really managed to fulfil their share in previous plans. Nonetheless, it was recognized with no unmistakable directive that most of the efforts of construction were to be made by the private sector. The plan however, fell short on explaining the enabling environment needed to encourage the private sector to perform this formidable task.

However, though the execution of new dwellings between 2006-2010 exceeded the levels stipulated in the plan, the housing gap persisted. This is mainly since the average yearly demand identified in the plan (82,000 yearly) was underestimated (see the discussion above on how the actual demand evolved). **In addition, facts on the ground evidenced that the Iraqi refugees have contributed significantly to an additional surge of demand for housing[36] during 2006-2010 and to real-estate bubble causing the**

[33] Especially that a new batch of small town master plans was accelerated in the early 2000. Hundreds of masterplans were ratified during that period, transforming the rural territory into developable land.
[34] UNDP: vision of Syria 2025; 2008. The data from the central Bureau of Statistics was only available for some years.
[35] For a discussion on the nature of the cooperative sector see below section 6.3.
[36] https://www.addustour.com/articles/399992-%D9%87%D8%AC%D8%B1%D8%A9-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82%D9%8A%D9%8A%D9%86-%D8%AA%D8%B1%D9%81%D8%B9-

inflation of rents and selling prices[37]. In Damascus the boom led the city to be classified in 2009 as the 8th most expensive cities in the world[38] but similar effects were noticed to varying degree in many other cities.

The 11th five-year plan 2011-2015 forecasted prior to the conflict a much higher need[39] of 880,000 dwellings (+28% on the former plan); with a new demand due to population growth of 520,000 units (situating then the average yearly demand at 104,000), in addition to 320,000 dwellings to be replaced due to their obsolescence, plus 40,000 units as margin. No mention was explicitly made of a gap. The plan forecasted to answer these needs by finalizing 279,000 already erected dwellings (32% of total), by building 571,000 new dwellings (65%) and by occupying yearly 1.5% of the 394,000 dwellings estimated not occupied (around 10% of all dwellings in Syria were estimated to be empty). The status of the progress of this plan during the conflict is unclear as well as the planning for 2016-2020.

Regional disparities

The regional disparities were large in terms of the accumulated housing gap, i.e. the overall difference between demand and supply. This is not just a reflection of different patterns of demand, but it also reflects great differences in how national policies were implemented and the capacity of local institutions to implement policies.

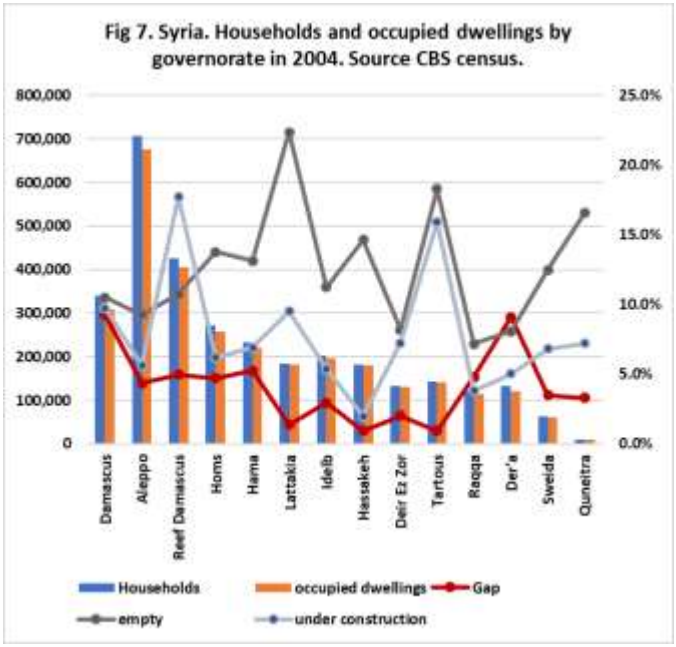


Fig 7. Syria. Households and occupied dwellings by governorate in 2004. Source CBS census.

According to the 2004 census, the governorates of Damascus and Der'a showed the largest gap between the number of occupied dwellings and number of households (figure 7). Respectively 9.3 and 9.1%[40] of households in those two governorates had no independent dwellings: twice the national average of 4.6%. On the other hand, the gap was the lowest in Hassakeh and Tartous, at 0.9%. It should be noted that at the time, in 2004, Hassakeh was experiencing a massive rural-urban migration wave to other parts of the country, which could in part explain the reduced demand[41]. On another note, Lattakia and Tartous were observing the largest share of non-occupied dwellings, respectively of 22% and 18%, while the national average was only of 12%. There is no break down in the data to explain housing typology and to correlate in which market segment was under-performing and in which segments it was enabling such surplus accumulation.

%D8%A3%D8%B3%D8%B9%D8%A7%D8%B1-%D8%A7%D9%84%D8%B9%D9%82%D8%A7%D8%B1%D8%A7%D8%AA-%D9%81%D9%8A-%D8%AF%D9%85%D8%B4%D9%82

[37] Ownership by foreigners was legalized fully only through law 11 of April 10, 2011, thus few days after the uprising.

[38] according to Cushman & Wakefield, see https://alphabeta.argaam.com/article/detail/15143.

[39] http://escan.gov.sy/index.php?page=category&category_id=29&lang=ar&lang=ar.

[40] Gap is marked in terms of percentage of households in governorate, right scale.

[41] Aita, Samir ; 2009.

Construction activities also varied amongst governorates. While the national average of dwellings under finalization was of 8%, Reef Damascus and Tartous had shares of respectively 18% and 16%. This persisted over most of the decade. Cumulatively, the acceleration of housing construction in the second half of the 2000's showed a consistent pattern of uneven growth between governorates (figure 8). Tartous

Fig 8. Syria. Evolution of number of dwellings 2003-2010. Source CBS

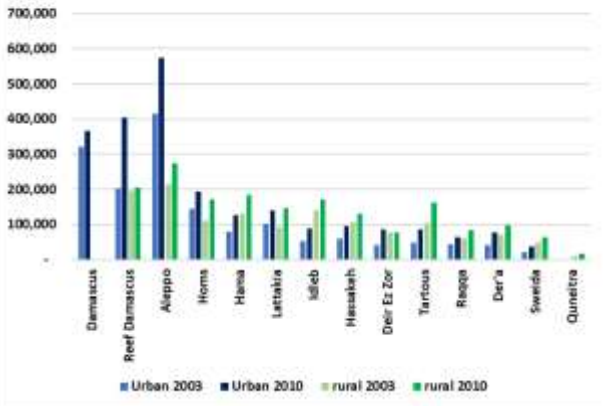
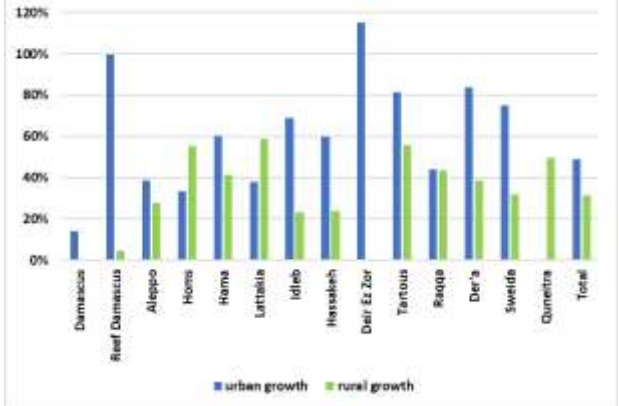


Fig 9. Syria. Urban and rural growth of construction 2003-2010. Source: CBS



experienced the largest increase between 2003 and 2010 (+64%), followed by Der'a (+55%), Reef Damascus (+53%), Quneitra (+50%), Lattakia (+49%) and Idleb (+48%). Damascus City saw the lowest increase with only (+14%), followed by Aleppo (+35%), with a national average of 41%. While Damascus's figures are understandable, given that the governorate is confined to the capital city, Aleppo governorate figures remain an enigma, perhaps suggesting that a great deal of the construction was informal and was under documented.

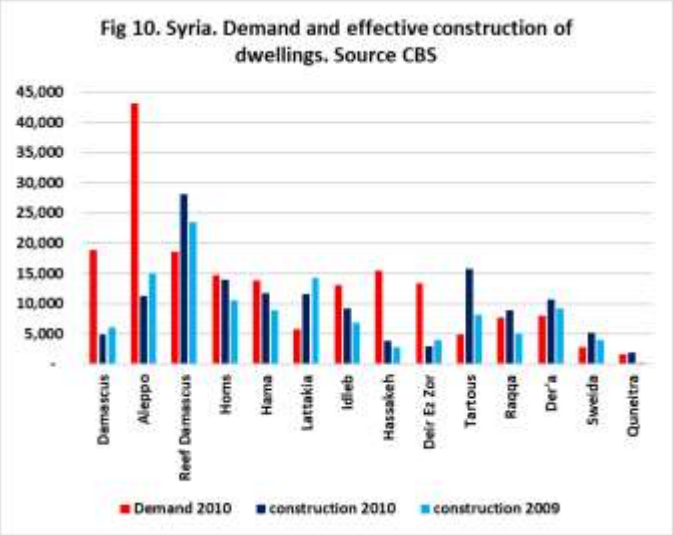
The growth in construction in urban areas (+49%) was much higher than that in rural ones (+32%), despite the larger granting of licenses in rural areas (see figure 9). The largest increase in urban construction during this period was observed by Deir Ez Zor (+115%), followed closely by the suburbs (*Reef*) of Damascus (+100%). This is while the rural growth was for these governorates of 0% and 5% respectively. This reflects the massive rural-urban migration and the rapid urbanization of small settlements to become mid-size towns within the governorate of Deir Ez Zor[42]. The urbanization of Reef Damascus is influenced perhaps not only by local rural to urban migration but by population transfer from the city itself to its suburbs as the city could no longer absorb newcomers. Tartous urban areas also developed at a faster pace (+82%) than its rural areas (+56%). The same for Aleppo, Hama, Idleb, Hassakeh, Der'a and Sweida. On the contrary, Homs urban areas showed lower increase (+33%) than its rural areas (55%). Similarly, Lattakia urban areas developed less significantly (+38%) than its rural areas (+59%). In both cases there was a high percentage of local administration councils in rural areas, reflecting a policy of preferential treatment for rural areas[43].

These large increases in supply in some governorates seem to correlate with an acceleration of the demand due to the rapid rural-urban migration that resulted from different factors. Primary among them is perhaps the issuing of a new law of agrarian relations in 2004[44] which allowed landowners to terminate

[42] Aita, Samir, 2010.
[43] Hallaj, O. A, et. Als. 2018. The State of Syrian Cities Report.
[44] Law n°56 of December 29, 2004.

freely their contracts with tenants leasing productive agricultural land. This law entered into force in 2007 and resulted in the expulsion of thousands of tenants and workers, especially in the *Jezireh*[45] and the coastal zones of Tartous and Latakia. This law was further modified few days after the starting of the uprising in 2011[46] addressing especially its article 163 that initially allowed the termination of leases without compensation if the contract was only oral. In the new addendum, oral proofs, such as testimony of neighbors, were considered[47]. However, many had already been displaced.

In 2010, the average yearly demand for housing in the country stood at 0.85% of the size of the population (figure 10.) but reflects an increase of 4% in the number of households. The largest demand concerned the governorate of Aleppo (+43,184 yearly; 1.1% of the size of its population) higher than that of Damascus and Reef Damascus together (37,395; 1.1% for Damascus and 0.4% for Reef Damascus). The comparison of base demand[48] and actual constructions in 2009 and 2010, clearly shows the excess and gaps observed in some governorates comparatively to others. **Aleppo and Idleb suffered from the most serious gap between base demand and actual constructions. The gap in Deir Ez Zor and Hassakeh reflects the rural-urban migration, while the demand in Damascus could hardly be met within the city limits.**



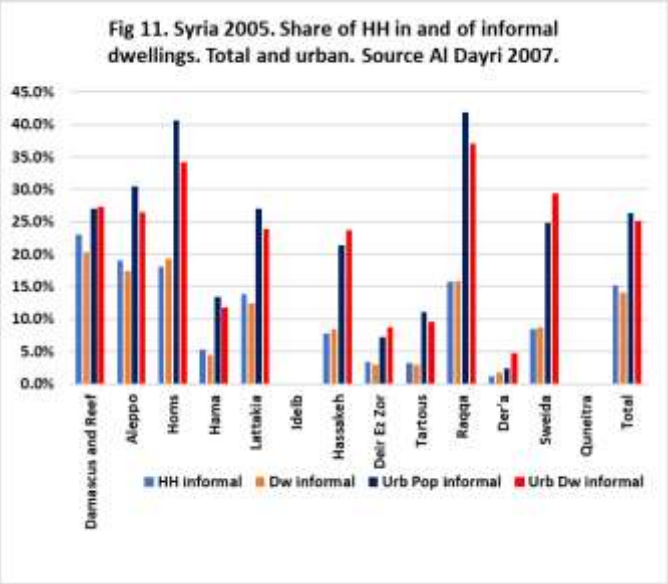
Informal settlements[49]

In practice, the existing dwellings accounted for in CBS statistics were not all formal housing units. To cope with the gap in the demand, significant construction of dwellings took place without building permits, as extensions to existing buildings or more significantly on lands not allocated for urban development, but where residents hold some form of tenure documents for the land (often registered by a court order and/or a notary public office) but not a license to build. In some cases, it took place by squatting on public and private land. With the persistence of the housing gap, an important portion of buildings and constructions in Syria became informal. However, the notion of informality is overwhelmingly linked to the absence of building permits.

Informal settlements started as early as the late 1940's and early 1950's with the Palestinian refugees' camps after the *Nakba*[50]. They continued in 1967 with the Syrian refugees following the occupation of the Golan heights. They developed much further with the transformations of the rural environment

[45] The Jezireh region includes the governorates of Deir Ez Zor, Raqqa and Hassakeh.
[46] Law n° 12 of April 12, 2011.
[47] See also Ababsa, Myriam; 2019.
[48] Base demand is assumed = number of yearly marriages – number of divorces - number of deaths/2.
[49] A discussion on the status of informal housing in Syria can be found in Hallaj, 2017.
[50] 1949 war.

(subdivisions of land through inheritance, development of agricultural labor, change in agricultural relations, vulnerability to draught and economic crises, increase of poverty, opportunities of seasonal labor in Lebanon) leading to an acceleration of rural-urban migrations[51]. The problem was exacerbated in the 1970's with the issuing of new laws to restrict land speculation and monopolizing urban growth through public and cooperative housing that was underfunded and poorly managed. The issuing of law 60 in 1979 was to culminate state in that direction and rates of expansion of informal areas increased steadily after that[52].



Following the census of 2004, a national assessment of informal housing was conducted in 2005[53]. It showed that informal settlements constituted 15% of total dwellings in Syria (around 500,000), 25-30% of urban dwellings and even more than 30% of the dwellings in major cities (Damascus, Aleppo, etc.). Homs was assessed to have the biggest share of informal settlements (35-40% of total dwellings)[54]. However, the definition of informality was poorly explained and distinction between informal areas and informal construction was not fully clarified. Population density was assessed to be high in the informal areas that developed in and around cities. The share of occupied dwellings in informal settlements was higher (86.7%) than average (81.7%), but still a substantive portion of the stock was not occupied and probably used for speculative reasons. Also, the share of rented[55] dwellings was higher (13.1% comparatively with 6.9% the national average). Only 34.3% of the informal dwellings were found to be constructed in urban areas with legal cadastral registries (comparatively with 56.3% in average) and 22.3% were found to be part of rural legal cadastral registries (compared to 12.5% in the national average). 6% of dwellings in informal settlements were under construction (comparatively to a national average of 4.5%). This means that the informal construction activity at the time of the survey had their own dynamics. The access of

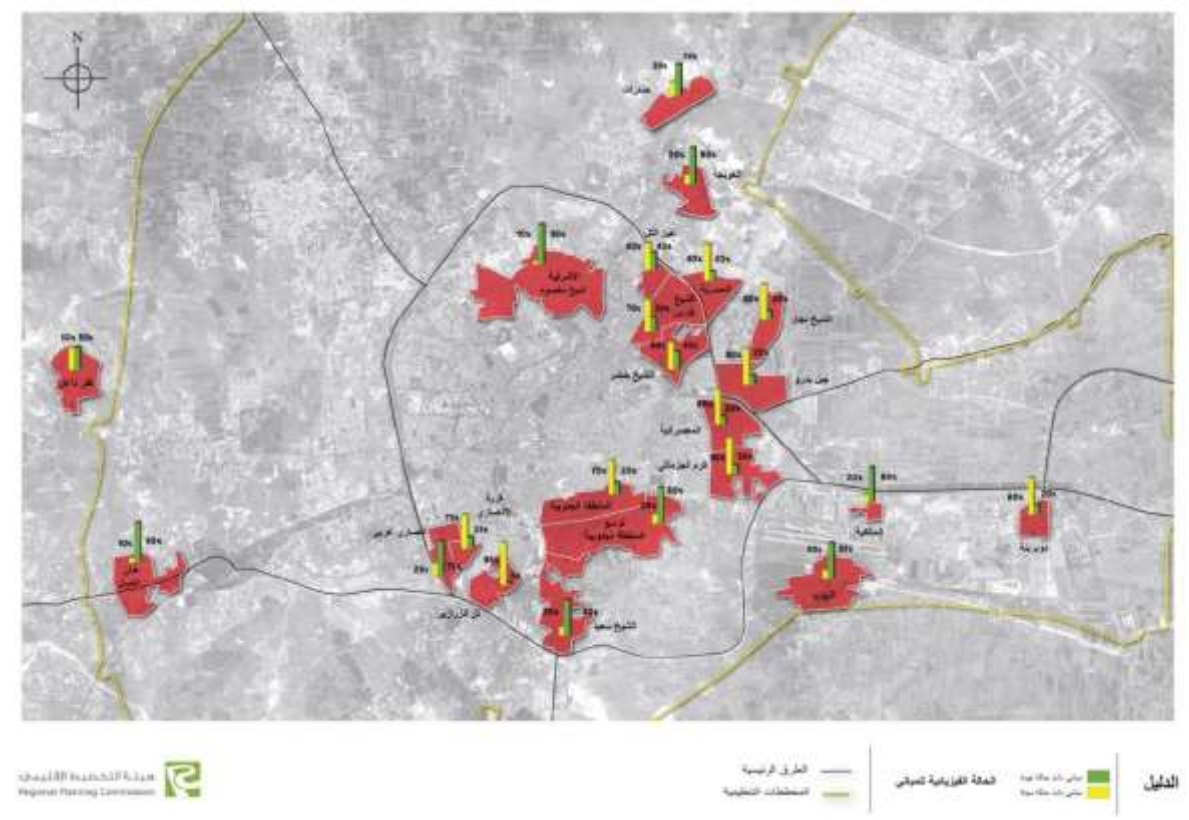
Table 1. Informal settlments in Syria 2012. Source RPC

Informal zones	Nber of zones	surface ha	population
Damascus	?	?	?
Reef Damascus	74		
Aleppo	22	3,320	865,000
Homs	?	?	?
Hama	10		
Lattakia	8		
Idelb	4		
Hassakeh	13		
Deir Ez Zor	?	?	?
Tartous	1		
Raqqa	7		
Der'a	6		
Sweida	?	?	?
Quneitra	11		
Total	157	10,838	3,110,151

[51] UNDP : vision of Syria 2025; 2008.
[5252] Hallaj, O. A, et. Als. 2018. The State of Syrian Cities Report.
[53] Based mainly on the 2004 census. See Dayri (Al), Iyas 2007.
[54] UNDP ; 2018, p. 184.
[55] The share of non-occupied formal dwellings was high in Syria until 2001 due to issues related to the regulations of rents.

Box 1. The informal settlements in Aleppo city, according to RPC 2013.

The multi-criteria assessment showed 22 informal zones in the urban and peri-urban surroundings of Aleppo. Some have mostly acceptable housing conditions (a dominant green color: Handarat, 'Oweija, Achrafieh-Sheikh Maksoud, Malkieh, Neyrab, Southern extension, Sheikh Said, West Ansari and Khan Al 'Assal), and others very deteriorated conditions (a dominant yellow colour: Haydariya, Sheikh Najjar, Jabal Badro, Sheikh Fares, Ma'asraniya, Karm Al Jazmati, Soutern area, Al Ansari and Dweirina).



informal settlements to public services was estimated to be good in the 2005 survey, even higher than average in some cases. The results indicated clearly that **the development of informal areas was less related to poverty than to a problem in urban planning and supply of housing**[56].

Damascus had the highest share of informal settlements (in fact including Reef Damascus as both governorates were grouped in the survey) and Der'a the lowest (see figure 11). Data on Idleb and Quneitra were not made available. When disaggregating the data to urban and rural areas within each governorate, Raqqa and Homs had the highest share of urban[57] informality (respectively 37% and 34% of total dwellings), Der'a and Deir Ez Zor were the lowest. More compelling were the results of the survey concerning employment. Total unemployment was assessed lower in the informal settlements than in

[56] Some informal areas were developed by military decisions to host the families of army servicemen, such as the case of the 86 Suburb in Mezzeh in Damascus.

[57] The capital of the governorate and its other cities.

average (10.2% compared to 14.5% on average), except for the youth (aged 16-25) for which unemployment is higher in informal areas (68.8% compared to the national average of 59.8%).

Another uncomplete survey on informal settlements was performed in 2012 and partially published[58] (table 1). Excluding Damascus, the informal settlements were found to occupy at least 10,838 ha in urban and peri-urban zones, hosting a population of around 3.1 million (15% of the total population of Syria); thus 8 years later after the 2004 census little progress was made to reduce the phenomenon. Damascus town, Homs, Deir Ez Zor and Sweida were not covered, and only the details of Aleppo were made available.

1.2 The demand for housing during conflict

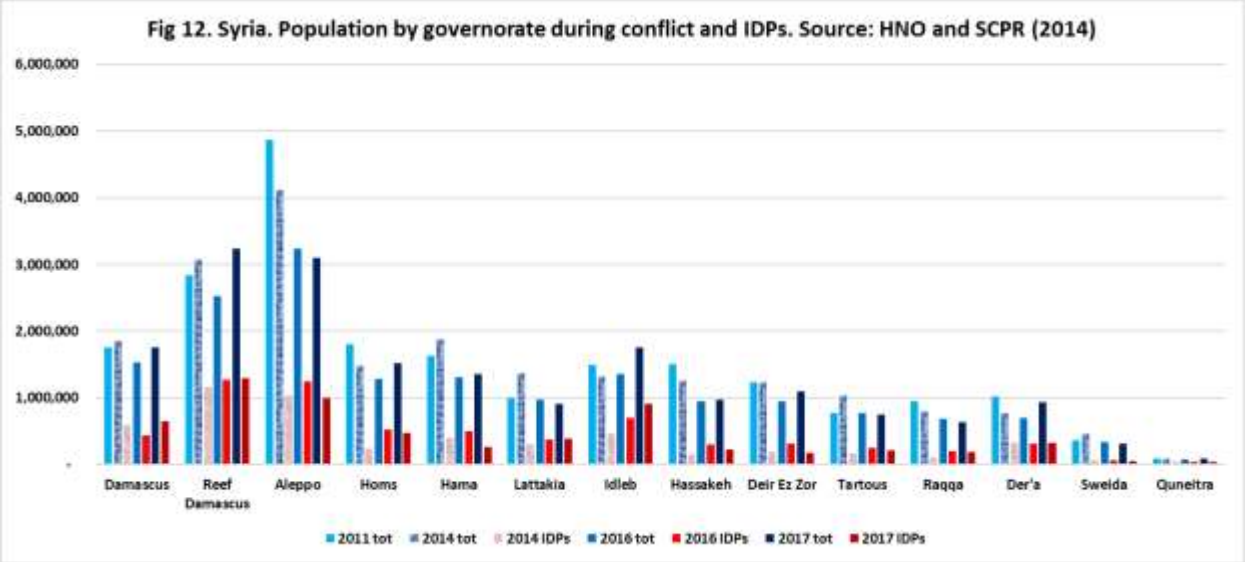
The assessment of housing demand during the conflict that erupted in 2011 is very complex. Syria experienced large displacements of population. The recent UN documents[59] indicate that over 6 million Syrian people remained internally displaced by early 2019 and 5.7 million were refugees, mostly in neighboring countries. These figures persisted despite the spontaneous return of 1.4 million in 2018 and the expected return of another 250,000 in 2019.

During the conflict, the demand for housing can be attributed to the natural expansion of the non-displaced population, to the IDPs' arrival and their growth, to the returning of refugees and to the needs for replacement or refurbishing of the destroyed, severely damaged or simply obsolete dwellings. Despite the war and the destruction, it is expected that during the 8 years-long conflict, part of this demand would had been met with formal and informal constructions.

The demand for housing evolved with the development of the conflict and followed different patterns. In the earliest phase (2011-2012), large construction activity had effectively taken place in order to compensate for the gap in housing, especially in the informal areas, but also in the formal areas as the severity in implementing State regulation weakened, and most probably as the authorities adopted a laissez-faire attitude not to attract more popular anger.

In the second phase when the conflict transformed into a fully-fledged war, the country experienced large movements of population, with both IDPs and refugees abandoning their dwellings, and as IDPs sought shelter in other areas changing the demand pattern there. The total residing population declined (from the expected 23.9 million in 2014 to an assessed 20.8 million, then down by 13%)[60], reducing then the level of global demand but increasing it significantly in some cities and areas. The incoming IDPs occupied (through formal rental or informal arrangements) the dwellings left unoccupied by outgoing IDPs and refugees. Moreover, the conflict accelerated rural-urban migrations, leading to "*a significant concentration of population in urban areas*"[61], significantly increasing the demand on urban dwellings. With the duration of the conflict, some of the IDP's temporary shelter camps became real "cities", with even a sense of belonging.

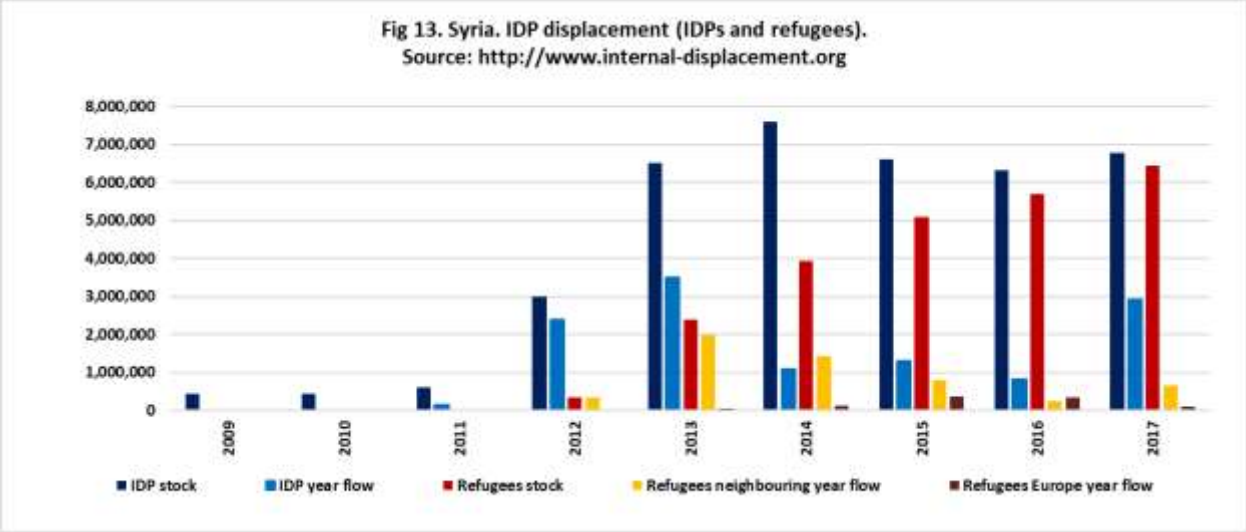
[58] RPC 2013.
[59] OCHA: Syria, Humanitarian Need Assessment 2019, March 2019.
[60] SCPR 2016.
[61] World Bank, 2017. Although, the reverse occurred for some cities, such as Homs; see Aita, 2020.



NB: The population figures include IDPs;
the IDPs figures include those from within the governorate as well as those from other governorates.

Population movements during the conflict

The change of population was not uniform across the governorates. While the population of Lattakia and Tartous increased between 2011 and 2014 by around 35% (figure 12), that of Sweida and Hama by 25% and 16%, and that of Damascus and suburbs by around 7%; while the population of Der'a decreased by 24%, that of Homs by 18%, Aleppo, Hassakeh and Raqqa by 16%, reflecting the areas where the battles were ongoing in the first years of the war. All governorates, and mainly their cities, experienced a large overall inflow[62] of IDPs and saw their demand on housing increasing dramatically. It is expected that in 2014 the share of damaged dwellings was still limited, except maybe in downtown Homs. The following phases of the war were marked by fierce bombardment and battles, taking a large share of the housing stock out of usage.



[62] A positive inflow minus outflow of IDPs.

The internal displacements of the population started to reach a substantive level in 2012 and by 2013 it reached around 6,000,000 and has remained steadily at this level since then (figure 13). However, total numbers do not reflect the fact that many people have resettled back, and new displacements have taken place. Indeed, continuous internal displacement occur after fighting as was observed in 2017 following the evolution of the fighting, when displacement reached a peak of 3,000,000 in that year. On the other hand, the massive flow of refugees to neighboring countries started and peaked in 2013, decreasing in rate since. With neighboring imposing more strict controls, the outflow of Syrian was reduced considerably. The flow of refugees to European countries lagged behind and took place mainly from neighboring countries and reached a peak in 2015 and 2016. Most of internal displacement resulted from the fighting, while the flow of refugees came from all areas of the country, even those not experiencing fighting[63] and controlled by the authorities.

Table 2. Syria. Population growth 2011-2017. Source HNO 2018.

Population growth 2011-2017 and share of IDPs	Governorate		City	
	Growth	share IDPs	Growth	share IDPs
Damascus	0.3%	**37%**	0.3%	**37%**
Reef Damascus (Babella)	14.1%	**40%**	-58.8%	**16%**
Aleppo	-36.3%	**32%**	-49.2%	**31%**
Homs	-15.5%	**31%**	-18.4%	**44%**
Hama	-16.6%	**19%**	18.0%	**20%**
Lattakia	-8.8%	**43%**	38.6%	**53%**
Idleb	17.3%	**52%**	-20.0%	**41%**
Hassakeh	-35.6%	**24%**	-28.3%	**52%**
Deir Ez Zor	-11.1%	**17%**	-50.9%	**38%**
Tartous	-3.1%	**29%**	43.8%	**36%**
Raqqa	-32.7%	**31%**	-17.0%	**47%**
Der'a	-8.5%	**35%**	-2.2%	**34%**
Sweida	-13.3%	**16%**	-10.9%	**17%**
Quneitra (Khan Ernbeh)	6.3%	**50%**	-23.9%	**41%**

Across regions, the flow of IDPs and their directions fluctuated with the intensity and progress of the battles. Thus in 2017, all governorates have lost population comparatively to 2011, except Idleb (+17%) and Reef Damascus (Damascus suburbs, +14%) (see table 2)[64]. The share of IDPs in each of the governorates reached at least a third of their population, except in Sweida (16%), Deir Ez Zor (17%) and Hama (19%).

However, the distribution between intra and inter-governorates flows of IDPs is more complex. The IDP movements was continuous and significant all along the conflict. For example, a total number of 6.2 million IDPs was assessed in 2018, almost like that of 2017, but with 1.8 million moving during the year and 1.4 million making spontaneous returns[65]. This is while 6.2 million were assessed to be long-term displacements. This means that most of the displaced have experienced multiple displacements[66] and that most of the returnees are not necessarily returning to their initial residences where they lived immediately before the war, but perhaps to areas of origin from which their families had migrated.

At the level of main cities, the evolution was also extremely differentiated. The cities of Tartous, Lattakia and Hama have seen their population growing significantly between 2011 and 2017 (respectively by 44%, 39% and 18%, see table 2), with a rate much higher than that of their governorates. Their share of IDPs

[63] For the refugees in neighboring countries, see https://data2.unhcr.org/en/situations/syria and in Europe, see Eurostat.
[64] OCHA, HNO, 2018.differnt phases of the battles
[65] OCHA, HNO 2019.
[66] http://www.internal-displacement.org/countries/syria

was also higher than that of their governorates. This had further strongly increased the demand on urban housing in these areas.

Other main cities have experienced a decrease in their population and contributed a significant share of IDPs. However, the evolution of secondary cities is extremely differentiated (table 3), but also indicating a massive rural-urban migration as shown in the example to the Lattakia governorate.

The analysis of the data of the humanitarian need assessment (HNO) of the UN[67] confirms the massive rural-urban migration due to the conflict and the role played by major cities to host IDPs.

It is worth noting that some 871,150 IDPs (14% of total) found shelter in camps and "last resort sites", as shelter possibilities in cities and villages were exhausted. These are distributed over 9,968 IDP sites, comprising 5,946 informal settlements, 2,031 planned camps, 1,810 collective centers, and 181 reception and transit centers[68]. The largest number of sites is concentrated in Idleb governorate. Some of these sites are overcrowded, accommodating 400% more than their designed capacities and some have evolved to become real "cities".

Table 3. Local population growth in selected governorates. Source HNO 2017.

HNO	2017 vs pop 2011	pop growth	share of IDP
Aleppo Governorate	**Aleppo city**	-49%	31%
	Aleppo suburb	-6%	33%
	Afrin	60%	38%
	Ain Al Arab/Kobane	-43%	1%
	Al Bab	-61%	20%
	Al Safira	-79%	11%
	Azaz	9%	57%
	Jarablus	-22%	47%
	Menbij	-21%	26%
Homs Governorate	**Homs City**	-18.4%	43.6%
	Homs Nahia except city	-8.3%	9.8%
	Al Makhrim Nahia	9.4%	6.3%
	Al Qusayr	-55.1%	25.2%
	Ar-Rastan	22.0%	24.1%
	Tadmor/Palmyre	-81.2%	5.5%
	Tal Kalakh	9.9%	40.7%
Hama Governorate	**Hama city**	18%	20%
	Hama Suburbs	-53%	13%
	Salamieh	1%	39%
	Salamieh suburbs	-54%	11%
	Sukailabyeh	-46%	7%
	Masyaf	4%	18%
	Mhardeh	-56%	17%
Lattakia Governorate	**Lattakia City**	38.6%	53.2%
	Lattkia suburbs	-66.6%	9.6%
	Al Haffa	-73.0%	5.1%
	Qardaha	-29.4%	6.2%
	Jableh city	-47.3%	40.3%
	Jableh suburb	-40.8%	5.2%

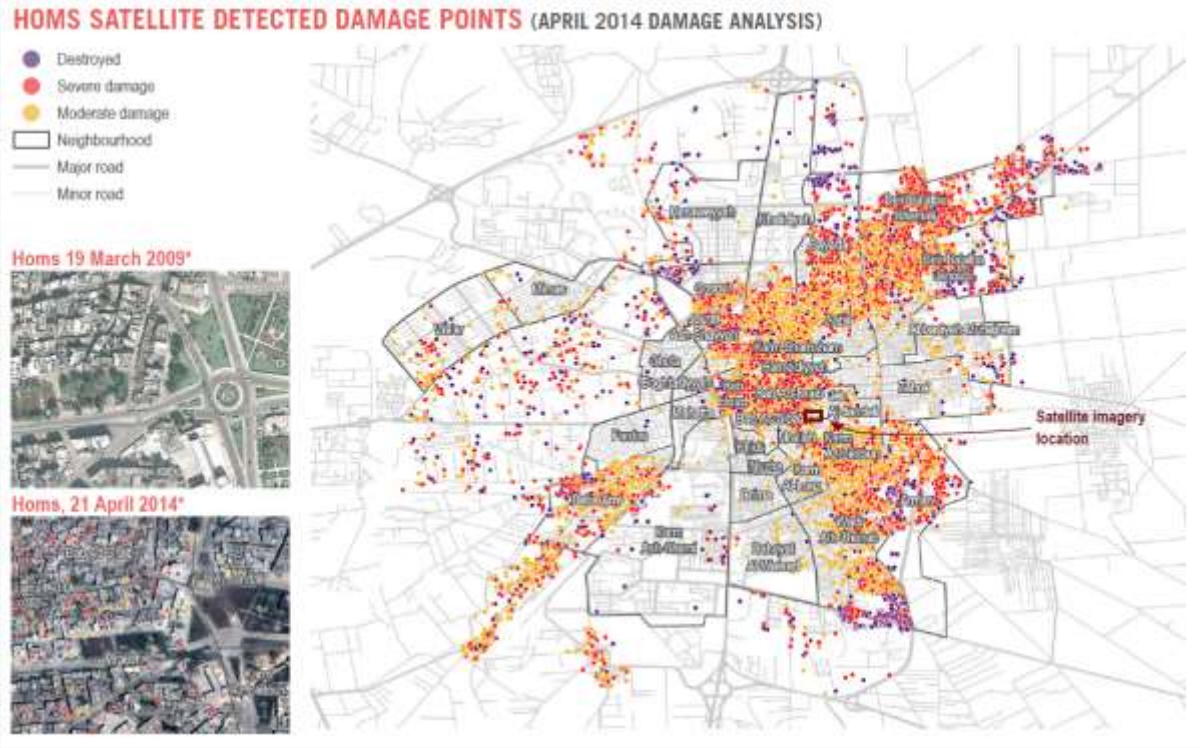
A proper assessment of housing demand needs a more in depth analysis of household growth and displacement, and not of those of population. This is for the situations prior, during and following the conflict. Especially as it is expected that the household structure is expected to have been affected by the conflict with a plausible return to extended family structures.

[67] OCHA, HNO, 2018.
[68] OCHA, HNO, 2019.

Box 2. The demand for housing in Homs during conflict

Homs city, the 3rd largest in the country, lost between 18% (estimated by the HNO) and 40% (according to UN-Habitat) of its original population, most of them went to Lebanon. 44% (HNO and UN-Habitat) of its current population is constituted of IDPs, a large majority are displaced intra-city. Only, 3,800 returnees were observed in 2017.

The city experienced fierce fighting in a very early period of the conflict (2012-2013). UN-Habitat estimated (1) that 57% of the housing stock in Homs has been affected: 36% destroyed and 21% partially damaged (2) (*noting that 71% of this stock was made of multi-story buildings*). Many neighborhoods (21 out of 36) are no longer functional in terms of access to housing, services, economic activities and overall infrastructures.



59% of the city urban land was occupied by 12 informal areas, though designating an informal area has no agreed parameter, the UN Habitat study does not match pre-conflict studies done by the governorate in which 19 areas were demarcated. The informal areas provide approximately 42% of the city's housing stock. Most of the damage was concentrated in informal housing, but also in the old town and many of the commercial districts. Some informal construction activities were also reported in the first years of the uprising; i.e. 2011 to 2013.

A survey conducted in Lebanon on refugees from Homs reported fraudulent sales and forgery of property documents while their owners were absent, as well as massive looting, especially in the Old City and Al Hasawia areas. Some non-severely damaged dwellings were reported to be occupied, mostly rented, but in 29% squatting was reported without permission from owners.

1. Using key Informants survey, see Un-Habitat and UNHCR: Homs, October 2018.
2. This is while the World Bank estimated that 6% of Homs housing stock was destroyed and 17% partially damaged (WB; 2017). The recent Reach-UNITAR damage assessment depicted 13,778 damaged buildings: 3,082 destroyed, 5,750 severely damaged and 4,946 moderately (Reach; 2019). The differences result from the evaluation method, and the analysis by building or by housing unit.

1.3 The post-conflict demand for housing

In broad terms, the demand for housing at the end of the conflict can be assessed as the sum of:

- The increase of housing needs of the population still-resident in the country and/or the cities and towns, due to natural growth,
- adding to that is the demand for housing due to destruction or severe damage of dwellings,
- and subtracting from the total the dwellings built or repaired during the uprising and conflict.

However, additional issues need to be considered at the local level:

- The physical conditions of housing and shelter of the population and hosted IDPs,
- the demand for housing by the IDPs and returnees willing to return, and their natural growth,
- the dwellings left available by the population displaced or seeking asylum abroad,
- the needs of the population having lost their HLP documentation,
- the demand resulting from rural-urban migrations, economic displacement and from labor market conditions,
- the change in household structure, birth rates and social support systems,
- and the time constraints to remove war remnants from the housing environment.

Most of these issues need in depth investigations and analyses, city by city, and location by location, as the situations are extremely differentiated: a considerable task.

At the national level, the demand for housing of the still-present population can be estimated similarly to the pre-conflict situation. The HNO 2018[69] estimated this population inside Syria in 2017 to be 18.5 million, or 4.0 million households[70]. This population has its natural growth. This leads to an **estimation of a yearly demand of the still resident population (including IDPs) in a first approximation of 157,600 dwelling units[71], with 70% urban, i.e. around 110,000 additional urban dwellings yearly.** This estimation includes the additional yearly needs of both the non-displaced and of the internally displaced. However, this rate may change drastically depending on when the war comes to a halt and recovery starts in earnest. Syria witnessed a second “baby boom” in the early 2000’s and this will lead to a sudden bulge of youth entering the housing market for the first time starting in 2023.

Among the 6.8 million documented IDPs, only 14% are in temporary shelters[72]. Those will need an additional 153,000 dwellings to return home and have a permanent shelter[73]. **What adds an estimated 42,000 dwellings yearly to settle the IDPs presently in temporary shelters,** if their lodging is assumed to be realized within 5 years.

The 5.7 million refugees abroad can be assumed to have liberated around 1.0 million dwellings[74] in different parts of the country; this is equivalent to a quarter of the total stock of dwellings in the country in 2010 and a number comparable to that of the accounted for damaged dwellings in the country[75].

[69] See OCHA 2019 and 2018.
[70] Assuming a household size of 4.57 in linear regression since 1993 (6.1) and 2009 (5.0).
[71] Corresponding to a growth rate of households at 3.9% yearly.
[72] See above section 1.2.
[73] Assuming that their shelters are destroyed, severely damaged or occupied by secondary occupation.
[74] Plausibly much less, as it is expected that many refugees had left members of the family back home.
[75] World Bank; 2019.

However, only an estimated 328,000 dwellings[76] are assumed destroyed or severely damaged and cannot be occupied quickly. The status of the moderately or slightly damaged dwellings need more in-depth investigations, to check if their occupation is hindered by the destruction or non-availability of basic services (water, electricity, sewage, safety from war remnants). Depending on the effective status (of the moderately and slightly damaged dwellings), and assuming that the return of refugees is made in 5 years, **another additional yearly demand will be imposed by the return of refugees**. It can be estimated to be ranging **between 66,000 and 200,000 dwellings per year**.

Therefore, the total post-conflict yearly demand for housing during the first five years of recovery ranges between 265,600 and 399,600 dwellings; thus between 48% and 122% above the pre-conflict demand level; the equivalent of between 6.6% and 10.0% yearly of the housing stock of 2010.

These estimations do not consider the accumulated housing gap during the conflict, which is assumed to be satisfied by the supply of housing that occurred during the conflict. However, it is expected that this supply has decreased with the years of the conflict; and thus, some unanswered demand questions arise due to accumulated problems as the conflict continues.

Thus, if one assumes that the conflict were to end now, the overall additional demand for housing in the country depends strongly on the status of the moderately or lightly damaged dwellings and on the rhythm of return of the IDPS and refugees, especially from neighboring countries. The longer the conflict continues the higher the demand for housing shall be in the early years of recovery.

The demand is extremely differentiated between the different cities and regions, depending on population movement and damage levels. In Homs city for example (see Box 2), 178,000 dwellings were accounted for in 2011. 96,700 are no longer in use or have been abandoned (54% of total); this is while 57% of the dwellings have been affected by the conflict and 36% destroyed. The population still living in the city needs around 5,800 dwellings yearly[77] for its natural growth: 46,400 new dwellings for 8 years of conflict. This alone constitutes 57% of the presently occupied dwellings and 26% of the residential stock of 2011. This constitutes a major housing gap, demand that raised during the conflict was not satisfied by a comparable level of supply, as no or little construction occurred in Homs during the conflict.

Also, in Homs city the bulk of IDPs residing in the city are known to be displaced intra-city. Rural-urban migration and displacement from other regions are negligible in the case of Homs, and the city is not likely to relinquish further empty dwellings at the end of the conflict when IDP's start returning to their original homes. Thus, an additional demand of 39%[78] of the total number of dwellings in 2011 is necessary to cope with the return of Homs IDPs from other locations and of Homs refugees abroad. And if such return is performed within 5 years, the total yearly demand in Homs in the first 5 years of recovery can be estimated around 29,000 dwellings[79]. This yearly demand represents 36% of the currently occupied dwellings and 16% yearly of the 2011 stock. This constitutes a major new construction effort for Homs,

[76] See below housing supply during conflict.
[77] With a growth rate of households of 4% and with 81.6% of 2011 population.
[78] The population of Homs would have increased by 21% naturally in 7 years in absence of conflict, while current population is 18% below that of 2011 (see table 3).
[79] 13,900 dwellings to settle the out of Homs IDPs and refugees, the 5,800 for the natural growth of the still-resident population and 9,300 dwellings to cope with the gap of supply during the years of conflict.

though part of the demand could be met by the rehabilitation of the moderately or slightly damaged buildings.

The pressure of the demand on housing is then much stronger in Homs and similar cities strongly affected by the conflict than Syria average.

On another note, historical areas in major cities had experienced destruction and severe damage. This is especially the case for Homs and Aleppo. These areas were inhabited, in addition to their commercial and workshop activities, with a particular social fabric. Their populations need special attention such that the rehabilitation of heritage areas would not result in a complete gentrification and densification. Rent-seeking due to the central location of these areas will impose a strong push factor to prohibit the return of the original residents.

Also, the nature of the demand will likely be different between informal and formal urban areas. Initial property rights, urban space organization and access to public services could be extremely different in the two contexts. **In informal areas, even those not seriously damaged, the demand for "decent housing" can be much higher than that resulting from the effects of the conflict and population growth. On the other hand, many of the informal areas are located in proximity to city centers and they may be come to organized or market led gentrification efforts creating more displacements in the future.**

Thus, in the post conflict, the demand for housing needs to be assessed locally, city by city, zone by zone, considering all parameters involved. Three major categories need special attention:

- the **demand in heritage areas**, with the necessity to preserve both the physical heritage assets as well as the social fabric;
- the **demand in informal areas**, with the necessity to formalize and rehabilitate these areas to answer population needs,
- and the **demand in formal areas**.

2 THE SUPPLY OF HOUSING FOLLOWING THE CONFLICT

2.1 The supply of housing prior to the conflict

Private and public supply of housing

Housing supply in Syria was provided by the private sector exclusively until the year 1953 with the creation of the Central Bank of Syria. A legislative decree[80] was issued to allow municipalities to build "popular housing units" selling them in easy instalments over several years without interest . This was a pioneering step for Arab State, by establishing the first central bank in the region with the mandate to accelerate economic development in a regulated environment.

In 1961, during the union with Egypt, the General Establishment for Housing (GEH) was created[81] with the mandate of regulating urban planning and implementing housing programs. Some of the State lands and properties were transferred to the GEH, which also managed the property cadasters and the transfer of titles to final beneficiaries of such programs. Since its establishment, the GEH created different programs: The Saving for Housing Program regulated by law n° 38 of 1978[82], the Popular Housing program under law 39 of 1986[83], the Youth Housing program of 2002 (65,000 dwellings) and the Civil Servants program of 2009 (22,000 dwellings). It also oversaw the work of hundreds of housing cooperatives across the country, subsidizing their construction directly and indirectly. However, despite its wide mandate, the GEH's actual contribution to supply of housing was minimal.

In fact, throughout the decades, private construction continued to be the main driver of housing supply. However, during several long periods, the rhythm of development was slow compared to the demand, especially since the 1960's. The ability of the private sector to grow consistently to match demand was impeded by issues related to the allocation of land in urban areas, by delays in formalizing urban planning and licensing procedures, by restrictions on rental pricing and conditions, by market dynamics under a state-controlled economy, etc. This particularly exacerbated after the issuing of law 60 for the year 1979, which restricted growth of major cities into green field developments to public sector and cooperatives. The authorities encouraged the development of housing by cooperative bodies. Labor and professional unions collectives organized by the employees of different public institutions, even private collectives, were allowed to engage in such developments... Organized in small groups of 30 to several hundred members, cooperatives were assigned lands by municipalities, and received different types of direct and indirect subsidies for the construction of their projects. The members of the cooperatives financed such development by an initial down payment, then by paying monthly instalments. This scheme contributed for decades to between 15 to 25% of housing construction. However, the actual development and construction experienced extensive delays and the final price of acquisition by members (last payment) was only known at end of process. Actual construction costs inevitably were much higher than the initial forecasted price. In practice, the **cooperative housing membership functioned as only giving a right to a subsidized dwelling, in a market defined by scarcity,** where beneficiaries could turn around and sell that

[80] n° 94, mentioned by Ibrahim, Raeeda Kifah, 2013-2014, p. 47.
[81] Presidential decision n° 683 of 1961.
[82] Law n°38 of May 1, 1978.
[83] Law n°39 of December 20, 1986.

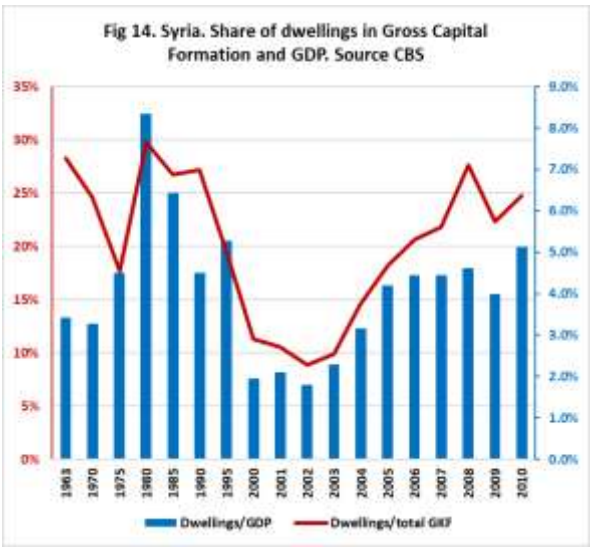
right at market prices. Initial beneficiaries could afford to pay the down payment and a few of the instalments before they were tempted to sell their right to access housing and move to substandard and/or informal housing. Though the process of relinquishing their rights was slow and somewhat cumbersome, it was possible to do such transactions without paying excessive taxes if the transaction was done during the construction process. The full titles were only transferred to the cadastral system once the project was finished. New buyers had to offer a small fee to the cooperative to join and resume payments. The new buyers, often affluent urbanites driven away from large scale land development saw in this new opportunity a way to invest their money in real estate again. In essence, the State subsidized affluent speculators, who often influenced the design and finishes to meet the requirements of the upper end of the market. A good portion of the empty housing units estimated at about 10% of the total stock in 2010 was cooperative dwellings purchased by secondary speculators.

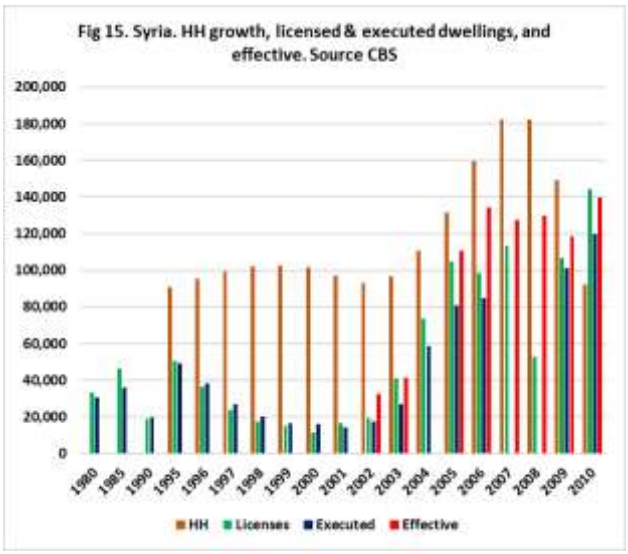
During the 2000's, the cooperative construction was reorganized within a whole new framework for "reform". General Directorates of Cooperative Housing were created in 2007 in each of the Syrian governorates and a Cooperative Housing Fund (CHF) was established. The subscription for "cooperative housing" was opened to Syrian expatriates and for secondary holidays housing, with the aim of diversifying supply, creating market competition, and reducing scarcity conditions. Different advantages were given to cooperatives. However, this change in the framework did not significantly accelerate the supply of cooperative housing, neither it operated to fulfill its social purposes. By 2008 the country was experiencing the secondary impacts of the global economic crisis. Many potential small-scale investors were interested to secure their claims on potential development through an initial down payment and licensing fees, but were not encouraged to invest in construction, yet. The CBS records shows an increase in licenses and the availability of land for development, but the actual construction continued to lag behind. At a time when a new youth bulge was forming and the share of youth 20-24 years old reached its highest ever peak in Syria.

Another part of the "reform" package was the law 15 of 2008, allowing for the establishment of private real-estate development companies. Initially over 36 private and public companies registered to participate in the newly created opportunity. However, red-tape and market conditions were not ripe, and the eruption of the conflict prevented the construction of any housing project. Municipalities continued to insist on implementing such projects on land of cleared informal areas that were destroyed during the conflict. But the parameters of the law are such that profit margins remain very small in such risky climate. Potential investors are interested in securing the rights to develop the land in the post conflict when markets are ripe again[84].

A first assessment concerning the pre-conflict supply of housing can be done by analyzing the share of dwellings in gross capital formation (GKF) according to CBS calculations[85] (figure 14). The major drop in construction activities could be easily noticed in the first half of the 2000's, as well as the -although relative- booming of the late 2000's. The share of dwellings in GKF decreased from around 30% to 10% to increase again in 2010 to around 25%.

[84] Unpublished report by O. A. Hallaj on the nexus between land management and HLP in Syria.
[85] CBS, Statistical Abstracts, several years.





A second assessment could be made comparing: a) the annual growth of the number of households (DESA data), b) the documented licensing and execution of dwellings as depicted by the Central Bureau of Statistics (CBS), and c) the effective construction of dwellings obtained by differentiating the reported total number of dwellings from one year to another[86] (figure 15). One can notice the low number of licenses granted from 1996 to 2003 comparatively with the needs. The number of licenses increased gradually to reach the level of current demand only in 2010. However, the accumulated gap was a far cry still. On the other hand, the effective execution of dwellings was systematically larger than the yearly reported ones, what confirms the suggestion that the reported execution figures do not fully consider informal constructions[87]. The effective rate of construction was systematically higher than the licenses granted, except in 2010.

Licenses, formal constructions and effective ones, were then all much below the yearly growth of the number of households. **This shows a clear long term "non-policy" of maintaining scarcity of licenses, non-operative urban planning, encouraging the development of informal construction, while keeping a permanent supply gap.**

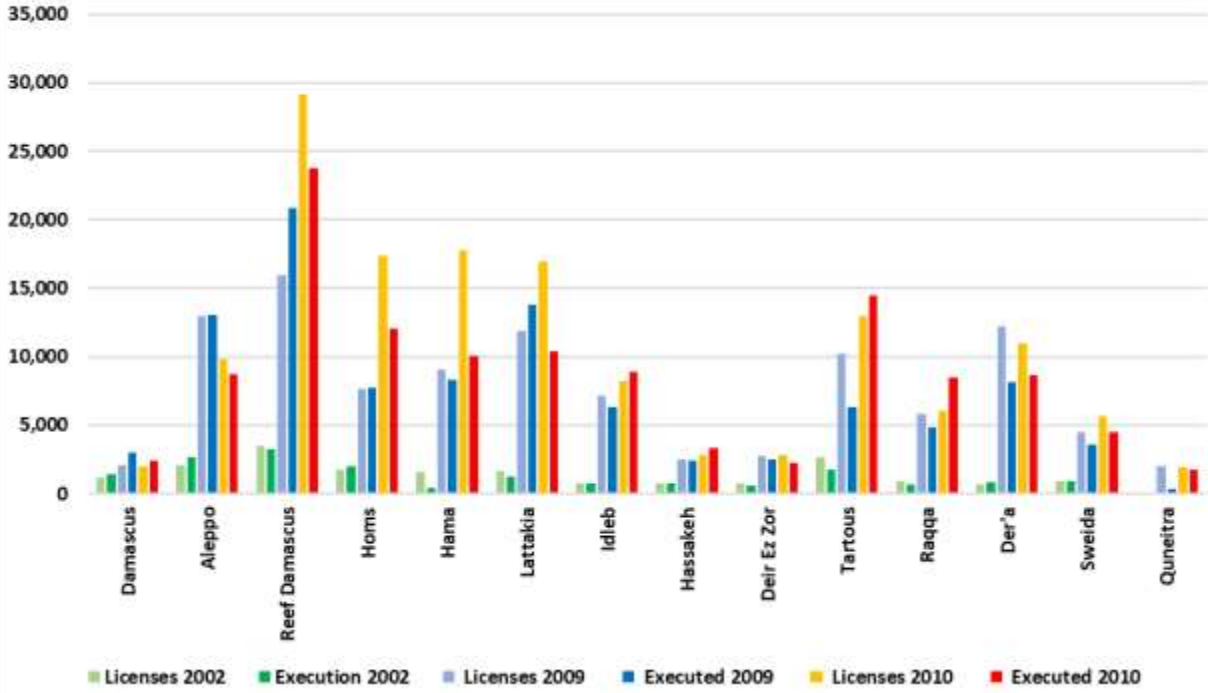
The construction boom of the late 2000's was observed in all governorates, even in Damascus where the land available for construction is scarce (figure 16). At the national level, the number of yearly granted licenses was multiplied by 7 between 2000 and 2010, and the level of reported executed dwellings multiplied by 6 (5 for urban areas and 10 for rural). This was a hastening of the construction efforts but was still showing a clear trend of using licensing to secure speculative investments for market futures. This condition thrived on market scarcity.

The highest increases in reported execution of dwellings between 2002 and 2010 were observed in Hama (x20), Quneitra (x11), Der'a (x10), Idleb (x10), Lattakia and Raqqa (x9). In Damascus city, it was only a factor of 2. The policy of scarcity around 2000 and the "liberalization" of the late 2010 showed great diversity among the different governorates.

[86] For the years when data made available.
[87] A major correction of the total number of dwellings was made in 2004 following the results of the census (not reported in the figure).

Unfortunately, the data provided by the CBS does not allow to measure, globally and locally, the cumulative stock nor the supply gap in 2010 and 2011. But this gap is expected to be high, of the order of several years of growth on the demand side.

Fig 16. Syria. Licenses and execution (formal) of dwellings 2002-2010.
Source BSC



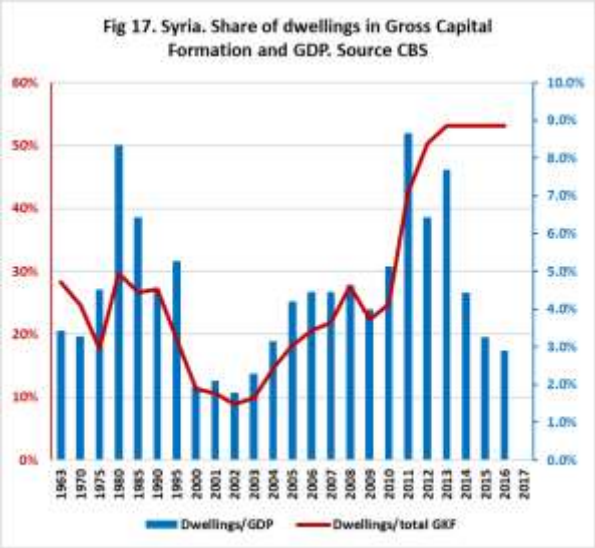
2.2 The supply of housing during conflict

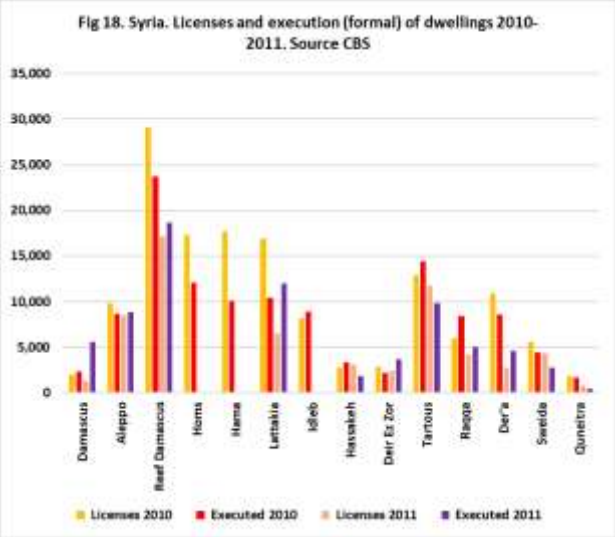
Informal construction activities increased drastically during the early years of the conflict, due to the weakening of State institutions and probably a deliberate "laissez-faire" policy to absorb popular anger. This continuation of the construction boom of the late 2000's aimed at compensating the large gap in housing. It was sustained at least for the years 2011 and 2012. The Syrian authorities estimated that around 1.0 million dwellings were built during the years of the crisis, mostly informal[88]. This means that an additional 25% was added to the housing stock in Syria during the conflict from 2011 to 2019.

This assertion seems to be confirmed by the analysis of the share of dwellings in gross capital formation (GKF) (see figure 17). This share reached 42% of GKF in 2011 and 50% in 2012 and maintained around 53% until 2016. However, the share of housing construction in the GDP decreased, especially after 2013, when the Syrian economy transformed to a war economy with low GDP dominated by agriculture and internal trade with little accumulation of capital assets, hence the increased share of construction in capital formation but not in GDP[89].

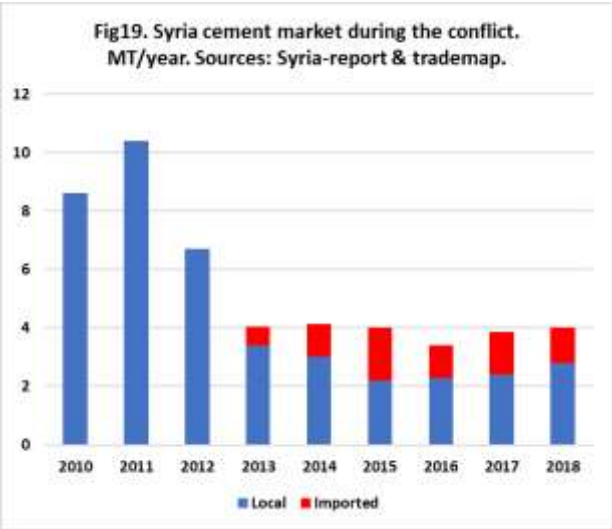
[88] https://majestynews.com/?p=56324, accessed in 2019.
[89] SCPR ; 2017.

This also can be confirmed in several governorates by looking at the levels of construction licenses issued as well as examining the formally and effectively executed dwellings in 2011, as reported by the Central Bureau of Statistics (CBS) (figure 18). However, it is worth noting that the CBS stopped to document licenses and constructions in 2011 for several governorates: Homs, Hama and Idleb. In the documented governorates, the levels of formal constructions were in 2011 similar or even higher than those of 2010: Damascus, Aleppo, Reef Damascus, Lattakia and Deir Ez Zor.





There is no documentation on licensing and construction following 2011. To continue the assessment, one must turn to an alternative source of data. The cement market[90] in Syria can provide an indirect indicator of construction activities. Data was made available by local companies and international trade statistics. Cement consumption was 20% larger in 2011 (10.4 million tons) comparatively to 2010. It decreased by 35% in 2012, and then was maintained during the whole period of the conflict a level of around 4 million tons yearly, half the level of 2010 (figure 19).



[90] Cement market data were collected from board meetings of active cement companies and trade statistics. See also https://syria-report.com/library/economic-data/cement-market-2010-16, https://www.trademap.org/Index.aspx and http://syria-report.com/news/real-estate-construction/government-seeking-ppp-schemes-cement-production.

From another angle, the share of construction in employment had increased from an average of 12% in the early 2000's to 16.2% in 2010 and 2011. It has then decreased with the unfolding of the war down to 7% in 2017[91].

All this confirms that accelerated formal and informal housing construction activities took place in 2011 and 2012; the authorities "closing its eyes" on informal constructions trying to absorb popular discontent. These construction activities continued at a slower pace in the following years even as the conflict was increasingly militarized. Such a trend was observable in all areas of control.

The total volume of construction during the years of uprising and conflict is significant. If cement consumption is taken as a basis (for reparations of old or damaged dwellings and construction of new ones), the total between 2011 and 2018 is 4.3 times the consumption in 2010. This may reflect a decrease of consumption but the level that persisted is still significant. Moreover, as other types of construction are known to be reduced and/or halted altogether with public investment budgets reduced significantly, the consumption of cement is likely to have shifted primarily to the housing sector. If this method of deduction were to be used, then one can estimate that around 15% new dwellings (around 600,000) were added during conflict to the stock of 2010. **This amount is significant as it is of the same order of magnitude of both fully destroyed and partially damaged dwellings (standing somewhere in between the two figures).**

Box 3. The current state of cement factories in Syria

4 cement factories are still fully operational in Syria, all but one are privately operated: Al Badia plant in Abu Shamat (Sub Damascus), Tartous plant operated by Attock group (Ghaith Pahraon and a Pakistani partner), Adra plant operated by Altoun group (Salim Altoun) and the Hama public plant. Their shares of sales early 2019 are respectively of 45%, 17%, 8% and 30% (1). One of the largest plants, that ofLafarge (Jalabiya, Ain Al Arab/Kobani, Hasakeh) stopped operation in late 2015, after charges of collaboration with ISIS.

Current production is estimated at 4 MT yearly. The needs for reconstruction were estimated by various Aleppo businessmen at 15 MT yearly (2)!

(1) Al Badia cement, Board of Directors report, January 2019.
(2) https://bit.ly/3kIWKYv

Damage, destruction and other hazards affecting the availability of housing during the conflict

The Syrian conflict had devastating effects on the housing stock. Damage and destruction in the housing and infrastructure, is the most visible impact of the war on Syria's economy. Most of the dwellings destroyed or severely damaged[92] went out of use and could no longer be accounted for as part of the

[91] CBS ; Statistical abstracts, several years.

[92] GIS damage assessment of UN agencies and the World Bank classifies housing damage in categories: destroyed, severely damaged, moderately or lightly damaged. This classification is based on information on the structural conditions of the building as observed by satellite images and triangulated on the ground through local sampling. Additional categories should be added to report on the possibility of habitation of the housing stock, even if damage is moderate or light, on the basis of access to public infrastructure and services.

housing stock. Additionally, the lightly or moderately damaged housing had in several locations been subject to excessive looting, including of the basic finishes and infrastructure (windows and doors, water piping, electricity cables meters and access to sewage seals, etc.) making the return of livelihood into the housing difficult or impossible without substantive investments, despite these building being structurally stable. In many cases the building structure may be damaged even when the building itself may look undamaged from the outside. This renders any accurate estimate of the size of damage and destruction impossible without direct assessment in situ. Furthermore, UNMAS[93] and other organizations[94] had reported **massive presence of war remnants and IED's in Syria's cities that may take several years before being cleared** and the concerned neighborhoods to be declared safe again. The dwellings in these unsafe areas shall also be considered to be out of commission, even if their damage is light or moderate.

The World Bank reported[95] that 78,339 residential units were destroyed up to the end of 2017 in the 10 different cities it had examined, and 238,311 units were partially damaged in the examined cities. These constituted respectively 2% and 6% of 2010 housing stock in Syria, but 6.5% and 19.8% of the stock of the corresponding cities. Incidentally they were among the cities that suffered most damage in Syria. A significant part (66%) of the total volume of damage and destruction has occurred in Aleppo city, followed by Homs.

At the level of the 8 governorates where these cities are located, 220,826 residential units were estimated to be completely destroyed and 649,449 were partially damaged. These constituted respectively 8.6% and 22.8% of the housing stock of these governorates in 2010, (5.5% and 16% of the stock in Syria). These results suggest that **damage in areas away from the major cities (small towns, rural areas) was higher than that in the central cities of those governorates**.

The most recent review of urban damage assessment by the UN and Reach[96], performed in 16 urban areas, had shown that around 36,000 buildings (these usually comprise multi-story buildings of different heights) had been destroyed in different cities. 46,000 buildings were found to have severe damage (the total of damaged buildings was assessed at 131,426) (table 4). Assuming the average of 4 dwellings per building[97] in the

Table 4. Number of buildings damaged with type. Source Reach/Unitar

	Destroyed	Severe	Moderate	Total
Aleppo 2016	4,773	14,680	16,269	35,722
Homs 2014	3,082	5,750	4,946	13,778
Eastern Ghouta 2018	9,353	13,661	11,122	34,136
Ar Raqqa 2017	3,326	3,962	5,493	12,781
Hama 2016	9,459	404	666	10,529
Deir Ez Zor 2017	1,161	2,370	2,874	6,405
Yarmouk & Hajar Aswad 2016	2,109	1,765	1,615	5,489
Al Zabadani 2015	659	1,251	1,454	3,364
Ain Al Arab/Kobane 2015	1,206	1,169	872	3,247
Der'a	224	498	781	1,503

[93] See Marshall, Sarah: UNMAS Syria response; 2016 available at https://www.mineaction.org/en/mineaction/19-NDM-UN.
[94] Robb, Ian, Technical Advisor for Urban Clearance of IEDs, Geneva International Centre for Humanitarian Demining (GICHD); private communication 2019.
[95] World Bank; 2017. The cities concerned were Aleppo, Raqqa, Dar'a, Douma, Deir Ez Zor, Homs, Hama, Idleb, Tadmur/Palmyra and Ain Al Arab/Kobani.
[96] See Reach, Damage; 2019.
[97] The average number of dwellings per building varies greatly between urban and rural environments, and between different cities and neighborhoods. In the damaged areas of Aleppo, it can reach 16 (3-6 stories with 2-4 apartments per story), in Homs 10, in Raqqa only 2 and in Hama, with the largest number of destroyed buildings, 1. A global average of 4 dwellings per building gives comparable results between World Bank and Reach assessments (the first given in number dwellings and the second in number of buildings). If 8 dwellings per building is taken as an average, the total number of dwellings that cannot be occupied

absence of detailed data, this leads to an estimated total of 328,000 dwellings[98] that cannot be reoccupied.

Hama appeared to have the largest number of completely destroyed buildings and the highest ratio of destruction to the total number of damaged and destroyed buildings (90%), This was not explained by the intensity of fighting per se, but by the fact that two complete neighborhoods were bulldozed to the ground after initial disturbances. The second area where the severity of concentration of destruction was noted was in Yarmouk & Hajar Aswad (38%) and Ain Al Arab/Kobane (37%). This is also the case when both destructions and severe damage are accounted for as a percentage of the total damaged and destroyed. Hama ranked first (94% of all damaged buildings), followed by Ain Al Arab/Kobane (73%) and Yarmouk & Hajar Aswad (71%). In absolute values, the largest number of completely destroyed buildings was observed in Eastern Ghouta, following Hama.

Another source of information on damage is the UN-Habitat and Urban-S reports and City profiles. Around 30 reports were issued at various times between 2014 and 2018. One of the most recent available is that on Aleppo[99], which depicted 71,075 dwelling units severely damaged (this included those destroyed), 246,265 damaged and 425,636 not damaged.

The comparison between these 3 sources is cumbersome, as they use different criteria and baselines for their work. For instance, the WB accounts for a total of 662,323 dwelling units in Aleppo in 2010, while the Urban-S, in 2017, report a total figure 12% higher than that used by the WB. The damage categories are also different. The WB has two categories, destroyed and partially damaged. The WB identified 49,830 units in Aleppo city as destroyed. Urban-S has also two categories, severe and moderate damage; it counted 71,075 units as severely damaged. In turn, Reach has three categories, destroyed, severe and moderate damage, but it classifies buildings and not dwellings. It depicted 4,773 destroyed buildings and 14,680 severely damaged: a total of 19,453 buildings.

Otherwise, little reliable quantitative information exists on construction activities after 2010. A recent WB report[100] indicates that **one-third of housing areas in Aleppo have undergone possible reconstruction activities**. This is while the report notes that "*it is estimated that more than 18,000 buildings (out of approximately 88,360) remain damaged, with 3,693 (medium estimate) destroyed*"[101]. This is almost the same figure of the high level of damage reported by Reach.

If the example of Homs is taken, the World Bank reported in 2010[102] a total number of dwellings in Homs of 216,191 (and in the governorate of 356,577, close to the figure reported for 2010 by CBS of 365,036). This is while UN-Habitat reported[103] a total of 178,000 housing units in 2011. It also depicted massive informal housing construction in 2011, decreasing in 2012 with the fighting developing, with further bulldozing of some of the built informal housing and new informal constructions[104]. 96,700 units were

would have been 656,000; almost the number of total damage in urban and rural areas in World Bank assessment. However, care must be taken when analyzing at the level of individual cities or neighborhoods.

[98] Noting that the WB had accounted for 220,826 dwellings destroyed in the different governorates and 649,449 partially damaged; see World Bank; 2017, p. 26.

[99] UrbAn-S, 2017.

[100] World Bank; 2019.

[101] World Bank; 2019, p. 121.

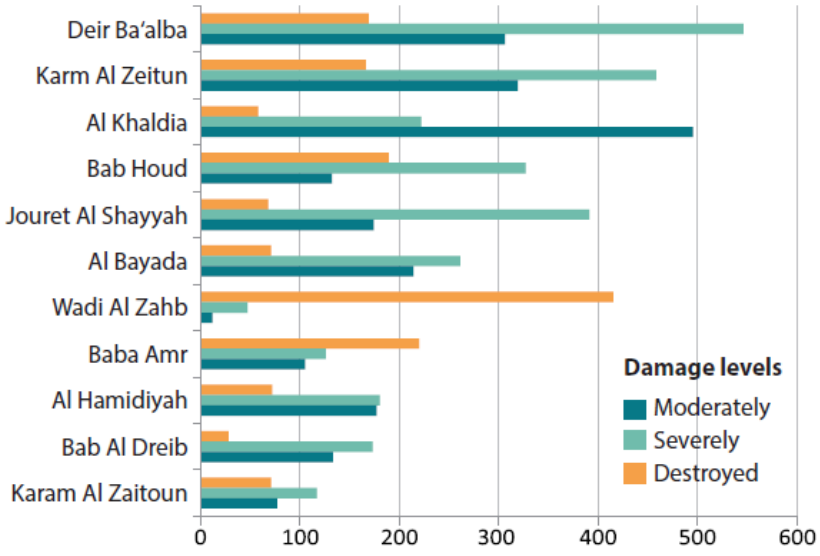
[102] World Bank ; 2017.

[103] UN-Habitat: City profile Homs, multi-sector assessment; May 2014.

[104] UN-Habitat: City profile Homs, multi-sector assessment; May 2014, p. 19.

assumed by UN-Habitat to be no more in use as of 2014 (54% of 2011 stock) and 6,876 buildings destroyed or severely damaged. This is while Reach reported[105] 8,832 such units also for 2014. The recent 2019 WB report[106] indicated that "*the damage ratio in Homs has practically remained unchanged when compared with 2014 data—in part due to additional destruction that has occurred during this period, and also due to very recent bulldozing of heavily damaged structures to make room for new construction*". This stands in contradiction with other sources; for instance an Urban Analysis Network (UAN) in late 2018 indicated that the total housing stock in Homs stood at 145,949 dwellings; 99.7% of which is not fully damaged and can be inhabited[107], perhaps with some repairs.

Fig 20. Mostly affected neighborhoods (number of buildings), UNOSAT, Sep. 2013. Source UN-Habitat.



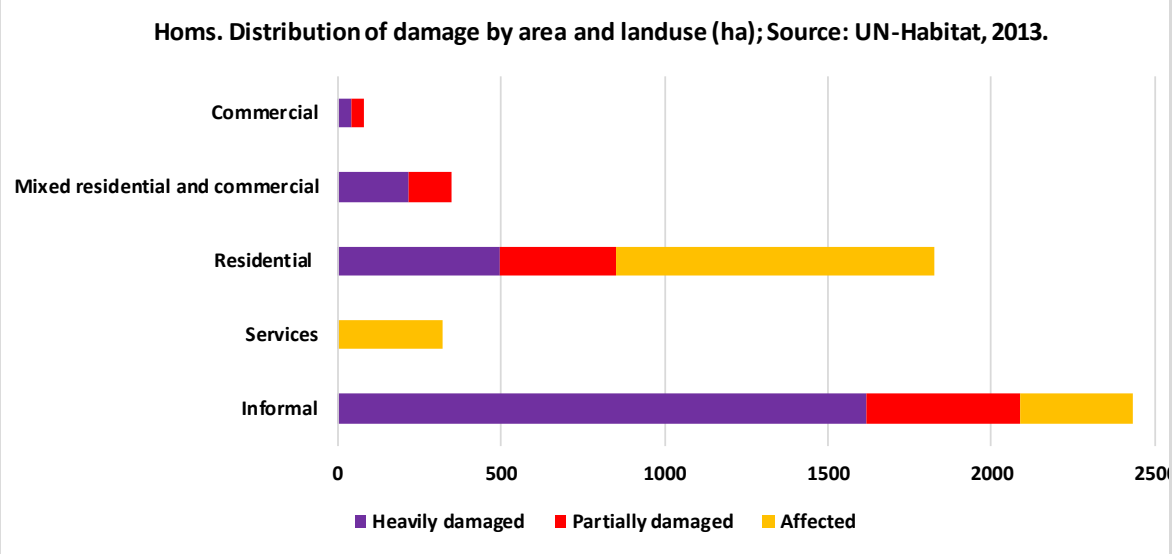
The UN-Habitat city profile mapped the damage by neighborhood in Homs (figure 20 and Box 4) and showed that most destruction occurred in Wadi Al Zahab and Baba 'Amr[108], and the neighborhoods experiencing the largest number of dwellings with both destruction and severe damage were Deir Ba'alba, Karm Al Zeitoun, Jouret Al Shayah and Bab Houd. Thus, most of the damage occurred in the informal housing areas and in the old city. Already in 2016, UN-Habitat advocated[109] that the restoration of around 10,000 housing units in a neighborhood such as Baba 'Amr constitutes "*an opportunity to bridging shelter-gap locally and nationally*"; "*thousands of shelters could be sustainably recovered, specifically since [ ] 31% of Baba 'Amr labor was occupied in the building and construction sector, making them the largest productive labor group in the neighborhood, and providing a unique potential for involving them in a participatory recovery process*".

A recent analysis[110] of satellite imagery has shown that the period 2012-2018 of the conflict seems to have experienced building constructions in Homs amounting around 20% of destructions, occurring in the same most affected neighborhoods.

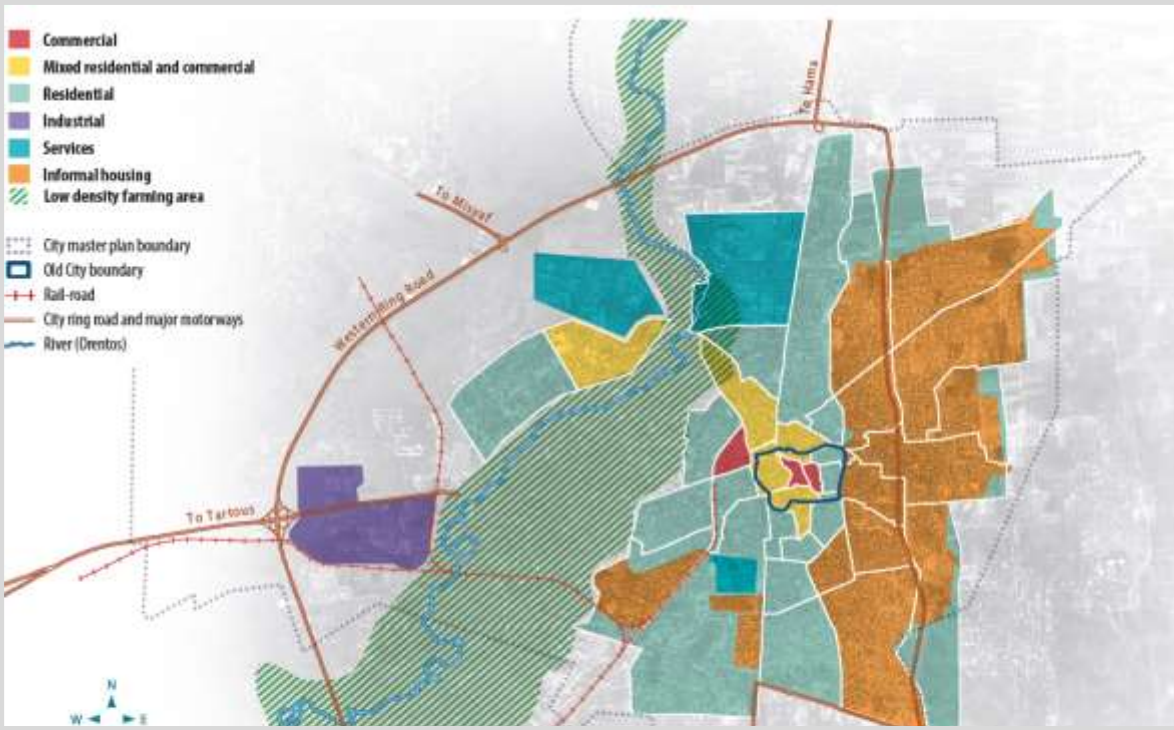
[105] Reach, Damage; 2019.
[106] World Bank ; 2019, p. 121.
[107] UAN : Homs City fact Sheet,
[108] A specific city profile had been elaborated by Un-Habitat in 2015 for this neighborhood, see UN-Habitat: Baba Amru neighborhood profile; June 2015.
[109] UN-Habitat: Baba Amru neighborhood profile; June 2015, p. 4.
[110] Aita, Samir ; 2020.

Box 4. Damage and informality in Homs

59% of Homs urban land was occupied by 12 informal areas (1), providing 42% of the city's housing stock. Most of the damage was concentrated in these informal areas, but also in the old town and commercial districts. Some informal construction activities were also reported in the first years of the uprising; i.e. 2011 to 2013.

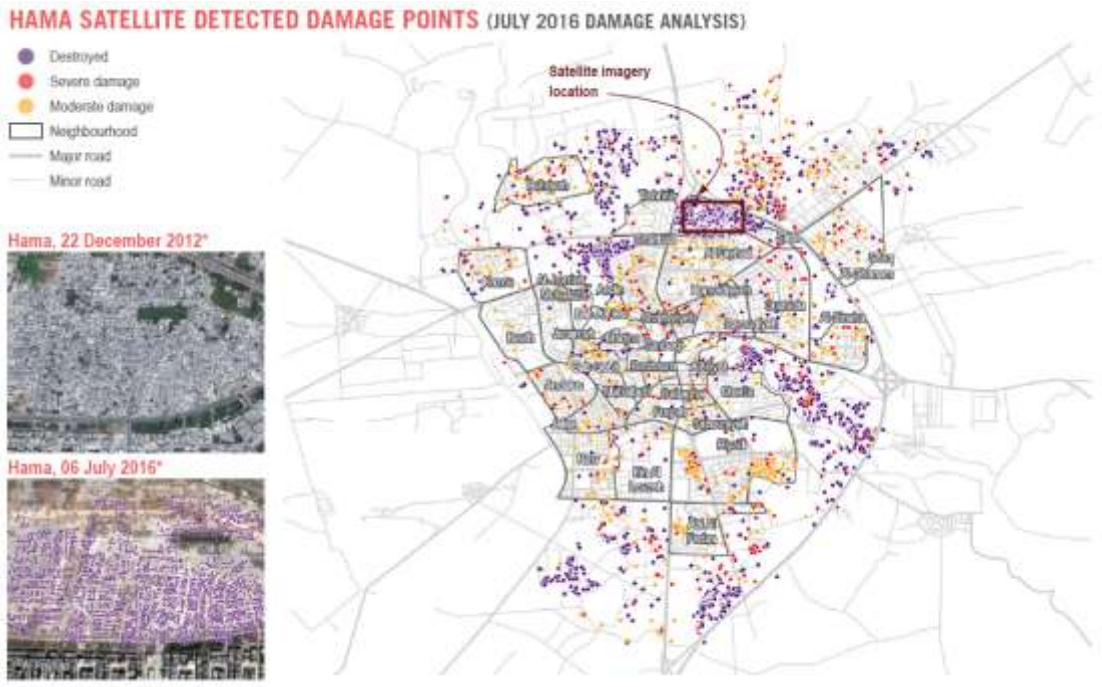


(1) UN-Habitat : Homs ; 2014.



The case of Hama[111] is more compelling as no major fighting episodes were reported in this city. The WB documented a stock of dwellings of 216,191 in 2010; 3.0% of which were destroyed (5,5551 units, 54% of total damaged) and 2.5% partially damaged as of 2017. The Reach report indicated that 10,529 buildings were damaged in 2016 (which constitutes a major discrepancy with the 5,551 dwellings reported by the WB). The Reach report also indicated that 89.8% of the damaged buildings were destroyed and 3.8% severely damaged (figure 21). For the same year of 2016, UN-Habitat reported no significant damage to the housing stock in Hama. However, it is well established that Hama witnessed some early confrontations in 2011-2012. The clashes in two informal neighborhoods, Masha'a al-Arba'een and Wadi-al-Joz, eventually led to their complete erasing and bulldozing in 2013. This may explain the high number of totally **destroyed buildings in Hama. It has the largest number of destroyed buildings among all Syrian cities so far.**

Fig 21. Hama Damage points[112]



This case of Hama, as the one of Mazzeh-Kafar Souseh in Damascus (see section 3.2 below), shows that **part of the destructions** during the conflict did not result from the military activities of the war, but from **deliberate policies of forced eviction**, especially in the cases of informal settlements[113].

The damage and destruction of the housing stock in Syria need then to be further assessed in detail, globally at the level of the country, locally in each city and even in each neighborhood, to sort the loss of supply of housing along the 3 categories defined above: heritage, informal and formal. Also, the mechanisms of how these destructions and damages took place should be taken into consideration, especially that some did not result from fighting and bombardment, but also from deliberate policies.

[111] https://www.hrw.org/ar/report/2014/01/30/256512.
[112] Reach, Damage; 2019.
[113] This was also the case in Egypt, even following 2011 revolution ; see http://marsadomran.info/policy_analysis/2018/10/1650/.

Furthermore, the damage and destruction must be analyzed in line with the congruent construction activities that took place during the conflict. In fact, at the national level, the sum of the destroyed and severely damaged dwellings is not expected to reach 10% of the housing stock of 2010. This figure was found to be of the same order of magnitude as the constructed dwellings during the war.

2.3 The post-conflict supply of housing

The post-conflict supply of housing could be approached by considering the 3 categories/zones of the cities described earlier. Each of the categories is likely to have its own dynamic in the future.

The supply in heritage areas

The conflict has caused considerable damage to the old cities of Aleppo and Homs. The Old City of Aleppo is a designated UNESCO World Heritage Site and has been on the List of "World Heritage in Danger" since 2013[114]. Awareness about its value resulted in the creation in 2002 of a specific Directorate of the Old City within the municipality's administration dedicated to preserving it, with extensive involvement of the German Technical Cooperation Agency (GIZ/GTZ) and the Agha Khan Trust for Culture (AKTC). Prior to the conflict, construction activities within the preserved area were more or less well regulated. A population of 120,000 used to live within the protected limits (figure 22). The residential areas constituted 50% of its 355 ha and the mixed commercial-residential another 15%, with the rest being comprised of commercial, touristic, and service buildings.

The old city of Aleppo witnessed major fighting as well as massive explosions. A frontline was established along its famous streets and covered markets. In addition to large-scale destruction of heritage assets (including the minaret of the Omayyad Mosque), illegal excavations and trafficking of historical artifacts were observed. This damage of a heritage assets, strong in its symbol, had been qualified by some researchers as "urbicide"[115]. 6% of the residential area was estimated destroyed, 25% severely damaged and 62% moderately affected[116]. The most affected neighborhoods were Al Ajam and Al Qasila (zones 8 and 10 on map).

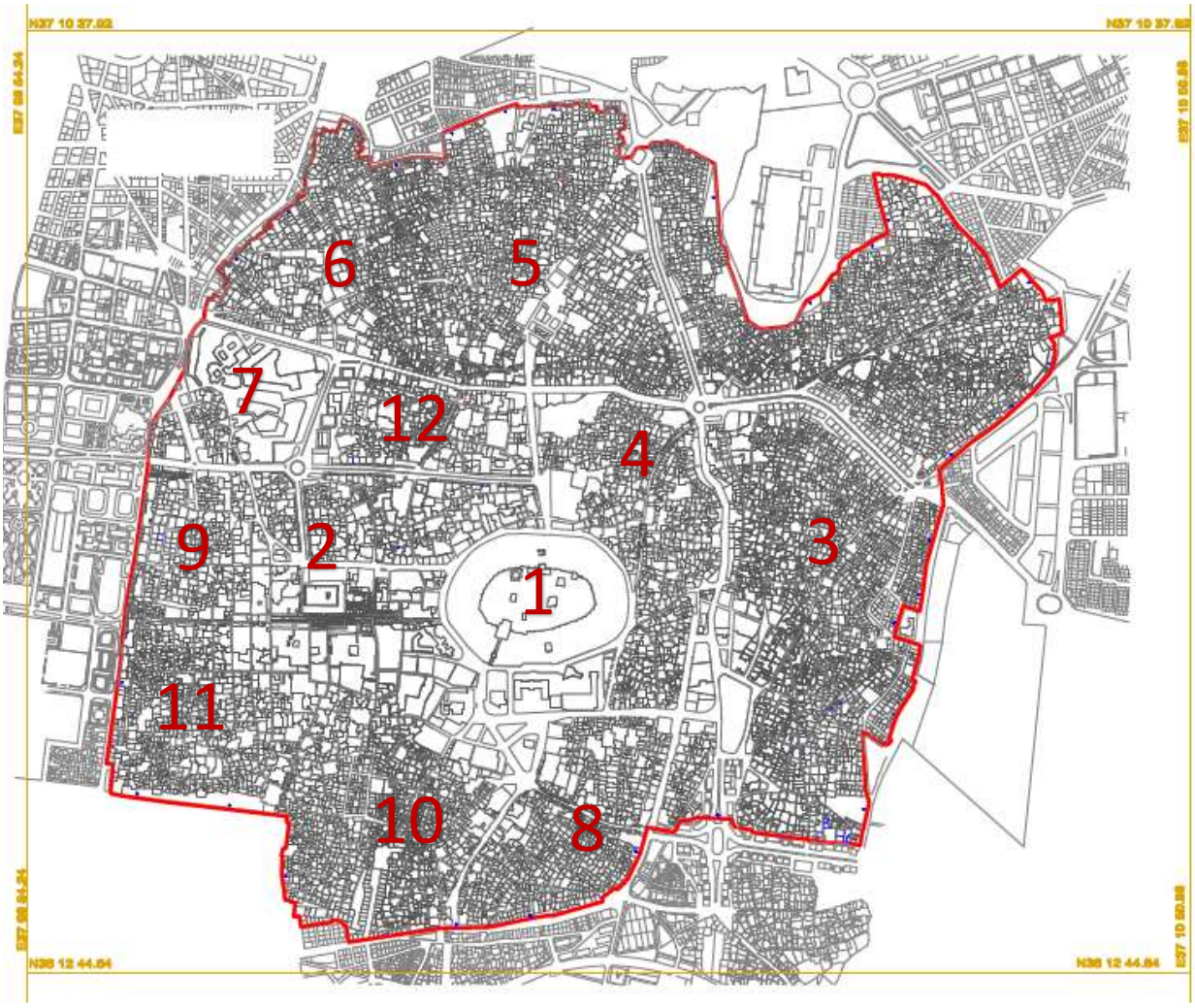
Excluding infrastructure, the cost of rehabilitation and reconstruction of the old town was estimated at around US$ 500 million, involving 3,500 skilled workers lasting between 12 and 15 years[117]. However, this does not reflect the regular maintenance and upgrading of heritage assets in the city that were estimated in 2000 to be roughly around 40 million USD per year[118].

A major question arises regarding the policies for recovery, reconstruction and rehabilitation of such a strongly emotional heritage site, with gentrification being a major possible challenge (based on the model of "*Solidere"* for the reconstruction of downtown Beirut). This will not only pose a great risk to the physical fabric of the city but also to its social and cultural significance. Controversial policy options often proposed because of lack of resources can lead to gentrification or densification. In either case the restoration may lead to poor restoration work and a loss of heritage value. Alternatively, the temptation will be to abandon the heritage designation and to move to urban renewal projects by rezoning the area and opening new

[114] Qudsi, Jwanah; 2016.
[115] Shaar & Templer; 2016.
[116] Qudsi, Jwanah; 2016, p. 13.
[117] Qudsi, Jwanah; 2016, p. 18.
[118] Hallaj, O. A. et als, eds. 2000. The Development Plan for the Old City of Aleppo.

streets (continuing the modernization plan of André Gutton of 1954)[119]. Lacking a vigorous vision, adequate resources and proper expertise may lead to consider the inevitability of architectural changes, as the "*multiple fires, modifications, restorations and their affirmed value for a significant part of Syrians, raise the question about the meaning and limits of the notion of "authenticity" and its implication in the urban and architectural development*"[120].The multiple interpretations of heritage and lack of public debate on the issue may lead to harmful policies. Yet the inability to come up with policy may cause disinvestment, illegal construction activities and a gradual disintegration of heritage assets as has happened in the period from 1983 to 1996 when the site was listed on the world heritage and a freeze of construction was enforced but without alternatives given to the residents.

Fig 22. The Old City of Aleppo - Map of the UNESCO inscribed property[121]



1 Citadel; 2 Medina; 3 Banqusa, Al Dudu and Bab Al Nayrab; 4 Al Bayyadah; 5 Qastal Mesht and Qastal Harami; 6 Al Jdaydeh North; 7 Al Jdaydeh South; 8 Al Ajam; 9 Al Aqaba; 10 Al Qasila; 11 Al Jalloum; 12 Bandara and Farafra[122].

[119] David, Jean-Claude ; 2014.
[120] Soufan, Anas ; 2016.
[121] UNESCO, UNOTAR ; 2018.
[122] Qudsi, Jwanah; 2016.

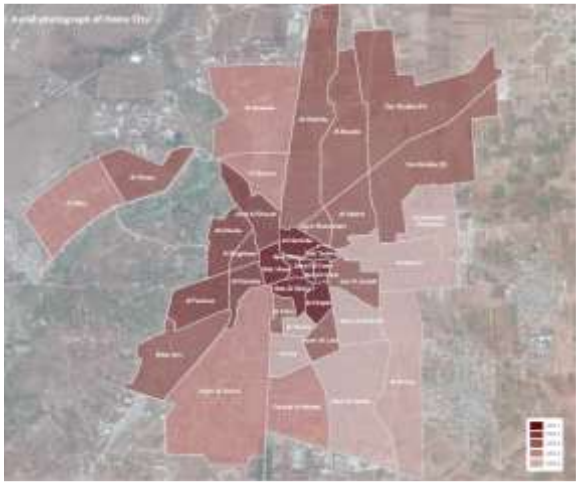
The supply of housing in heritage areas is then a complex and controversial issue, even if the population involved is small compared to the massive population displacement of Syrians. However, one can argue that there is "*the necessity for a new concept of authenticity to emerge, one based not solely on the authenticity of the built substance. This new definition should avoid vague terms and should rather take into account the civic process of the reconstruction itself. It should also include in the definition of what is authentic the existence and strength of a local sphere of conscience and competence that goes with artisanal skills in building, decoration, and the transmission of this knowledge*"[123].

Previous experience in the old city of Aleppo is invaluable. The city had a successful revolving fund that enabled the owners of historic houses to rehabilitate their homes. Hundreds of historic houses were saved, and their residents were able to continue living in them. Yet the main challenge will be the ability to recover the skilled labor needed for the operation. Many of the people trained to work on restoration projects and who were certified in traditional building techniques have left the city. Creating jobs in historic preservation can be an essential incentive for the return of displaced skilled labor. **Thus, the central issue will be to consider the dynamic relation of housing supply in heritage assets and the creation of jobs.**

The supply of housing in the informal areas

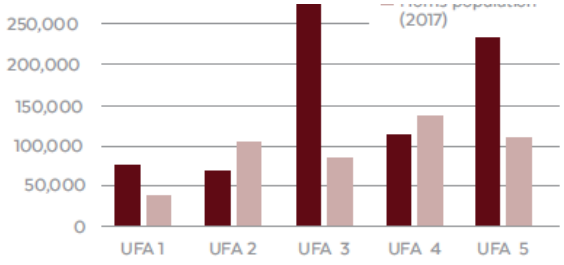
Prior to the conflict, the informal settlements in Syria constituted 15% of total dwellings and more than 30% of dwellings in major cities. In many cases, damage and destruction were more severe in these informal areas than in the other parts of the city. Social conditions, youth unemployment and restrictive State policies concerning construction activities in those areas contributed to the irruption of the uprising specifically in those areas. A majority share of the IDPs and refugees to neighboring countries came from these informal settlements.

Fig23. Homs urban focus areas



This phenomenon was clearly shown by a survey conducted with Syrian refugees in Lebanon originating from the city of Homs[124]. In this survey, Homs neighborhoods were divided into 5 urban focus areas (UFA). The UFAs 3 and 5 had the largest share of the population in 2010; they were mostly informal; they experienced large damage (see Boxes 2 and 4); and they are the ones that lost a major part of their population (see figures 23 and 24).

Fig 24. Homs population in UFAs, 2010-2017



The reconstruction of the destroyed housing units and rehabilitation of damaged ones are not just an economic issue but fundamentally a human rights and legal issue. With the large need for housing supply in the post conflict, a legal and regulatory framework should be first

[123] Lafi, Nora; 2017.
[124] UNDP & UNHCR, HLP Homs; November 2018.

adopted for the regularization of the informal settlements (*formalizing the informal*) with strong involvement and participation of the concerned communities. This **framework** should be in line with the recommendations of the UN Sustainable Development Goals (SDGs)[125], should respect the Pinheiro principles[126] and conform to the Vienna Declaration of 2005[127]. This latter declaration **prioritizes *in situ* regularization** taking into account the necessities to secure property tenure, the right to enjoy basic services, infrastructure and humane standards as well as the rights of participation in local policies and decision making, with a special focus on gender issues[128]. The framework should guide the necessary new urban planning to be established by local municipalities[129]. Relocation of inhabitants (including those returning from displacement and refuge) should be avoided if possible. Decisions on new urban plans and land pooling should not be taken solely on the basis of economic interests of municipalities. Decisions should only be taken after effective consultation of original inhabitants. This is of paramount importance to avoid post-conflict violence over land resources in a "greed-grievance" nexus exacerbated by state-orchestrated forced evictions and informally organized shelter strategies[130].

Fig 25. The new master plan of Baba 'Amr. Source: UN-Habitat2015

A typical example is the case of the quarter of Baba Amr in Homs. This informal neighborhood was fully "formalized" in 2008 prior to the conflict, following a decision of the city council in 2005. Residents were informed that they will be issued proper titles, and plans were being prepared to implement a new detailed master plan. However, the neighborhood was damaged during the early phase of the conflict. By 2013 major hostilities in the neighborhood were finished and like many other neighborhoods in the city the control was returned completely to the central government. Yet, several years have lapsed and access of returnees to the quarter is still restricted. A competition is said to have taken place in 2018-2019 for "reconstruction" projects. Though not officially declared rumors are floating that the city is considering a rent-seeking strategy for housing middle and upper middle-class urban developments (under law 66/2012 and its more subsequent transformation through law 10/2018). The municipality is concerned primarily with the physical reconstruction with little concern for the recovery of the quarter's social fabric[131]. In situ reconstruction was considered as early as in 2015 to be an opportunity for reconciliation, but forces looking at places like Baba Amr as a real estate speculative opportunity are very strong.

The supply of housing in general

Several approaches can be used to estimate the necessary post-conflict supply of housing at the local level for the temporary settlement of the returnees (IDPs or refugees) and for a more sustainable settlement

[125] In particular, SDGs 1.4, 5.5, 10.2, 11.1, 11.3, 11.7 and 11.c.
[126] Pinheiro, Paulo Sergio; 2005.
[127] The Vienna Declaration on Informal Settlements in South Eastern Europe, available at http://library.tee.gr/digital/m2267/m2267_demeti.pdf. See Appendix A.
[128] UN-Habitat; 2013.
[129] OSCE; 2011.
[130] McMichael, Gabriella; 2014.
[131] UN-Habitat : Bab Amru, ; June 2015.

later: repair, reconstruction, temporary shelter or low-cost temporary housing to enable inhabitants to reconstruct permanent housing[132].

At the national level, the rhythm of yearly supply must correspond to the needs due to the natural increase of the remaining resident population (including locally settled IDPs), to the needs of the returning refugees (with their natural population growth), and to the need of renewal of obsolete units. As discussed in 1.3 above, if one considers the reconstruction and the return of refugees was to be made within a period of 5 years, the level of yearly supply for reconstruction should approximatively stand between 254,000 housing units to 388,600 units per year:

- 157,600; the yearly need for the natural increase of the resident population;
- +31,000; the yearly reconstruction of the around 30% destroyed and severely damaged dwellings;
- +60,000 to 200,000; the yearly need for the returning population (with their natural growth), depending on the effective status of the moderate and slightly damaged dwellings;
- The rate of obsolescence of housing is hard to determine. Syria's median age of the housing stock is close to 25 years and a substantive part of the stock will likely become obsolete, though given the scarcity of the market, it is very unlikely that this will affect the first five years of the post conflict when returns are at a peak.

This level of required post-conflict supply is between 2 and 3 times the level of construction experienced in 2010 and 2011. Supply back then was mostly made by individual private sector development and did not necessitate large scale development holdings and companies. It is not clear if public undertaking of reconstruction work will ever be able to provide sufficient supply to meet the demand. Yet the temptation will be great to involve meager public resource in the process. The role of the State as a regulator or a supplier of housing had never been properly solved in Syria in the past and is likely to pose major questions in the future.

The situation differs considerably from one city to another. Each location will need a proper and in-depth analysis of the housing and displacement conditions. This must be done at the local neighborhood level in each city. The function of such analysis is to determine which approaches for reconstruction can be best suited given the limitation of resources and the capacity of the construction industry to recover. In the past small-scale construction work, often dubbed the "building-yard" was the main mode of construction. And though large-scale construction companies were starting to emerge before the war, large scale developments were the exception and not the rule. Small scale construction depended on informal labor and often involved self-help. It was also incremental and did not require large up-front investments. This model of construction is likely to resume as supply side state policies are likely to run to the same problems they faced before the war. Thus rather than directing limited State funds towards implementing large scale but non-replicable developments, the approach should be to ensure that the "*affected communities are capable of rebuilding their own houses, either by themselves or by contracting local builders; outside help should seek to facilitate this process by making sure that building materials and skills are locally available at affordable prices, or free of charge*"[133]. The large developers-contractors approach should be left to few exceptional cases.

[132] Seneviratne, Krisanthi & al; 2013.
[133] Barakat; 2003.

The difficulties in ensuring such levels of supply go beyond the limitation of financing. They concern the speed with which authorities will be able to conduct new urban planning, resolving HLP (housing, land and property rights) issues, addressing social cohesion and reconciliation, mobilizing human resources and making base materials (cement, steel, etc.) available on the market. These difficulties differ considerably for the three categories of heritage, informal and formal areas, discussed above.

3 THE LEGAL ENVIRONMENT FOR POST-CONFLICT RECONSTRUCTION

Establishing a post-conflict legal framework for housing reconstruction necessitates the assessment of the pre-conflict legal aspects of housing as well as a vision of how Syria's recovery can address HLP rights on the one hand, and regulate the housing market on the other hand.

In fact, enabling an access to decent housing, "formalizing the informal", supporting the repair and reconstruction of the stock, compensating deserving owners and tenants for damage caused by conflict as well as empowering new generations to enter the housing market will depend on harmonizing policies and streamlining a complex legal environment. Paramount in this regard is the resolution of a myriad of legal issues pertaining to the type of tenure, the legal status of the property itself and urban regulations governing the land on which the housing stock stands. Criteria need to be developed for each legal situation creating a uniform system of evaluation and defining categories of beneficiaries and corresponding policies for each. "*These criteria should be developed in collaboration with the community or community representatives and other key actors and used by all agencies involved. Using different criteria can cause confusion and can lead to real or perceived unevenness in the distribution of assistance. It is almost inevitable that the choice of areas to be reconstructed will create dissent among people from areas not chosen. The best agencies can do in situations like this is to be clear and consistent*"[134]. In addition, care should be made that in a long-protracted conflict, the legal system and property cadastral registries may be deficient in matters of proof of rights. Furthermore, illegal constructions, squatting and secondary occupation of some properties will create a vicious cycle of delays as many people will not be able to return until secondary occupants were restored to their original homes or be given a solution for their predicaments. Thus, establishing a fair and clear HLP framework essential for post-conflict peacebuilding is not only related to establishing who owns what? The process will not be linear but will depend on developing the right procedures and incentives for a whole eco-system to evolve.

3.1 The pre-conflict legal housing environment

As mentioned earlier, a major legal problem in Syria concerning housing property consisted of overlapping statuary regulations and the coexistence of different and often contradictory modalities of tenure rights. In fact, in addition to land and dwellings formal cadastral registration and their compliance to urban plans, other regimes were developed for informal housing built on agricultural, State or private lands. Most of the informal housing properties had some form (albeit of different degrees of strength) of legal status. These tenure rights were registered by notary offices or through court orders recognizing the right of the residents to the built structure not the land. These rights could be traded or rented and had a market dynamic of their own. The share of informal housing was large prior to the conflict, due to the persistence of the housing gap for decades[135].

[134] Sultan Barakat, 2003, Op. cit.
[135] Hallaj, O. A. et als.; 2018.

It has long been recognized that such legal environment had a major responsibility in creating the housing gap in Syria[136] and was a significant factor[137] of the 2011 uprising which led to the conflict. Economically, the housing gap was mainly correlated with the non-availability and high pricing of buildable land in major cities. Thus it was mainly an urban planning issue magnified by the rigidities of the housing market through licensing, rental and financing conditions.

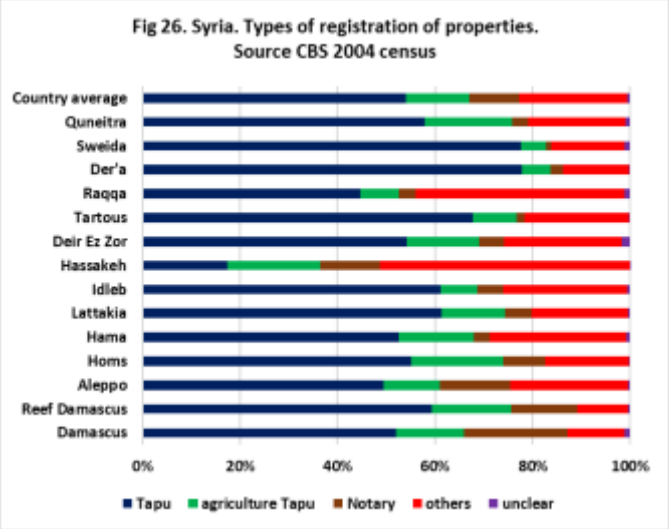


Fig 26. Syria. Types of registration of properties. Source CBS 2004 census

The Syrian 2004 census had indicated the different types of properties in the Syrian governorates according to the formality of the tenure. The census distinguished between regular urban registration (*tapu*[138]), rural registration (rural *tapu*), notary[139], others and unclear (figure 26). One third of properties had no regular land registration, 10.2% were identified as having a notary registration (21.2% in Damascus) and 22.1% fell under the category of other forms of informality (51.3% for the Hassakeh governorate, where the issue may be partially related to registration of properties in border areas and the inability of undocumented Kurdish residents to prove their tenure)[140]. Figure 27 shows the predominant mode of property tenure types in the different neighborhoods of Homs City[141].

Urban planning and land use

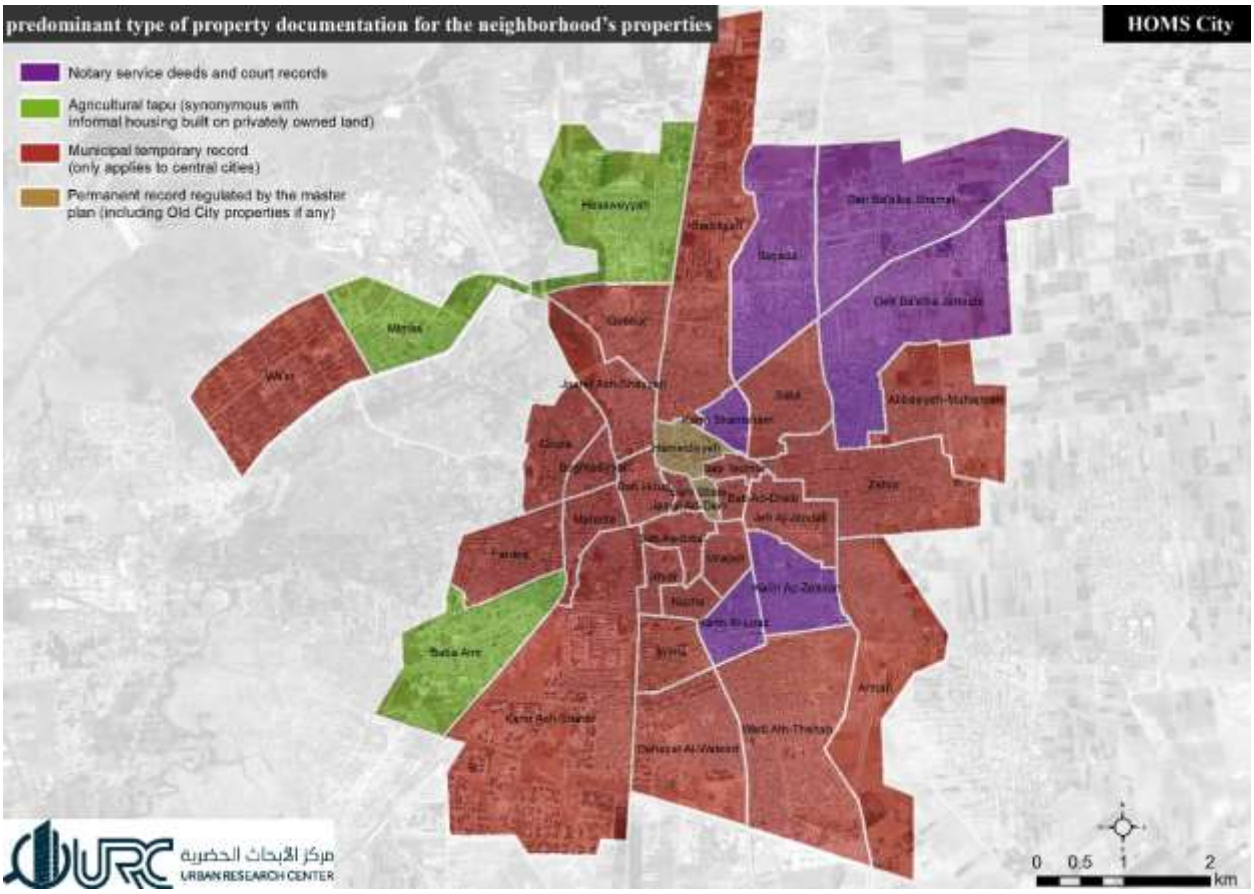
It was largely recognized that urban planning, as a legal instrument to regulate land use and housing construction, did not follow the pace of urban development during the last decades before the conflict. Moreover, besides creating major legal hurdles and contributing to informal settlements, the housing development activities were further complicated by laws and rules concerning lands and properties within existing urban plans. These varied from statutes regulating speculative markets, managing collective ownership and property subdivision, creating temporary cadasters to absorb rapid expansion of cities, expropriation and land pooling projects, overlapping tenure types between public and private owners, etc. The issuing in 2002 of a new urban planning law[142] did not significantly improve the situation.

The law n° 14 of 1974 used to regulate the selling and registration of unconstructed dwellings (*'Arasat*)[143] on empty "brown field" lands within urban plans. It concerned mainly private real estate developers who were authorized to sell the apartments to future owners before their effective construction. It created a

[136] Sabbagh, Youssef Marwan, 2001.
[137] Hallaj, O. A. et als.; 2018.
[138] See a historical discussion on Tapu regime in Hallaj, O. A. et als.; 2018..
[139] The registration of property of dwelling at notary office is used when the property of land and its use for construction (per example if it is not within urban planning) is not finalized.
[140] The transfer, selling and registration in border areas had been limited by Law n° 41 of 2004, modified by the legislative decree n° 49 of 2008. This issue is also linked with the question of the granting part of the Kurdish population in the area full citizenship.
[141] Courtesy Urban Research Center; http://urc-sy.com/.
[142] Law n° 41 of June 6, 2002.
[143] Law n° 14 of March 23, 1974 modified by law n°59 of July 15, 1979.

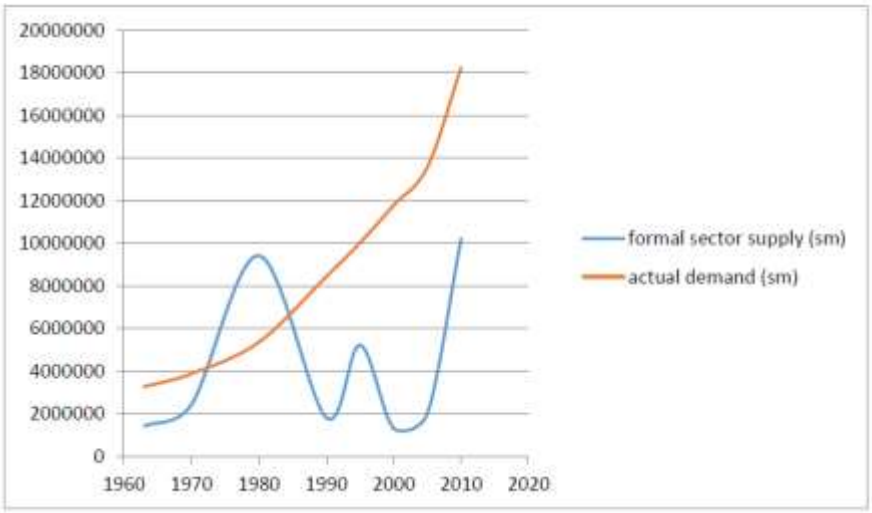
"**temporary real cadastral registry**" where the initial duties were paid to secure the title, but the land demarcation and delimitation procedures could be deferred. After finalization of construction, the dwelling had to be transferred to the actual-final real estate registry (*tapu*) and full duties paid. This law "*was developed hastily and included harsh penalties (sale in public auctions) for urban property left vacant in brown-field urban areas (within city boundaries)*"[144]. It complicated further real estate development, as the transfer between the temporary and the final registries was not systemically enforced and as the delays of construction created illegal situations. Another law[145] **forbade trading in urban lands and zones identified for vacation sites. Housing units could be traded once construction finished, but speculation in land deals was prohibited.**

Fig 27. Predominant types of property documentation in Homs



[144] Hallaj, O. A. et als.; 2018.
[145] Law n° 3 of February, 25 1976.

Fig 28. Supply of urban land for housing and demand



The law for urban expansion n° 60 of 1979[146] was also dedicated to green field lands that had not yet been incorporated into the masterplans of the main cities (mostly agricultural lands identified as expansion zones in the urban plans). This law **allowed the municipal administration exclusively, to acquire and develop such lands, to be sold at cost prices** to other public or cooperative entities, with minimal compensation to those private owners from which the land had been confiscated (priority in purchasing final housing developed on their land). These third parties were not allowed to sell the newly demarcated plots before completing construction. This law was further extended to all unconstructed lands within the urban masterplan for brown field plots larger than a certain threshold. All plots larger than the land needed for the development of a single building were acquired by the municipality and developed accordingly. This took most of the buildable land out of the market (figure 28)[147] and pushed private investors to deal with small brown field sites and with finished housing units. This created a reverse effect of the intention of the law. Concentrated private investments in the central brown fields and built real estate drove prices sky high and contributed to making the central cities un-affordable to lower income groups, indirectly creating a push factor towards informal settlements. Moreover, conflicts arose concerning adequate compensation for owners for the public expropriation of their lands, and bureaucratic formalities blocked the process of effective construction. The prices of urban lands available for private development rose significantly.

Otherwise, the loss of agricultural lands was never considered, as the primary motive was to incorporate land quickly for urban development. Many of the most fertile lands were diverted to housing use when more arid areas could have been chosen for urban projects. As the expropriation of land was cheap, but the development of land was expensive, municipalities often ended up speculating themselves on future development, blocking large swathes of land through their masterplans but not developing them. Most of the informal areas took place in those zones as the original owners found it more profitable to subdivide the agricultural land informally and selling prospective settlers shares in the land, than to lose the land for little compensation. This created a deadlock, as neither the municipalities were able to complete their plans and develop the land and seek rent, nor could the residents get legal permits for their small-scale construction.

[146] Law n° 60 of July 22, 1979.
[147] Established by Hallaj, Aziz ; 2017.

This law was modified only twenty years later by law n°26 of 2000 [148]giving the municipalities a period of six months to sort out which areas they want to retain under the previous masterplans and which they want to plan afresh. The law also introduced the possibility that the landowners make the subdivisions themselves, if the administrative entities did not perform it within the delay of 6 months. The official motivation in the text of the new law condemned the way the local administration acquired large amounts of lands without compensation of owners, "*usurping the land and encouraging informal construction*"[149]. The supply of land increased following the issuing of this new law but had never met the level of demand of land (see figure 28).

The issue remained in the public discourse and most cities refused to adjust their masterplans, except for Homs (see above the case study of Baba 'Amr). Eventually, a High Council for Regional Planning and a Regional Planning Commission (reporting to the Ministry of Public Works and Housing, MPWH) were created[150] to settle such issues in 2010, just before the uprising.

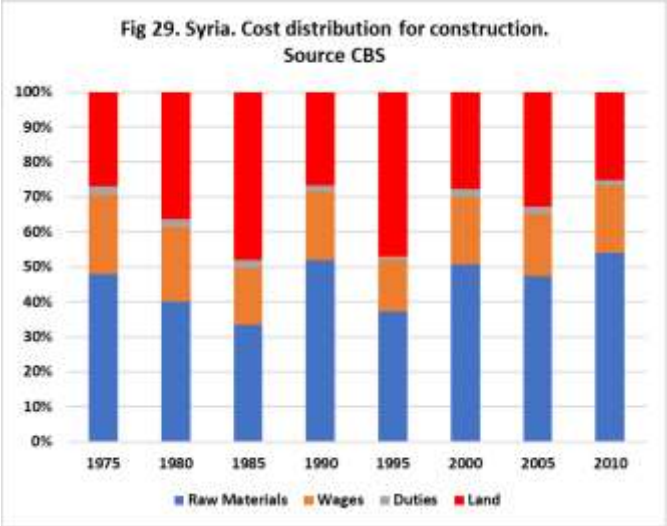
Housing development and investment

To encourage the development of social housing, laws and legislative decrees had been issued since 1981 creating a framework for **cooperative housing development**[151]. "*The share of urban housing delivered by such cooperatives remained miniscule, given that the vast majority of land expropriated by the State for this purpose was distributed at highly reduced values with full public infrastructure and subsidized building materials*"[152]. But also, the rules for property registration and sales were cumbersome for these publicly subsidized housing constructions, reducing the effectiveness of the process.

In 2008, a new law liberalized **housing development and investment**. Law n°15 of 2008[153] introduced for the first-time regulations concerning the **definition of urban housing developers**. The law allowed private as well public developers to create large real-estate companies, which were granted tax exemptions according to investment law n°8 of 2007 and which were enabled to intervene not only within the formal areas of urban plans, but also in informal areas. A General Commission of Development of Real Estate Investment (GCDRI) was instated to regulate these new developments. This law was followed by the legislative decree n°82 of 2010 which also liberalized the selling of unconstructed land. Over 35 companies were formed according to this law, and some were granted public land as part of a public-private partnerships (PPP). However, these companies "*were encumbered by socialist-era regulations and none of them actually managed to build a single housing unit by the time the conflict erupted in 2011*"[154].In effect, urban land supply increased mainly for speculation, and not for physical construction.

[148] Law n°26 of December 11, 2000.
[149] Sabbagh, Youssef marwan, 2001.
[150] Law n° 26 of June 24, 2010.
[151] Law n° 13 of 1981, Law n° 17 of 2007 and Legislative decrees n° 99 of 2011 and n° 36 of 2014.
[152] Hallaj, O. A. et als.; 2018.
[153] Law n° 15 of July 8, 2008.
[154] Hallaj, O. A. et al.; 2018.

The trend toward liberalization was clearly announced through the promulgation of this law; the process of freeing available land for building was however started as early as 2004. The statistical abstract of the CDS shows a clear trend of land being made ready for development progressively till 2011. This encouraged a boom in speculation during the second half of the 2000's[155], construction permits followed suit but at a less aggressive trend[156]. In previous decades leading to the conflict, the cost of land constituted a significant share of the cost of -formal- dwellings (figure 29).



Formalizing the informal

As discussed earlier in the case of the Baba 'Amr quarter of Homs, some formalization efforts had been conducted in 2005 by the municipal authorities. However, it was only in late 2008 that a new law[157] was promulgated and directives issued intending to formalize the wide informal constructions, as well as land properties in informal areas, and to issue proper property titles for the owners. In other cities, "*no major action was taken by municipalities to implement the directives. By the time the conflict erupted in 2011, the peri-urban expansion zones around the main cities were becoming the landscape for a future confrontation. On the one hand, local officials were eyeing these areas for future development, while on the other hand local communities were entrenched in defense of their fragile tenure rights*"[158]. **The simultaneous issuing in 2008 of laws 15 for urban development and 33 for formalization of the informal created then a political economy confrontation and a competition on peri-urban areas, encouraging further informal construction**[159].

The endowments

The property framework in the Syrian legal system includes religious and charitable endowments (*waqf*), inherited from the earlier Islamic and Ottoman history. Originally, they were of two types: charity and familial endowments. The latter aimed at providing continuous revenues for particular members of the endower's family after their death. The personal and family endowments were restructured in 1949 in Syria[160]. They had their assets distributed among the living beneficiaries to be treated as private properties henceforward.

Charity endowments were also restructured. Individual endowments were grouped and the state was given custodianship over Muslim endowments that were to be managed by the Ministry of Endowment,

[155] Seifan, Samir ; 2011.
[156] CBS, Statistical Abstracts for the years 2000-2010
[157] Law n° 33 of December 17, 2008.
[158] Hallaj, O. A. et al.; 2018..
[159] Clerc, Valérie ; 2011.
[160] Legislative decree n°76 of 1949 issued by the Commander in Chief of the Army, Husni Zaim.

while the other religious communities manage their own endowments through their churches.[161] Charitable endowments involve large property holdings in the central cities and their immediate peri-urban areas. In many places the tenure regime for Waqf land overlaps with other urban regulations, creating a quagmire of legal codes and directives.

Fig 30. Announcement on Jewish asset. Courtesy Zaman Al Wasl

The legal issues related to endowments are of significant relevance for the city of **Aleppo**, which was the second capital of the Ottoman Empire. Many of its historic assets were part of a complex web of endowments that provided water, infrastructure for markets, education, social services, and places of worship. Most of the central parts of the old city and its surrounding are linked to charity endowments[162] and/or to old familial endowments for which the distribution of assets on the inheritors had not been fully realized since 1949[163].

Other complex legal relations exist for these endowments, especially when there is overlapping jurisdictions, such as for the cases of Islamic endowment granting rights to build churches[164] and for the assets of Syrian Jews[165] managed by a « Board of Management of Jewish assets »[166] (figure 30), as well as with the State institutions which developed projects on these endowments[167].

The regulation of housing rental

Rentals of dwellings are regulated in Syria by the Civil Code. They were recognized by jurisconsults for centuries. They were first codified are part of the Ottoman Legal Framework (*Majalla Adliya*), with its articles 404 and 611, which was operative till the issuing of the Civil Code in 1949[168]. The new articles 526 to 601 specified the necessity to respect the wills of contractors (148), the free fixing of rental prices and the necessity to honor contract terms (529, 530 and 554) and the ending of the contract by respecting their terms and stated dates. However, several laws followed altering these basic features[169] at times to protect tenants from forced evictions in times of crisis and housing shortages. The tenant was allowed

[161] Zreik, Burhan; 2010.

[162] https://lisa.gerda-henkel-stiftung.de/beitrag?nav_id=7726&publication=1. See also https://www.almjhar.com/ar-sy/NewsView/230/129837/%D9%83%D8%AA%D8%A8_%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%85%D9%8A_%D8%B9%D9%84%D8%A7%D8%A1_%D8%A7%D9%84%D8%B3%D9%8A%D8%AF_%D9%85%D9%86_%D8%B3%D9%88%D8%B1%D9%8A%D8%A7_%D8%AD%D9%84%D8%A8_%D9%87%D9%84_%D8%AA%D9%82%D9%81_%D9%85%D8%AF%D9%8A%D8%B1%D9%8A%D8%A9_%D8%A3%D9%88%D9%82%D8%A7%D9%81_%D8%AD%D9%84%D8%A8_%D8%B9%D8%A7%D8%A6%D9%82%D8%A7_%D9%81%D9%8A_%D9%88%D8%AC%D9%87_%D8%AA%D8%B1%D9%85%D9%8A%D9%85_%D8%A3%D8%B3%D9%88%D8%A7%D9%82_%D8%AD%D9%84%D8%A8_%D8%A7%D9%84%D9%82%D8%AF%D9%8A%D9%85%D8%A9.aspx.

[163] The Al Jabri family waqf in Bab Al Faraj is a noticeable case.

[164] The Chaldean church in Aleppo per example.

[165] https://www.zamanalwsl.net/news/article/100573/.

[166] http://jle.gov.sy/index.php/2013-08-31-23-05-54/2013-09-07-17-04-20/52---13--2009.

[167] A typical example is the land of Damascus International Fair, see http://alwatan.sy/archives/114141, Also, the Baath party building and the Club of officers are built on waqf land. See also https://www.aksalser.com/?page=view_articles&id=5252be194882ec1145773fc1dfbaa0d7.

[168] Legislative Decree n°84 May 18, 1949.

[169] Law n°26 December 29, 1943; law n°464 February 15, 1949; law n°63 December 31, 1950; law n° 111 February 12, 1952; legislative decree n°3 July 30, 1987 for seasonal rental and the newest law n°6 February 15, 2001.

alone to extend the contract indefinitely and to transmit it to his/her inheritors. The cases of eviction were severely limited. The rental prices were fixed as a percentage of the dwelling's selling price. Several amendments followed reducing rental prices by 25 to 30%[170], limiting the owner rights to denounce rental prices fixed by public entities[171], by applying for cumbersome court reviews to receive limited rent increases not matching the rate of inflation.

These regulations resulted in blocking the housing rental market for decades as observed in the high share of non-occupied dwellings in statistics (up to 20% in some areas); as owners preferred to keep their property empty than risking to rent it out. This also led to the decrease in the share of rented dwellings[172] and for developers avoiding constructing rental projects. This was the case until a **new law (n°6 of 2001) returned in many aspects to the rental liberal rules of the Civil Code while gradually dissolving old rental agreements**. Owners could end old rental contracts against the payment to the tenant of 40% of the dwelling price. However, this reform had limited impacts while scarcity of construction licenses continued to dominate the market with low levels of new construction resulting in sharp increases in real estate and rental prices (see finance chapter below).

In 2004, only 7.7% of the occupied dwellings across the country were rented (14.0% in Damascus and 9.2% in Lattakia), while 10.24% of the total number of dwellings were empty (9.7% in Damascus and 17.1% in Lattakia), another7.2% were under construction. This is a large ratio given that the actual completion of new units being put in service is slower than this. Construction was slow and did not respond to actual demand but to the speculative prerogative of small-scale investors. In this market, constructing new stock for low income and rental end users is not feasible. The bulk of the surplus supply is in the upper end of the market

The regulations concerning heritage buildings and sites

Heritage buildings are regulated by the Legislative decree n°222 of 1963 and its successive amendments[173]. Its article 10 stipulates that "*municipalities cannot grant building or restoration licenses in places close to heritage sites and historical buildings, except after obtaining the approval of the archeological authorities* (the Ministry of Culture) *ensuring the erection of new buildings in a manner appropriate to the heritage character*". The "*owner of a registered heritage building is forbidden from demolishing, transferring it in whole or part, repairing, renovating or altering it in any way without prior authorization from the archeological authorities. Any works shall be made under the supervision of the archeological authorities. In case of violation, the archeological authorities shall restore the historical construction to its initial status and shall bare the violator the expenses in addition to the penalties provided*" (Article 23). Article 59 put 1 to 3 years jail penalties on violators.

However, the rules on how a building or a site could be declared "heritage" were not clarified. This is particularly the case with sites that were added to the World Heritage List and where international treaties governing such listing were in contradiction with national statutes. The pre-eminence of international

[170] Legislative decree n°24 January 25, 1965.
[171] According to the legislative decree n°187 of 1970.
[172] Dergham, Dureid; 2001.
[173] Legislative decree n° 222 of October 26, 1963, modified by legislative decrees n°295 and 296 of December 2, 1969, by legislative decree n° 333 of December 23, 1969, by law n° 7 of January 1, 1974, by legislative decree n° 52 of August 10, 1977 and further modified by law n°1 of February 28, 1999.

treaties was often not respected by local courts. This is the case of the Ancient City of Aleppo (severely damaged), of Damascus (not affected) and of Busra (slightly affected), as well as the historical area of Palmyra. The ancient city of Homs is not listed. Only, the city-castle of Tartous and the norias of Hama. The UNESCO is then involved in the discussions on the reconstruction of the old city in Aleppo[174], but not on that of Homs[175].

Also, the legislative decree on confiscation for public usage of 1983[176] had no provisions concerning heritage sites and historical buildings and law n°15 of 2008 on housing development and investment introduced a confusion that "*the places prepared for heritage*" have the same status as public buildings and should be extracted from the zoning and transferred freely to the relevant authorities[177].

The Ministry of Culture has the authority to administratively list a building or an area as heritage, and thus blocks all trade or transformations. The ministry is supposed to fund restoration work in return. However, the budget of the ministry was always limited. In effect, the heritage listing meant great financial loss to their owners, which led many to deface or destroy heritage elements to avoid the listing, or to engage in illegal construction of poor quality and of direct consequence to the integrity of the heritage assets. .

3.2 Legal environment of construction during conflict

While the built environment was subject to a myriad of challenges and the market dynamics were showing signs of great distress during the conflict, the government embarked on an accelerated process changing the statutes related to housing construction, HLP and other land management issues. More laws were promulgated on these issues during the conflict than had been since Syria's independence in 1946. It is a bewildering fact that the conflict period in Syria had experienced active and accelerated legislative activities concerning real estate and housing development, when the prerogative for such change was not evident.

The 2011 uprising initiated mostly in peri-urban informal areas[178], influenced to a large extent by a political economy of spatial transformation of these areas through gentrification in the guise of formalizing the informal and neo-liberal real estate development as a driver for foreign direct investments. Communities were quite aware of the dynamics in their formal grievances[179]. There were intensive « dialogues » between the Syrian President and representatives of the uprising communities of the peripheral urban areas during April and May 2011, during which the claims of community representatives concerning real-estate and expropriation issues appeared as a major concern[180].

In August 2011, a legislative decree[181] was issued to regulate **housing cooperatives**, putting them under the authority of the Ministry of Public Works and Housing (MPWH), through the General Union of Housing Cooperatives (GUOHC)[182]. The cooperatives, assumed to provide standard popular housing at

[174] https://whc.unesco.org/en/news/1639/
[175] See Aita, 2020, Local Needs Assessment of Homs.
[176] Legislative decree n°20 of August 28, 1983.
[177] A confusion repeated later in law 23 of 2015 and law n°10 of 2018.
[178] Clerc, Valérie; 2012.
[179] See Aita, Samir; 2015 and Clerc, Valérie ; 2014.
[180] See Aita, Samir; 2015.
[181] Legislative decree n°99 of August 3, 2011.
[182] http://www.guohc.org/ar/

construction cost, had priority to acquire land, building materials, credits and preferential interest rates, but often excluded original holders of land titles and tenure rights. They also disrupted irrigation systems and water drainage and played havoc with the viability of agricultural activities by creating rent gaps. The decree did not address these deeper issues and tackled only the procedural issues of cooperative housing industry. It was further amended in 2014[183] (during the most intense phase of the conflict) to ease the selling of the dwellings by the cooperative members and to specify rules on how a dwelling could be dedicated to a person; again by ensuring the continuation of rents to the class of beneficiaries who received State subsidies in the past, but not addressing the initial grievances of original owners. Fraudulent practices had been widespread in the large number of cooperatives created[184] and contradictions emerged between administrative decisions and legal recourse on the application of the law[185]. Many of the shortfalls of the cooperative system came to be exposed, paramount among them is its inability to scale up supply. Still, the State insisted on sustaining this form of housing as it ensures the patronage of an important class of civil servants and middle classes.

It is in this context that **a new legislative decree of urban development and investment** was issued in 2012[186] (now famous as the controversial law n°66) to "regulate" investment in two peri-urban areas of Damascus: Mazzeh-Kafar Souseh (see figure 31) and Mazzeh-Kafar-Souseh-Qanawat-Bassatin-Darayya-Qadam (prime locations within the city allowing high rent seeking). The law also proscribed land pooling as a mean to centralize decisions on development and investment and as way to attract private funding to contribute to the reconstruction process. The new directives were stated to be expandable to other areas subject to high governmental approval. This new legislation, portrayed as a solution to post conflict reconstruction, may have exacerbated the conflict on the short and long terms. The law took some years before the mechanisms could be developed and red tape circumvented for its implementation. In theory it should have facilitated the exercise of the State's power of eminent domain to aggregate small properties on site to make them viable for investment through a PPP schemes. However, in reality it denied the original inhabitants their fair share in the scheme which in turn would deny them their "**right to the city**". Despite lacking clear implementation mechanisms, the governorate of Damascus rushed to bulldoze existing housing. Remaining tenants that were not displaced by the fighting were given some stipends to find temporary shelter, but that soon ran out as constriction stalled, and their chances for a fair share in the scheme dwindled. This will be great cause for further grievances and will not contribute to social healing.

The easing out of legal oversight over the exercise of the power of eminent domain did not contribute to a speeding up of construction but put residents at the mercy of arbitrary administrative decisions. To the time of writing this report, the site is still under the initial stage of infrastructure and foundation work.

[183] Legislative decree n°36 and 37 of August 19, 2014.

[184] http://suwar-magazine.org/details/%D8%A7%D9%84%D8%AC%D9%85%D8%B9%D9%8A%D8%A7%D8%AA-%D8%A7%D9%84%D8%AA%D8%B9%D8%A7%D9%88%D9%86%D9%8A%D8%A9-%D8%A7%D9%84%D8%B3%D9%83%D9%86%D9%8A%D8%A9-..-%D8%AA%D8%AC%D8%A7%D8%B1-%D8%A7%D9%84%D8%B9%D8%B1%D9%82-%D9%88-%D8%A7%D9%84%D8%AF%D9%85/563/ar and http://www.cisyria.com/kam/2018/04/08/%D8%A8%D8%B1%D8%B3%D9%85-%D8%A7%D9%84%D8%B3%D9%8A%D8%AF-%D9%85%D8%AD%D8%A7%D9%81%D8%B8-%D8%A7%D9%84%D9%84%D8%A7%D8%B0%D9%82%D9%8A%D8%A9-%D8%A7%D8%A8%D8%B1%D8%A7%D9%87%D9%8A%D9%85-%D8%AE%D8%B6%D8%B1-2/.

[185] http://alwatan.sy/archives/113126.

[186] Legislative decree n°66 of September 18, 2012.

Yet without proper evaluation, the law was extended with much more relaxed safeguards for property rights and reduced voice for the residents to participate in the decision making to other cities and towns.

On another note, the **local administration units were allowed in 2015[187] to create PPP holding companies for themselves. A new law gave them the right to invest in** real estate development over land that was now possible to re-develop by negating old masterplans for zones destroyed in the war. The **law 23 for the "execution of urban planning and construction"** was issued later in 2015[188]. The local administration units, after obtaining approval from the central state, could now re-zone and redevelop urban plans almost at will, including especially the areas "*affected by war*"[189], without clear legal rules on how to qualify an area this way. By 2015, **most of Syria was "*affected by war*".**

Fig 31. Google earth image of Damascus Mazzeh-Kafar Souseh-Razi in 2011 and 2019

Concerning cadastral registries, the legislative decree 11 of 2016[190] (thus during conflict) **suspended records of real estate transactions in the opposition-held areas** and created a supplementary registry at the government-run General Directorate of Cadastral Affairs to register such transactions. This step can be interpreted as a step to protect absentee owners or alternatively looked at as a way to punish populations that are no longer under State control by denying them the right to trade their properties.

The **urban development and investment** legislative decree n°66 of 2012 was further extended to be generalized to all areas in 2018 by the law n°10[191] that had received large criticism and became the subject of major controversy. It was widely perceived as a way to expropriate and deny property rights of IDPs and refugees. The law was promulgated without proper evaluation of its predecessor law 66 and is not likely to bring about any genuine investments for reconstruction. Recently the model of reconstruction through land pooling and PPP became the subject of Western sanctions who targeted the few investors that opted to put their money into such schemes. Also, in 2018 the **religious endowment administration** (*waqf*) **was allowed to create commercial companies** in partnership with the local administrations, private sector and banks[192]. A central Endowment Council was enacted to set rules for the exploitation of waqf lands, including the implementation of Build-Operate-Transfer (BOT) schemes, PPP's and land pooling under the authority of the Ministry of Endowment and the Council of Ministers.

[187] Legislative decree n° 19 of April 30, 2015.
[188] Law n° 23 of December 8, 2015.
[189] No proper definition was made on how an area could be declared "affected by war".
[190] Legislative decree 11 of April 4, 2016.
[191] Law n° 10 of April 2, 2018.
[192] Legislative decree n° 16 of 2018 transformed to Law n° 31 of October 11, 2018.

Earlier in 2018, a law[193] regulated **the removal of debris**, as well as their related property issues. It stipulates the documentation of the buildings and assets before the decision of bulldozing endangered buildings and/or removal of debris, and their valuation. The owners have the right to appeal in civil courts. However, the appeal does not stop execution.

3.3 Major issues for the legal environment in post-conflict reconstruction

Given the above analysis of the pre-conflict and during-conflict legal situations, reconstruction, and recovery of housing in Syria will likely face several major challenges. These challenges will have to be considered from a human rights, rule of law and peacebuilding perspectives. Naturally, Syria may decide to go alone in addressing these challenges, but it will have limited chances to start a reconstruction process without a broad consensus within the population. The engagement of international support to address these challenges should be based on the terms of the International norms and conventions. Primary among those is the Convention on Economic, Social and Cultural Rights of 1966, stipulating in article 11 : "*The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing* ***and housing****, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent*". Syria ratified this Convention in 1969 that entered into force in 1976[194].

Moreover, the international norms adopted by the UN focus on the "***central nature of HLP rights to the establishment of the rule of law and to social, legal and economic stability in post-conflict settings***"[195]. It even recommends the establishment "*within all post-conflict societies of a national Housing, Land and Property Rights Directorate (HLPRD) to ensure that comprehensive and consistent institutional, political and legal attention is paid to all HLP rights concerns within the country or territory concerned*". The HLPRD would consist of existing national institutions (such as housing and land ministries, judicial bodies to adjudicate HLP disputes, land cadastral agencies, etc.) where these were still functioning with a strong involvement of the civil society. One of the main prerogatives of the first phase of the process is to establish an emergency response centered on a rights-based approach according to the Pinheiro Principles[196].

These principles specify (II.2) that "***all refugees and displaced persons have the right to have restored to them any housing, land and/or property of which they were arbitrarily or unlawfully deprived, or to be compensated for any housing, land and/or property that is factually impossible to restore as determined by an independent, impartial tribunal****. States shall demonstrably prioritize the right to restitution as the preferred remedy for displacement and as a key element of restorative justice. The right to restitution exists as a distinct right and is prejudiced neither by the actual return nor non-return of refugees and displaced persons entitled to housing, land and property restitution*" [emphasis is that of author].

For this, the legal environment should be amended for a proper post-conflict recovery. An overall framework should be established, involving State central administrations, regional authorities and

[193] Law n°3 of February 12, 2018.
[194] https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx
[195] Leckie, Scot ; 2005.
[196] Pinheiro, Paulo Sergio; 2005. See also: Barakat, Sultan; 2003.

municipalities, and civil society, like that of the Vienna declaration created for the Balkan countries following their civil wars. Basic rights need to be formally recognized in post-conflict Syria[197]:

- ***The right of voluntary return of IDPs and refugees in safety and dignity***: as recognized by article 13-2 of the Universal Declaration of Human Rights and by Geneva Convention of 1949;
- ***The right to recover housing and properties***: by an engagement to "*create an adequate legal and institutional environment allowing for the functioning of housing, real estate and land markets through (a) the formulation and implementation of respective regularization policies within the context of overall housing policies, (b) the adoption of specific and well-targeted programs, (c) a clear assignment of responsibilities to national and local authorities in line with the subsidiarity principle (decentralization) and (d) the promotion of sustainable urban management*"[198], with clear deadlines.
- ***The right for an equitable compensation in case property could not be recovered,*** as applied by international experience, (lessons learnt can be deduced from Iraq, both positive and negative ones)***;***
- ***The right for a high jurisdiction on property conflicts independent from executive State administration:*** for settling issues of informal properties and rentals, and despite any other jurisdiction, such as condemnation by exceptional courts.

A practical scheme to establish a legal environment for post-conflict reconstruction, includes the issuing of new laws or revising existing laws and regulations concerning:

- ***The establishment of a framework for housing recovery and reconstruction***: after wide consultations with stakeholders, financial institutions and civil society. The engagement of affected population in the process is imperative and not just through their official municipal bodies.
- ***The finalization of urban plans***: New urban plans need to be established considering the context of informal areas developed prior and during the conflict, as well as the perspectives for urban expansion (see below section on finance). A major concern in this respect is that the new urban plans should focus on social housing and obtain the acceptance of the local population, including those displaced or refugees abroad. This social consultation is key for social cohesion and peacebuilding over the long run. The cases of informal areas needing to be demolished for public safety and environmental concerns should be well documented and transparent. They should be based on wide consultations.

- ***The unification of the property registries***: The existence of multiple registries of properties constitutes an impediment for reconstruction and legal, equitable and non-corrupt urban development. The unification of these registries should be facilitated by the finalization of the urban plans.
- ***The legalization of informal settlements***: by the municipalities in line with the principles of the framework.
- ***Social housing***: It has been clearly observed that with the pre-conflict rhythm of construction of social dwellings by the public sector and cooperatives, it would take several decades to build the

[197] Daoudi, Riad; private communication, 2019.
[198] Vienna declaration, op.cit. p2.

necessary housing for the IDPs and refugees, especially from the destroyed areas[199]. A specific regulation should encourage such social housing development, especially by granting State land freely. However, in many cases, lands in the public domain today were subject to unfair previous expropriations. Engaging local communities in the process involve recognizing the previous grievances and addressing them.

- ***The compensation for damage, destruction and loss of housing***.
- ***The protection and the recovery of heritage***: in coordination with the UNESCO, not only for Aleppo, which is classified on the world heritage list, but also for the other affected old cities.

However, all the stated legal reforms will likely take time. This time will not be available in the rush to accommodate returns and early recovery needs. The main challenge facing any national strategy to handle the situation (whether it is through an HLPRD or otherwise) will be centered on finding ready solutions while working on the legal reform. The challenge will be to develop clear procedural packages to address immediate challenges while protecting long term legal reforms that would tackle the deeper restitution of rights.

[199] WORS; 2019.

4 HOUSING APPROACHES AND PATTERNS

The approach to housing in a post-conflict situation is a complex and non-linear issue. It cannot override the pre-conflict regional and local imbalances, nor can it surpass existing interests and past injustices (greed and grievance). The issue stands at the core among the most affective root causes that contributed to the uprising and its subsequent transformation into a civil war. It must also, tackle the social, economic and political impacts generated by the long years of fighting, as well as anticipate post conflict dynamics and be prepared to deal with them. This will require looking at the issue from different scales to assess the regulatory and implementation mechanisms at hand.

Regional planning

Fig 32. The new regional development vision for Syria, through its main axes[200]

In 2008, a report sponsored by UNDP[201] had depicted serious regional and development imbalances across the country. The location of human settlements and the congruent economic and social conditions across the 185,180 km2 territory of Syria are in fact asymmetrical and show a great deal of unequitable distribution. The population was, and is still is to a large extent, concentrated around cities situated in the most fertile lands. These cities were aggregating the surplus value of their hinterlands and are expanding at alarming rates devastating their direct environments in the process. The major cities are situated in areas of the country that have depleted resources (in particular water). A water channel had been constructed to feed the ever-growing Aleppo from the Euphrates river, while Damascus's meagre water resources suffer from overutilization. The accelerating rural-urban migration tends to further concentrate the population in two large regional agglomerations (extending beyond the administrative boundaries of a single governorate)[202]: Damascus (including the governorates of Damascus, Reef Damascus, Der'a, Sweida and Quneitra) and Aleppo (including the governorates of Aleppo and Idleb). These two regions act as regional

[200] RPC; 2012

[201] UNDP: Vision of Syria 2025; 2008.

[202] The report analyzed Syria in 5 distinctive major regions : Aleppo-the North (including the governorates of Aleppo and Idleb), Damascus-the South (Damascus, Reef Damascus, Der'a, Sweida and Quneitra), Jezireh (the governorates of Hassakeh, Deir-Ez-Zor and Ar-Raqqa), the Middle (Homs and Hama) and the Coastal (Lattkia and Tarous).

systems with the two cities Damascus and Aleppo at the center and a few major cities operating as small poles in the constellation.

It is only recently in 2019, following 8 years of conflict, that a National Framework for Regional Planning had been officially adopted[203]; an initial draft had been proposed in 2010. The Regional planning Commission simultaneously prepared the first draft of a national plan for housing. The Framework document seems to have formally adopted basic concepts that had been developed at least 15-20 years earlier within the Syria 2025 vision[204] and the MAM project[205] activities. While the first document was an entirely Syrian vision, the MAM was a European funded project (a regional development consultative office was opened with the assistance of the European Union during the 2000's, it was eventually transformed into a Syrian institution and the EU stopped its funding in 2011) (see figure 32). The basic concept developed at that time envisioned the creation of two new development corridors[206] with enhanced interactions between different poles (see figure 33): one North-South parallel to the present Damascus-Aleppo highway but more toward the East, and the second East-West from the coastal area towards Baghdad. Today the priority seems to be given to the latter axis, the Tartous-Baghdad-Tehran axis (West-East). The North-South one linking Turkey to the Gulf via Syria is not envisioned as a priority for the short run.

Fig 33. The new regional development interactions

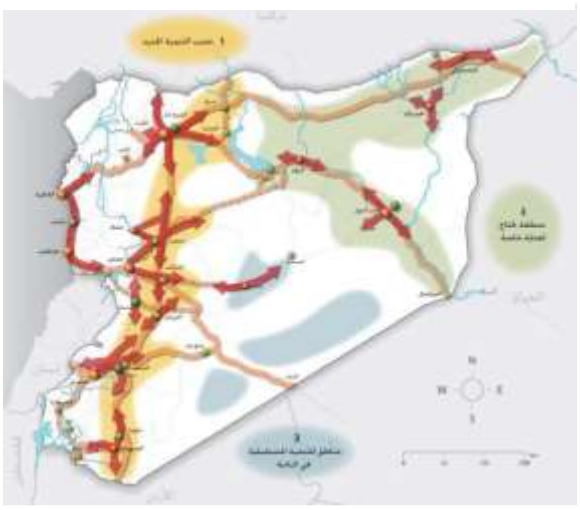
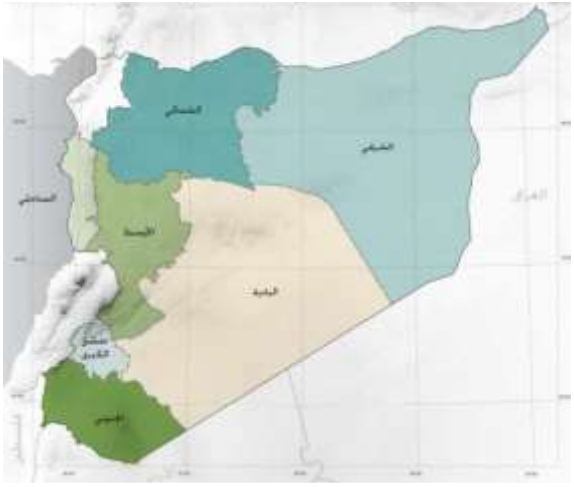


Fig 34. The framework of Syria in Regions



According to this Framework, Syria was divided into seven regions (see figure 34). The Southern Region was separated from the region of Greater-Damascus and was reduced to Deraa and Sweida. Also, major parts of Homs and Reef Damascus Eastern steppe areas were grouped within the new region of Al Badia[207].

[203] http://thawra.sy/index.php/plocal/173001-2019-04-25-19-30-00?fbclid=IwAR158lqWcvpqEQ8ouEIUEV_4zZIGC6V4JvYxkjWyvtx0x0qVHRbiPAtREOM.
[204] UNDP; 2008.
[205] Municipal Administration Modernization project (MAM); for example the proceedings of the Status of the Syrian Cities Conference, August 2008.
[206] RPC; 2012.
[207] RPC; 2018. On the logic for such a decomposition and the delimitation of administrative divisions, see Mohammad, Bahjat; 2013.

This Framework does not however address several issues, including the management of the scarcity of water and energy resources, of arable land (between property and usage rights)[208], as well as the consequences of the conflict on population displacements, economic activities and trade routes.

Urban planning

The vision 2025 UNDP sponsored report noted the gap created by the acceleration of urban constructions and the rigidity of the urban planning regulatory environment that had not been changed in over three decades even for cities like Damascus and Aleppo with their critical mass of population. The report warned that this had dire consequences and had led to a large expansion of informal settlements rendering the urban plans obsolete. The contradictions and ambiguities of the legal environment[209] had also negatively affected urban development in manners other than spatial growth; environmentally by failing to regulate harmful land uses, and economically by syphoning vital investments into real-estate speculation.

War itself, and the fear of new conflicts, will impact the structure of urban formations in the post conflict[210]. The conflict in Syria and its military modalities have resulted in what had been characterized in some locations as "urbicide"[211], a deliberate destruction not only of physical structures but of urban life itself. Hence, there is a necessity that urban planning for post-conflict housing reconstruction to take into consideration the conditions for recovering urban vitality, revitalizing economic activities and re-establishing social cohesion. It is not just about physical reconstruction. In particular, the planning should not concentrate only on high-end urban spaces without caring about the informal "secondary housing demand" building and servicing it. The idea that profits generated from clearing informal areas and developing high-end real estate could finance adequate low-income housing somewhere else is fundamentally flawed economically and falls in direct contradiction with international norms and conventions.

The case of Aleppo shows clearly how the master plan of 2004, that took years in the making, was when adopted already unimplementable. The situation on the ground and the actual realities of the terrain had already surpassed the design parameters of the masterplan (see figure 35)[212]. A new master plan in 2010 (figure 36)[213] was more attentive to the detailed conditions and realities on the ground[214]. However, after the city had witnessed severe fighting the plan must be reassessed to take into account the consequences of the conflict[215] (damage and destruction of housing and infrastructure, remnants of war, new demographics, etc.) (see figures 37 and 38). This reassessment was carried in a rush and a new plan was adopted without wide consultations with the residents in 2018[216]. The new plan comes without a socio-economic study, nor a specific budget for implementation. Actually, it excludes the main industrial zone of Sheikh Najjar from the core of the city, thus denying the city of important sources of tax revenues while carrying the burden of servicing and cleaning up the waste generated by the industrial zone.

[208] See UNDP: vision of Syria 2025; 2008, p. 193.
[209] Such as between law n°9 of 1974 on zoning, law n° 60 of 1979 on urban development, its application decrees and law n°26 of 2000 that replace it.
[210] Munoz-Rojas Oscarsson, Olivia; 2009.
[211] Shaar, Al Hakam & Templer, Robert; 2019.
[212] GTZ, Uberbau; 2010, p. 110.
[213] GTZ, Uberbau; 2010, p. 111.
[214] GTZ, Uberbau; 2010.
[215] UN-Habitat: Aleppo; May 2014.
[216] http://www.dampress.net/mobile/?page=show_det&category_id=6&id=85711

In February 2019, the Syrian Prime Minister urged the Ministry of Local Administration & Environment (MOLA) initiated new urban planning procedures for 165 cities in Syria[217]. This is following the issuing of 35 master plans in the governorates of Damascus, Aleppo, Homs, Hama, Lattakia and Tartous[218]. The insistence on issuing masterplans focused solely on spatial demarcation of land uses and the theoretical distribution of physical infrastructure without any consideration to the social and economic feasibility will recreate the pre-conflict shortcomings at best. Such plans will do no more than demarcating land for speculation without delivering substantive reconstruction policies and generating the resources needed to steer them in the future. The conditions that marked the failure of previous planning efforts in Syria and led to the creation of informal areas are being replicated in most of the "reconstruction" master plans produced so far.

The self-proclaimed Self-Administration in the North-East of Syria has also established a high regional committee for the elaboration of new master plans[219]. A similar regional committee had also been created for the North-West areas of Idleb, under the authority of the "Government of Salvation". It has issued new master plans for some cities, including Saraqeb[220]. Other North-Western cities under direct Turkish rules (such as Azaz) had undergone significant development of housing and infrastructure constructions without formally adopting a new masterplan but with some degree of local consultations[221]. Diverse international efforts contribute to the elaboration of these master plans[222], including international donors and professional firms wanting to stake a role for themselves in the future reconstruction of Syria.

So far, **it is clear that the current efforts for producing new master plans are conducted without proper consultations with the local inhabitants and communities, not to mention absentee ones. There is a clear lack of evidence of how local plans will link to a national and/or a sub-regional planning framework ensuring the socio-economic integration and unity of the Syrian territory and taking into account the significant growth of urban population and economic transformations.** The tendency for masterplans to act as incentives for local urban officials and elites to exploit post conflict conditions for speculation will be one of the largest challenges facing a classical approach to urban planning.

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217 https://aliqtisadi.com/1338216-%D8%AA%D8%B3%D8%B1%D9%8A%D8%B9-%D8%A7%D9%86%D8%AC%D8%A7%D8%B2-%D8%A7%D9%84%D9%85%D8%AE%D8%B7%D8%B7%D8%A7%D8%AA-%D8%A7%D9%84%D8%AA%D9%86%D8%B8%D9%8A%D9%85%D9%8A%D8%A9/.

218 https://www.almodon.com/economy/2018/10/26/%D8%A7%D9%84%D9%85%D8%AE%D8%B7%D8%B7%D8%A7%D8%AA-%D8%A7%D9%84%D8%AA%D9%86%D8%B8%D9%8A%D9%85%D9%8A%D8%A9-%D8%AA%D8%A3%D9%83%D9%84-%D8%AD%D9%82%D9%88%D9%82-%D8%A7%D9%84%D8%B3%D9%88%D8%B1%D9%8A%D9%8A%D9%86. But the plans had been published.

219 http://www.artafm.com/program/12708.

220 https://www.enabbaladi.net/archives/263600.

221 https://www.aa.com.tr/ar/%D8%A7%D9%84%D8%AF%D9%88%D9%84-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A%D8%A9/%D8%A5%D8%AD%D8%AF%D9%89-%D8%AB%D9%85%D8%A7%D8%B1-%D8%A7%D9%84%D8%A3%D9%85%D9%86-%D8%A7%D8%B2%D8%AF%D9%87%D8%A7%D8%B1-%D9%82%D8%B7%D8%A7%D8%B9-%D8%A7%D9%84%D8%A8%D9%86%D8%A7%D8%A1-%D8%A8%D9%85%D9%86%D8%B7%D9%82%D8%A9-%D8%AF%D8%B1%D8%B9-%D8%A7%D9%84%D9%81%D8%B1%D8%A7%D8%AA-%D8%B4%D9%85%D8%A7%D9%84%D9%8A-%D8%B3%D9%88%D8%B1%D9%8A%D8%A7-%D8%AA%D9%82%D8%B1%D9%8A%D8%B1/1216836.

222 https://azazplan.de/ar/01-start/.

Fig 35. Aleppo official master plan 2004

Fig 36. Aleppo official master plan 2010

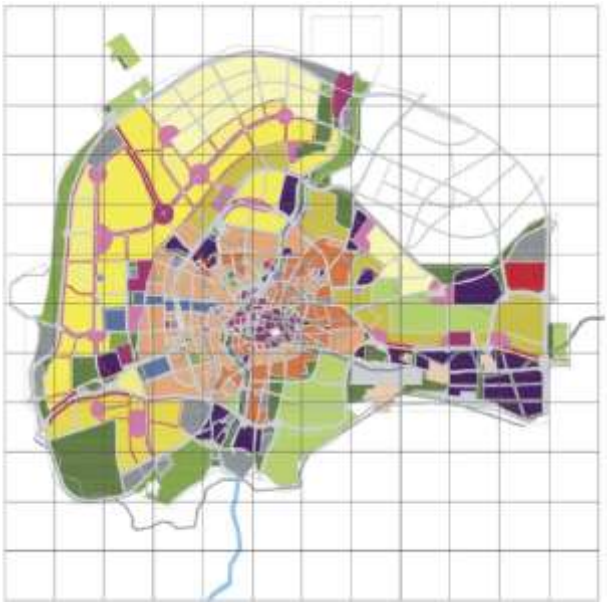


Fig 37. Aleppo land u se 2014[223]

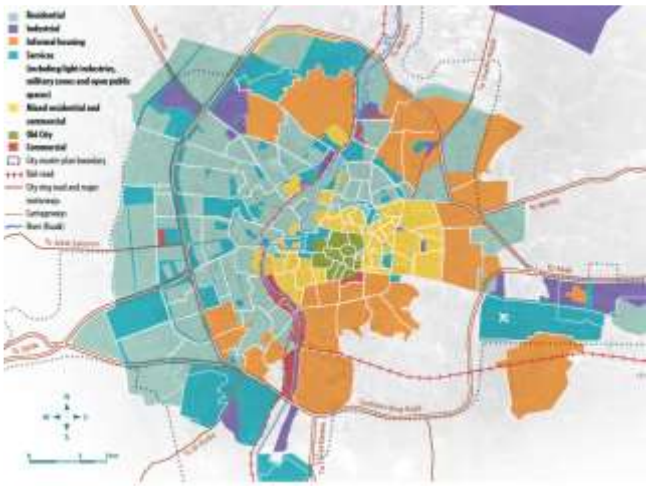
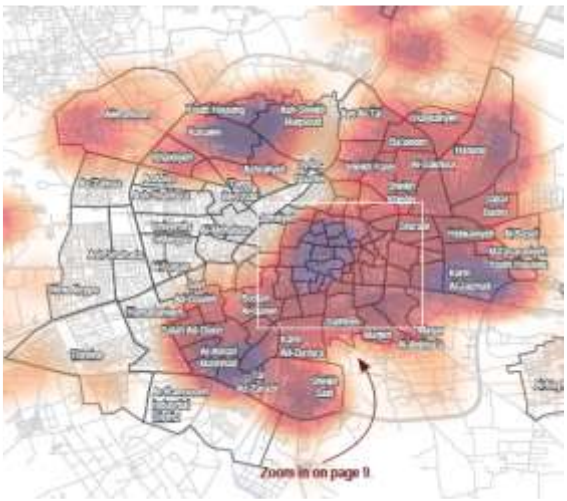


Fig 38. Aleppo damage intensity[224]

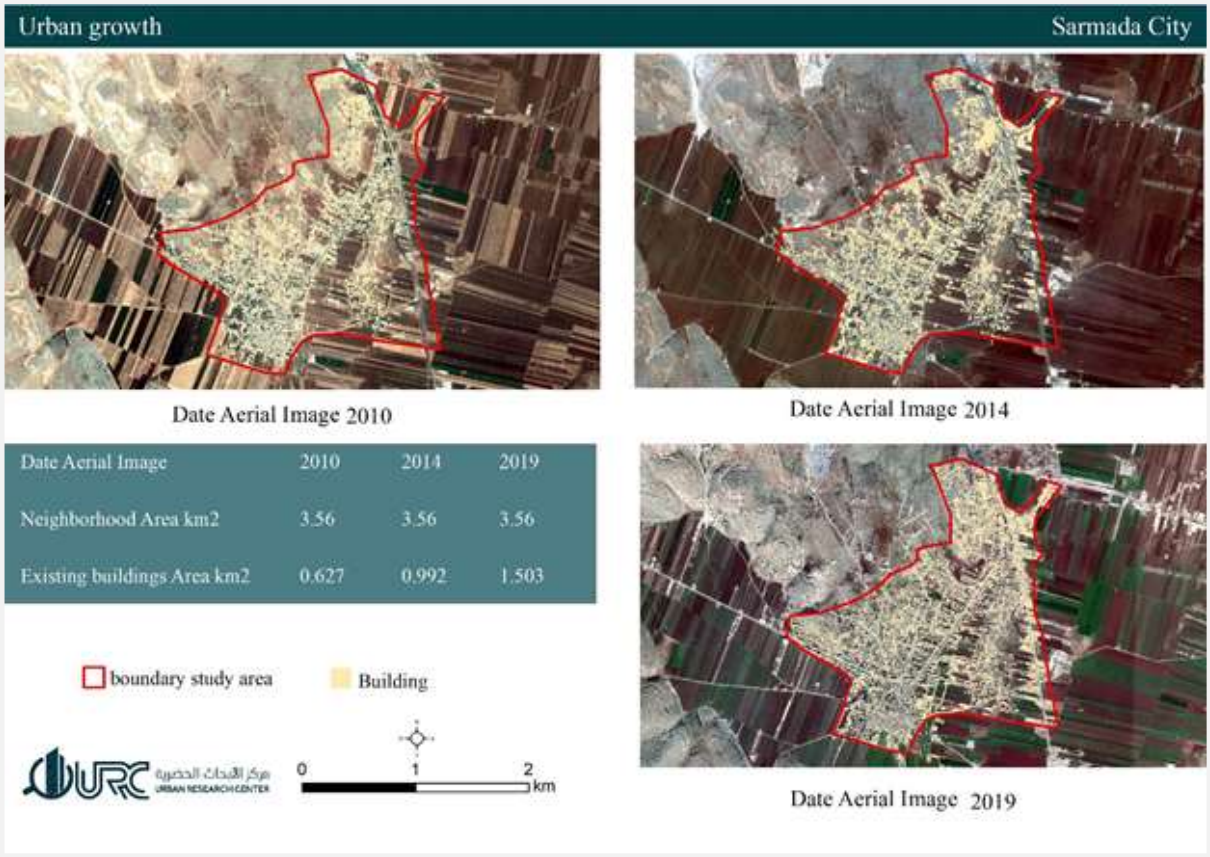


[223] UN-Habitat : Aleppo ; May 2014, p. 8.
[224] Reach, Damage; 2019, p. 8.

Box 5. The case of Sarmada

Sarmada (the eternal in Arabic) is a small city in the governorate of Idleb, of the subdistrict of Dana, that accounted for around 15,000 inhabitants before the conflict. Its population grew to around 40,000 nowadays (while that of the district of Dana from 71,634 in 2011 to 342,380 in 2017, including 299,710 IDPs especially in the nearby Atmeh camp). Half of Sarmada population is now made of refugees, and the constructions developed massively; the city taking profit of its proximity to Bab-Al-Hawa border point with Turkey which became during the conflict the major import entry point to all of Syria (1) and with the implementation of wholesale traders. The built area expanded from 627,000 m2 in 2010 to 992,000 in 2012 (+58%) and to 1,503,000 in 2019 (another +52%). This is despite the high prices of building entrants (figures and analyses courtesy of URC).

No efforts seem to have been made to elaborate a master plan for Sarmada, and to assess how the important role that the city had taken during the conflict could evolve in different post-conflict scenarios.



Date Aerial Image	2010	2014	2019
Neighborhood Area km2	3.56	3.56	3.56
Existing buildings Area km2	0.627	0.992	1.503

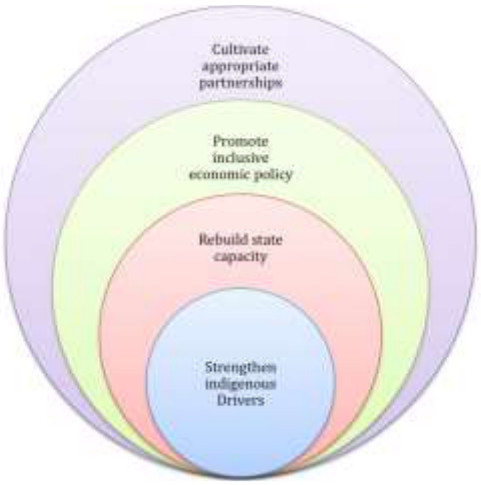
(1) Aita, Samir ; 2017. See also https://mena-monitor.org/reports/%D8%B3%D8%B1%D9%85%D8%AF%D8%A7-%D8%A7%D9%84%D9%85%D9%86%D8%B7%D9%82%D8%A9-%D8%A7%D9%84%D8%AD%D8%B1%D8%A9-%D9%84%D9%84%D9%85%D8%AD%D8%B1%D8%B1-%D8%A3%D9%85-%D8%A7%D9%84%D8%B3%D9%88%D9%82-%D8%A7%D9%84/.

(2) https://snpsyria.org/?p=8698.

Housing reconstruction or recovery?

The terms of "recovery", "reconstruction" or "rebuilding" tend to suggest a return to the *status quo* before the conflict. However, what is necessary is the "*the rebuilding of the socio-economic framework of society"* and *"the reconstruction of the enabling conditions for a functioning peacetime society, explicitly including governance and rule of law as essential components*"[225]. The issue is beyond the process of return to a 'normal' development trajectory, where a country has "*reacquired the capability to make and implement economic policy as part of a largely self-sustaining process of economic governance*"[226]. **The process "*involves a socio-economic transformation*** *and it requires a combination of far-reaching economic, institutional, legal, and policy reforms that allow war-torn countries to re-establish the foundations for self-sustaining development.* ***Recovery means creating a new political economy dispensation. It means building back differently and better [emphasis by author]***"[227].

Fig 39. Main Phases of post-conflict economic recovery



The first and most crucial action for the success of such **a transformative revival** lies in the strengthening of indigenous drivers for change, mobilizing energies and initiatives of local communities and their local resource base and diverse forms of economic, social, environmental and cultural capital. Households and enterprises that stimulate and impel economic activities will need strong signals to engage and a broad consensus defining the direction towards which they can steer their investments (see figure 39)[228]. **Income generation by the population is the focal issue** as it will be the main catalyst for attracting new forms of demand to encourage further investments. In the first years of the post-conflict, the regulatory powers of the state will be weak, minimal. Clear and simple visions with some degree of local consultation at the local neighborhood level should be in place to give a general direction not prejudicing the long-term prospects of returning refugees and IDP's and secure the sustainability of peace. Reliance will be on local and national actors, building on what is left after the conflict and re-establishing mechanisms and local capacity for economic and social development.

Minimal changes in the legal environment will be possible at first. Local ordinances may provide the necessary guidelines and exemptions needed to supersede cumbersome red tape. This first effort to turn the wheel of economic recovery, generating the initial demand and supply cycles, will be the necessary step to sustain growth, regain trust in State institutions, which would allow the next steps of the process to take place: rebuilding State capacity, promoting inclusive economic policy and cultivating appropriate partnerships. The initial steps of housing reconstruction and of the sheltering of the returning IDPs and refugees should be considered in such context.

[225] World Bank; 2018.
[226] UNDP; 2005.
[227] Ohiorhenuan, John F.E.; 2011.
[228] Ohiorhenuan, John F.E.; 2011, op. cit p. 8.

Housing reconstruction approaches

The reconstruction literature[229] differentiates between several approaches and patterns of housing reconstruction and recovery, each having its distinct characteristics:

- **A: Provisional and temporary housing:**
  This type of housing had been provided during the conflict by international organizations and INGO's for IDPs in several locations in Syria. At the end of the conflict, the question will be posed of the necessity to build new provisional and temporary housing for the case of IDPs and refugees returning to the severely damaged and destroyed areas. This may also apply to areas which were originally informal, poorly serviced as well as to unsafe and risky areas where war remnants had not been removed. This option will be a temporary response awaiting the decisions on the fate of these areas and the funds for the construction of final settlements.
  However, there are inherent risks with such approach. On one hand, built temporary shelters are likely to mutate into permanent poor-quality housing, adding to previous trauma of displacement and asylum seeking. Already, some of the emergency settlements have become, with the extended duration of the conflict, real urban areas with a sense of belonging by its resident population.
  On the other hand, there are concerns for the costs of such shelters, for the land where they should be built on, for the depletion of foreign currencies that the importation of their materials can cause and for the fact that opportunities will be lost to engage local contractors and supply chains in this critical first phase of recovery. Also, given the unlikelihood that unilateral measures (sanctions) constraining foreign exchange and imports will likely restrict a scalable response.
  The large number of IDPs and refugees who will be returning to destroyed and severely damaged areas creates a major challenge. There will be no universal solution for all. The areas for absorbing the returnees should be identified one-by-one in each city and a proper transparent zoning should be established, subject to public debate. The issue of temporary settlement should be elaborated in consultation with local communities of the concerned areas and different options should be proposed, including the permanent settlement in other areas with proper incentives.

- **B: Repairing damaged houses:**
  Repairing housing is the preferred solution when damage is moderate or low, and when the displacement of the population is limited or short in time. The support for reconstruction is the easiest in this case through the provision of technical advice, the subsidization of materials or the granting of advantageous loans. However, the "*unwritten rule for housing repair is that it should reinstate the property to its pre-disaster condition*"[230], which should be in line with simple and reasonable regulations. It also assumes that all owners of a building agree on the necessary repairs. This may prove to be complicated if returns and claims are gradual, and the housing units in one building have endured similar levels of damage. Mitigating local negotiations at the very local level will require elaboration of various types of mediation and arbitration, a field where the Syrian legal system has very little precedence to fall back onto. Revisiting local mediation and dispute resolution traditions under some form of legal supervision will have to be innovative and will require open and honest dialogue between local authorities and local communities.

[229] Barakat, Sultan; 2003.
[230] Barakat, Sultan; 2003, op. cit., p18.

Traditional mediation processes in Syria have their advantages in solving neighborhood problems but are notorious for ignoring women's rights and interests. Some concise guidelines and supervision mechanism will need to be developed in each location, while keeping the courts as a last resort for protecting rights and resolving disputes. Moreover, dwellings could be occupied by secondary occupants, IDPs in their own right. Assistance for repairing dwellings should then be carefully designed with an eye of providing incentives to secondary occupants to return to their original homes or to new locations[231]. This too will require special attention to local dispute resolution mechanisms.

- **C: Constructing new housing and developing new settlements:**
  This option could require the highest level of effort and investment per beneficiary[232]. It involves the designation of new sites for such development. This is not just a function of regional and urban planning; it includes the creation of a new social environment where people would have a recourse to their social networks to survive. It will also have to be accompanied with economic revitalization packages (employment, opportunities, mortgages, mixed land uses to allow for proximity of local value chains, etc.). Different options exist for this approach: Rehabilitating the initial location, constructing new housing schemes, and upgrading the sites of temporary settlements that had initially hosted the early returnees. In all cases there should be an acknowledgement that those displaced will need in addition to shelter a sense of security, community networks, and access to economic and employment opportunities. In all options, the questions of property rights, of recompositing the social environment and of the bearing the cost of base infrastructure are key.
  One major issue in this context is that local planning authorities shall see such "reconstruction" as an opportunity to solve old urban problems, such as unsafe informal areas. They will do this under the guise of reconstruction and urban modernization[233]. Social conflicts could arise when such a logic is applied asymmetrically to neighborhoods without a clear logic as to the selection criteria. This will most certainly accentuate the feeling that destruction during the war and the further demolitions for reconstruction could constitute a deliberate socially segregating "urbicide"[234] policy[235].
  In the situation of Syria, with the very large amount of destructions, this issue is crucial for post-conflict reconciliation and peacebuilding. The issue of demographic transfers is already sensitive politically and allegation of demographic transfers will hamper efforts for social cohesion. The

[231] Typical example for such a situation is the « Central Fund for the Displaced » in Lebanon with its specific problematics 30 years after the end of the Lebanese civil war. See for example: http://cfd.gov.lb/ and https://www.almodon.com/politics/2018/4/11/%D8%A3%D9%85%D9%88%D8%A7%D9%84-%D9%88%D8%B2%D8%A7%D8%B1%D8%A9-%D8%A7%D9%84%D9%85%D9%87%D8%AC%D8%B1%D9%8A%D9%86-%D9%84%D8%B4%D8%B1%D8%A7%D8%A1-%D8%A7%D9%84%D8%A3%D8%B5%D9%88%D8%A7%D8%AA.

[232] Barakat, Sultan; 2003 and GTZ; 2003. See also the case of the Fund for the Displaced in Lebanon.

[233] This was particularly the case for post-war Europe.

[234] https://www.aljumhuriya.net/ar/content/%D9%83%D9%8A%D9%81-%D8%A7%D9%86%D8%AA%D8%B2%D8%B9-%D8%A7%D9%84%D8%A3%D8%B3%D8%AF-%D9%85%D9%86%D9%91%D8%A7-%D8%B3%D9%88%D8%B1%D9%8A%D8%A7%D9%87-%D8%A7%D9%84%D9%85%D8%AA%D8%AC%D8%A7%D9%86%D8%B3%D8%A9?fbclid=IwAR34sHynaNRAuJc7Gf73hOhUBIQ-HnaC-14RU48tALugr63gIQeVDgTgRXU

[235] https://www.hrw.org/news/2018/10/16/syria-residents-blocked-returning.

balance is key between the necessity of building quickly for hosting IDPs and refugees and that of elaborating housing policies with proper comprehensive dialogue with local communities.

- **D: "Build-yard" approach[236]:**
  This approach of reconstruction is based on the principle that affected communities can build their own housing, either by themselves or by contracting local builders. The State or others assistance consists of making sure that land is made available, infrastructure is developed, building materials and skills are locally available at affordable prices and that construction rules and norms are respected. This approach is best implemented in rural and suburban areas for urban expansion, where ownership issues and zoning are less complex. In dense areas, an individual owner-driven "build yard" reconstruction could result in substantial delays and in eroded cultural heritage and identity[237].

  A housing construction option does not have to be focused on supply side economics. Rather than supporting the construction of new housing, subsidies could go to help empower demand which would in turn incentivize new forms of supply that are most suited to the needs and priorities of those seeking housing. As we have seen when discussing pre-war and during the war supply, there is a certain degree of absorption capacity in the existing stock. Demand side subsidies have a much better chance to resolve immediate needs. They do tend to contribute to the local inflation of the housing prices over the short run, but this will be stabilized as supply would pick up. On the other hand, large investments on the supply side may cause general inflation, by devaluing currency if adopted as a massive nation-wide policy.

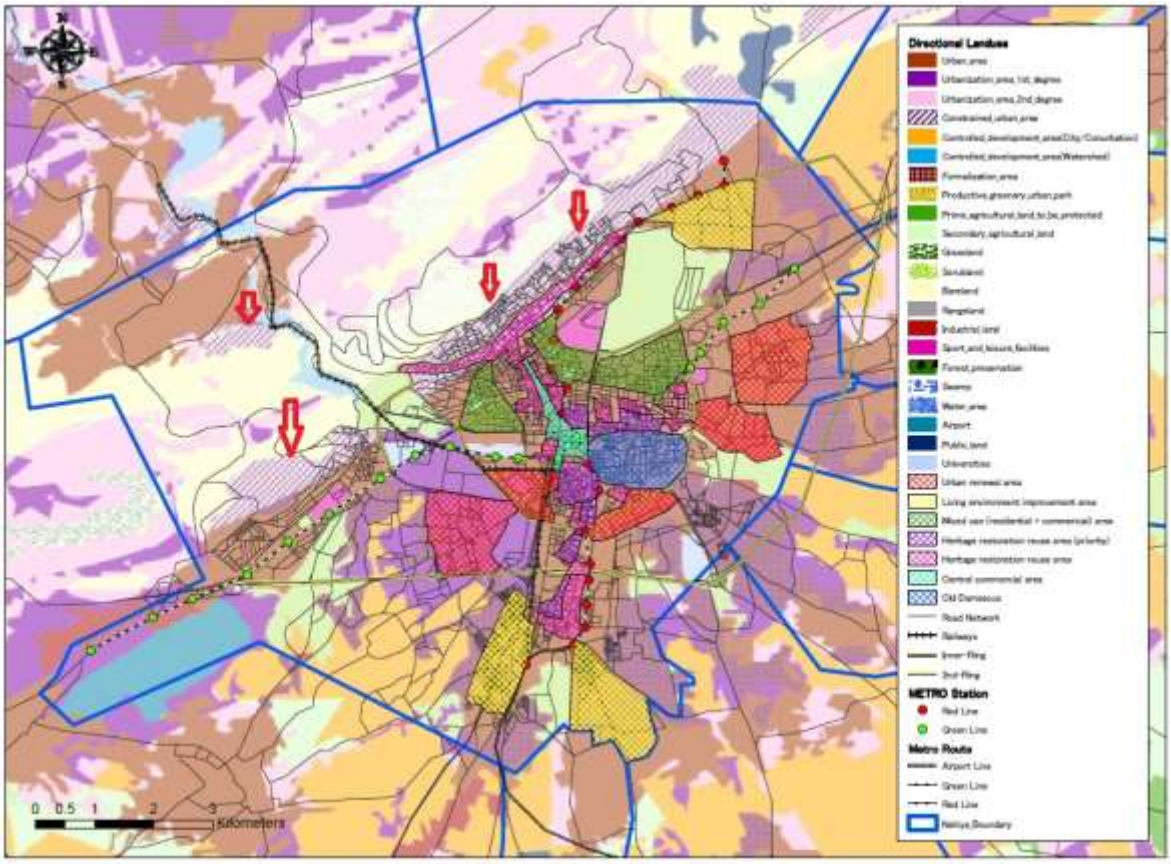
The choice between these 4 approaches depends on the context of city and neighborhood. The decision to rebuild, renovate or move will have to be thoroughly discussed with local communities based on conditions prior and during the conflict, as well as on available resources after the conflict. Prior to the conflict, the concerned area could be either formal (zoned according to an urban plan), partially formal (with the buildings adhering to an overall plan but where building violations may be dominant and HLP rights confused), informal but well regulated, informal insalubrious or unsafe, or it could be a heritage zone. The line between formality and informality was always blurry and tenure rights are not black and white[238]. A tenure continuum exists in all cities and most urban areas (except the very affluent ones) have a mixture of different tenure patterns. Informal housing does not pose questions of individual property rights. It is vital for the valuation of base infrastructure, securing mortgages, and aggregating local taxes to finance further development.

A matrix of the typology of the urban fabric (formal, partially formal, informal but regulated, informal insalubrious, heritage) would have to be juxtaposed with the degree of damage (total destruction, severe damage, light damage, and no damage but requiring regular upgrade and maintenance). Strategies would be needed for each juxtaposition (for example informal insalubrious with light damage). A comprehensive mapping will have to be done to understand the global picture. This needs not be a detailed survey but a rapid assessment as the fine tuning of the classification would have to be done in consultation with the

[236] Barakat, Sultan; 2003, op. cit., p24.
[237] Barakat, Sultan & Zyck, Steven A.; 2011.
[238] Hallaj, O. A. et al.; 2018.

communities concerned. General guidelines for what to do in each case will need to be in place, and some judiciary oversight will be needed to ensure that local dispute mechanisms are in compliance with the law. For instance, the repair approach may be preferable in the case of formal, informal regulated and heritage areas with light or moderate damage. Informal insalubrious areas pose a dilemma to be resolved, even if conflict damage is light or inexistent. This is the case for example in Damascus for the upper Qassioun and Mezzeh 86 areas[239] (see figure 40).

Fig 40. Damascus unsafe informal areas prior to the conflict



The choice of an approach for the **severely damaged and destroyed areas** is even more complex. In a first step, the **access of the returnees to these areas could be difficult, as these areas will need to be cleaned from war remnants and basic infrastructure connected**. Also, the reconstruction activities take years and there is a need for temporary settlement in the meanwhile. More importantly, the question is posed if reconstruction of the mainly destroyed areas should be the return to the previous situation, especially in the case of informal areas, regardless of how well regulated or insalubrious they were. A combination of approaches A, C and D (i.e. provisional housing, build-yard and new constructions) is necessary for these cases, following consultation with the concerned communities.

In each of these cases, the implementation could be either made through a contractor/promoter, self-build, or by cooperative reconstruction efforts. Whatever the mode, the “handover” mechanism must be

[239] See JICA; 2008 and MAM ; 2009.

designed properly. Safeguards for due diligence regarding the property/legal issues as well as adherence to construction norms, must be established.

Further sub criteria may need to be developed at the local level. However, a national outlook is indispensable to ensure that limited resources are not diverted to the path of least resistance, to enhance the clientelism of national and urban elites. The housing strategy must be at the core of the political process and is not a superfluous after thought. In the Dayton accord it was at the core of the political deal, but the complexities of the issue were under-estimated.

Housing reconstruction and the Pinheiro principle

With the large numbers of IDPs and refugees and the significant destructions occurring as a result of direct combat operations or policies, the reconstruction process in Syria has inherent risks that will impact prospects for peacebuilding and social cohesion. As indicated above, the Syrian authorities have already enabled some reconstruction in coordination with UN agencies; the Turkish authorities are also promoting reconstruction in areas they directly control; US and European funds are helping "recovery" efforts in the parts of Idleb in collaboration with NGOs working in the opposition sphere and in the North-East with the self-administration of the "Syrian Democratic Council".

All these recovery/construction/reconstruction activities are subject to fierce polemics concerning demographic transfers and engineering, manipulation of urban planning, usurping assets of absentee IDPs and refugees, as well as, and foremost, on corruption and rent-seeking from real-estate speculation and construction contracts[240]. It is interesting to note that each side is making claims that the others are sidelining the laws concerning property[241] and claims adherence to the Pinheiro principles[242]. Effectively, the rules and logic laying behind decisions regarding recovery/construction/reconstruction are not transparent nor made fully public, even when the UN bodies are concerned. The process of consultation with local communities is ambiguous at best.

Housing reconstruction cannot be initiated without some risk on peacebuilding if the Pinheiro principles are not translated into specific commitments within the peace agreement between the parties. This can ensure that any approach and measure launched by the State and the local authorities is not considered as "arbitrary" or "unlawful" or not respective of human rights. A public debate should precede this peace agreement specifics on reconstruction. In particular, the most visible and symbolic sites of destruction should be at the core of this debate to ensure popular consent. Nonetheless, there will always be risks and the strategy should envision a final safety net for those who will be left behind without recourse to any access to housing. Many people had no access to housing before; many young people will need to enter housing for the first time; many vulnerable persons or communities will not be able to access public resources on their own. The overall strategy for housing must ensure that their needs are also addressed. The Pinheiro principles mainly address grievances of the past. The strategy should anticipate new grievances that would come up in the future.

[240] See per example the series of articles of Al Jumhuriya opposition website on the « militarization of urbanization », https://www.aljumhuriya.net/ar/topics/%D8%B9%D8%B3%D9%83%D8%B1%D8%A9_%D8%A7%D9%84%D8%B9%D9%85%D8%B1%D8%A7%D9%86.

[241] https://syria.chathamhouse.org/research/syria-needs-a-plan-for-just-and-inclusive-reconstruction.

[242] FAO, NRC, OHCRHR, UN-Habitat ; 2007.

5 FINANCING POST CONFLICT RECONSTRUCTION

It is all about the national economy

John Maynard Keynes wrote a critical book[243] following World War I where he discussed the conditions of economic recovery following major conflicts. Years later his ideas inspired the Marshall plan, promulgated to rebuild Europe after World War II. He argued that **recovery and prosperity cannot be implemented without an equitable, effective and integrated economic system**. Economists debated the decisive contribution of the Marshall plan launched in 1948, 3 years after the end of the war, since the evidence shows that a general recovery in Europe had already been under way and that Japan recovered without such a plan.

One should recall that the Marshall plan was set up for a "*limited period of four years, 1948 – 1952, and operated through a counterpart fund. The money contributed by the U.S. included currency for loans but went primarily (70%) towards the purchase of commodities from U.S. suppliers*"[244]. The total amounts were less than 3 to 5% of the combined national income of the recipient countries, while they mainly consisted of loans that Germany continued to pay back until the 1970's, with a mirror fund in local currencies serving to invest in the country economy. The plan was articulated around 6 committees: food supplies and agriculture, power, transport, raw materials, equipment, as well as iron and steel; the European countries were coopted to cooperate.

Keynes warned that care must be made to the overall post-conflict economic and financial environment, with the risks of a "transfer problem" leading to hyperinflation[245], the return of war and/or the continuation of dictatorship. One of the main lessons of the assumed success of the Marshall plan was that that **the countries oversaw their own reconstruction**: building their strategies, developing their own production, rebuilding their economies, etc. It even accepted policies, such as nationalizations, driven by the French communist party participating to the government in the early post-WWII period.

The Marshall plan was then not "*a philanthropic enterprise… This is the only peaceful avenue now open to us which may answer the communist challenge to our way of life and our national security*", as stated by Allen W. Dulles: "*it is by restoring the economic life of a country, and by this alone, that we can meet the threat of dictatorship from a Fascist Right or a Communist Left*"[246].

On another hand, Keynes denounced the regime of sanctions (imposed after WWI on Germany) and warned of its socio-political consequences. "*Economic privation proceeds by easy stages, and so long as men suffer it patiently, the outside world cares very little. Physical efficiency and resistance to disease slowly diminish, but life proceeds somehow, until the limit of human endurance is reached at last and counsels of despair and madness stir the sufferers from the lethargy which precedes the crisis. The man shakes himself, and the bonds of custom are loosed. The power of ideas is sovereign, and he listens to whatever instruction of hope, illusion, or revenge is carried to them in the air...*"[247].

[243] Keynes, John Maynard: The Economic Consequences of the Peace; 1919.
[244] Stern, Susan; 2006.
[245] Keynes, John Maynard; 1919, op. cit.
[246] Allen W. Dulles: The Marshall Plan; 1993.
[247] Keynes, John Maynard; 1919, op. cit.

Otherwise, it has been showed that the Marshall plan had essentially medium-term economic and financial perspectives, notably to implement an export-led growth model for Germany that created its economic miracle (*Wirtschaftswunder*) still standing today[248].

The international evidence shows that a "**peace dividend**"[249] to drive economic growth will be needed more in the cases of post-intense civil wars than in the case of international conflicts. This "recovery" would be the strongest around the 4th, 5th and 6th year after the end of the war[250]. It shows also that aid does not significantly increase such growth, but good policies do.

For the case of Syria, a financial support for recovery like a Marshall plan would implicate, in addition to humanitarian aid, an international effort of few billion dollars, essentially to finance necessary imports; the Syrian foreign exchange reserves being depleted. The amounts needed must be responsive the absorption capacity of the Syrian economy and calibrated to avoid major inflation (the GDP of Syria in 2017 was in the order of US$ 20 billion[251]). Such amounts are far below the currently publicized figures of few hundreds billion dollars for reconstruction, a figure representing in fact the counterfactual losses of GDP had there been no war. "*Capital destruction, by itself, accounts only for a small share of the conflict's economic impact*"[252], perhaps around 10-15%.

As stated by Keynes, the key issue in the post-conflict situation is that the economy continues to function, is well managed and recovers quickly in terms of (local) production capacity, human resources and institutional and financial management, and that such recovery is not impeded by sanctions.

It is all about institutions

A major challenge in post-conflict situations is related to institutions, especially as multiple actors intervene with strong and competitive agendas. "… *The range of involved actors appears almost overwhelming? - from private military companies to IFIs to a returning diaspora with externally accumulated savings. The diverse motives, resources, and levels of engagement held by these actors complicate the pursuit of a central coherent strategy. Success is thus dependent on a fusion of policies and outcomes: the development of a central fiscal, budgetary, and monetary authority and regime; the training of a civil service and the institution of a federal customs service; the formalization of natural resources and state assets; the resolution of property issues; the size and orientation of the trust fund; the use of microcredit schemes and business partnerships; and the regulation of external businesses. Although the absence of regulation may encourage an immediate flood of opportunists, the failure to convert this initial inundation into long-term potential will invite an inevitable crisis when attention shifts to the next emergency. These crises thus want less for external involvement than for long-term commitments, local partnerships, and cooperative funding [emphasis is of author]",* as summarized by Bhatia[253].

[248] Berger, Helge; 1995.
[249] Hoeffer, Anke & al.; 2010.
[250] Collier, Paul & Hoeffler, Anke; 2002.
[251] World Bank: 2017.
[252] World Bank; 2017, p. viii and SCPR ; 2017.
[253] Bhatia, Michael: Post conflict Profit; 2005; underlining by author of the report.

The proper management and functioning of State regulatory institutions are key for post-conflict recovery. This includes the necessary balance between central and local institutions.

Aid effectiveness

Many economists had questioned aid effectiveness, especially if the value chain for injecting the funds in the local economy (from donors to policymakers; from policymakers to policies; and from policies to outcomes) is a "black box" and if the country's ownership of the development strategy and the monitorable results (governance as well as outcome indicators) are not clearly put forward[254]. The effectiveness of aid is strongly correlated with the quality of State institutions and policies[255]. This will be difficult to achieve in a post-conflict situation.

The academic literature even predicts that the influx of aid to post-conflict countries may create an "**aid curse**"[256]. The ruling elites would redirect aid money to their own interests, instead of using it for reconstruction. This typically describes post-conflict situations in Lebanon and Iraq where aid effectiveness had been very low. And as Girod stated it: "*When countries with weak institutions receive aid, the problem may not be lack of money but paradoxically that plenty of money is coming in but not being used to improve living conditions*"[257]. In addition, the States not based on resource rents, even weak in their post-conflict situation, are more likely to promote social and economic reconstruction and use efficiently small amounts of aid after a civil war than oil or resource rich countries. They have the potential to become the so-called "Phoenix States", under two conditions: "*when the government receiving the aid lacks access to income from natural resources* (i.e. without a resource rent, oil for example) *and when donors do not provide the aid to support their own political, military, or other purposes*"[258]. The absence of rent seeking revenues acts even as a motivation to force post-conflict leadership to embark on good policies and effective reconstruction.

The necessary financial aid for post-conflict recovery should avoid creating an "aid curse", similar to the "oil curse", linked to the political agendas of the donors through coopting national elites. Aid should be carefully calibrated to drive new governance to set good policies.

It is all about employment

Employment has a bearing on all pillars of post-conflict policies: revitalization of the economy, reintegration of those who fought, the returning of displaced and refugees populations, and addressing the root causes of the conflict[259].

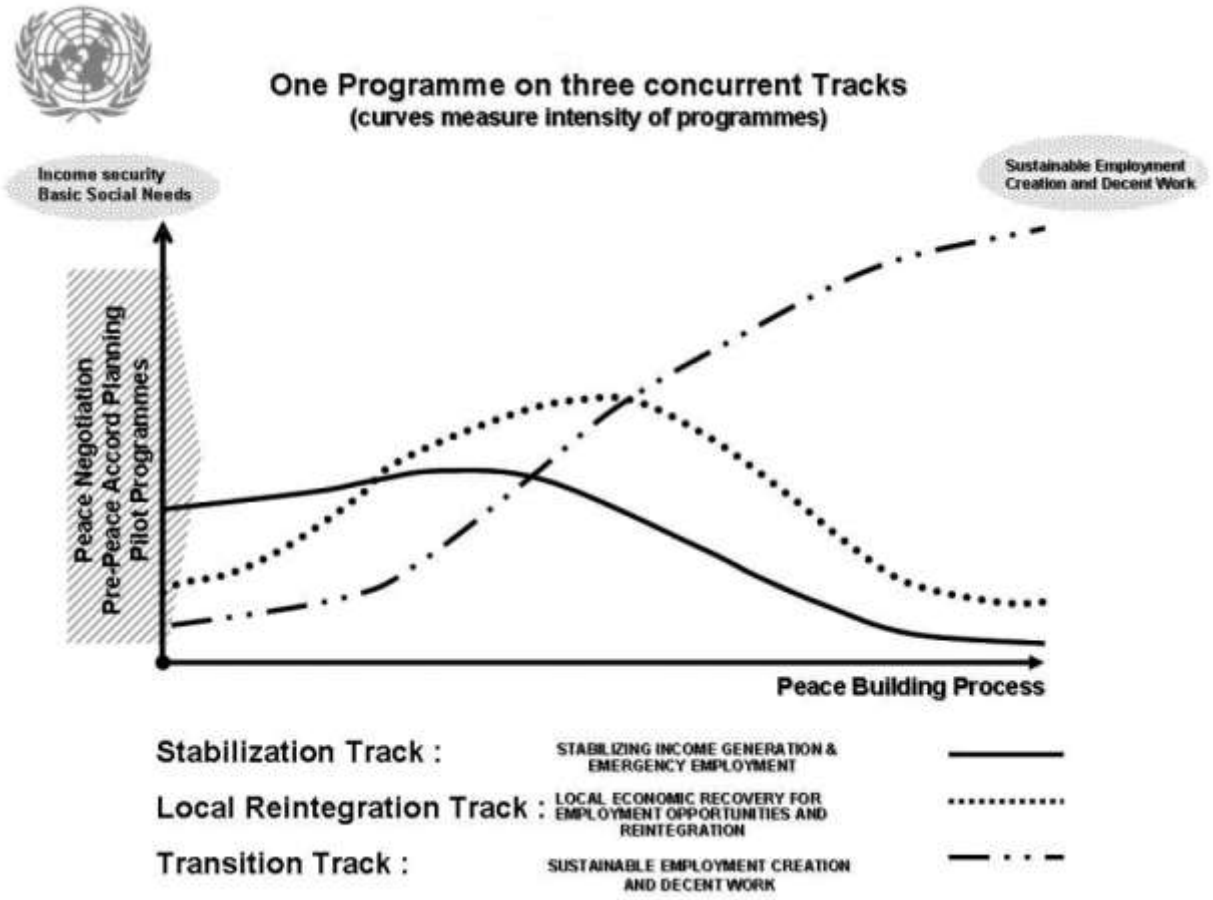
"*Consolidation of peace following violent conflict has very little chance of success unless jobs are created and the economy is quickly stabilized and brought onto a path of investment and growth with low inflation. Creating opportunities for employment in the short run is critical, as this will facilitate the long, complex,*

[254] Bourguignon, François & Sundberg, Mark W. ; 2007.
[255] Burnside, Craig & Dollar, David; 2004.
[256] Girod, Desha; 2015.
[257] Girod, Desha; 2015, p4.
[258] Girod, Desha; 2015, p5.
[259] Stewart, Frances; 2015, p. 9.

and expensive process of reintegrating former combatants, returnees, and displaced persons into society and into productive activities. This often requires policies which are not optimal from a pure economics point of view"[260]. This is at short term, while "*poverty alleviation, and environmental protection are long-term objectives*".

With these aims in mind, the General Secretariat of the UN issued a recommendation report stressing the importance of employment and income generation in immediate and medium-term post-conflict situations[261]. The reports stresses general guidelines for post-conflict policies based on the following principles: (1) be coherent and comprehensive, 2) do no harm, 3) be conflict sensitive, 4) aim for sustainability and 5) promote gender equality, based on thorough needs assessment. Furthermore, the report recommended 3 programmatic tracks:

Fig 41. Intensity of employment programs in peacebuilding and recovery.



- **Track A: Stabilizing income generation and emergency employment**, aiming at consolidating security and stability, targeting in the **short term** conflict-affected individuals (ex-combatants, high-risk youth, returnees, IDPs and others with urgent needs or running a high risk of exploitation

[260] del Castillo, Graciana: Rebuilding War-Torn States;2008, pp 29-30.
[261] UNSG ; 2009.

or abuse, particularly women). It should be designed to help kick-start economic and social recovery and restore livelihoods.

- **Track B: Local economic recovery for employment opportunities and reintegration**. It aims at **addressing the root causes of conflict** and facilitate longer term reconciliation. Such programs include: i) capacity development of local governments and other local authorities and institutions (including customary institutions), providers of business services and other associations; ii) community driven development programs comprising participatory investments in local socio-economic infrastructure and social and productive programs; and iii) local economic recovery programs consisting of consulting community groups regarding private sector development and direct employment support services, such as financial development and microfinance programs.
- **Track C**: **Sustainable employment creation and decent work**. It addresses institutional capacity development at the national level and creating a framework for social dialogue to define by consensus building "the rules of the game", promoting productive employment and decent work. In this regard, the programs include: i) support to macroeconomic and fiscal policies to activate the labor market and to develop sectoral investment policies aimed at employment generation; ii) support for the financial sector and the business development services; and iii) promoting labor-related institutions that enhance employability, social protection and other aspects of labor administration.

The phasing of these concurrent tracks and their impact on income were illustrated in figure 41.

The issues here are not simply a matter of creating any kind of jobs. Both formal and informal jobs need to be addressed. In particular, specific **attention must be made to the horizontal distribution of formal jobs**[262]. "*Ethnic, religious and regional tensions can be aggravated if … programs appear to favor one group or region*"[263]. Also, specific attention should be devoted to the wider opportunities available to youth, especially in urban areas, including informal employment. "*Simply supporting job creation, without consideration for the distribution of jobs across groups and without improving informal sector livelihoods, is likely to do little for peacebuilding*"[264]. And **the solution does not lie in the expansion of formal employment, in particular in public services and in large companies**, as it was largely the case in Lebanon, Iraq and Libya. Two features are critical in this respect: 1) improving the productivity and status of youth working in the informal sector; 2) reducing inequalities in employment status between groups[265], especially through the widening of the social safety nets.

Creating jobs outside the public sector is key for post-conflict recovery. Housing reconstruction is one the key opportunities for such jobs to be created and there should be strong linkages between the physical reconstruction of housing and infrastructures and job creations policies.

The question however resides in the availability of qualified human resources for construction activities. Resources for capacity development can be an important area for international aid to focus on.

[262] Stewart, Frances ; 2015.
[263] UN ; 2009, p. 17.
[264] Stewart, Frances; 2015, p. 10.
[265] Stewart, Frances; 2015, p. 14.

Post-conflict Syrian reconstruction and economy

Considering all the above, housing reconstruction in Syria appears to be more a matter of good governance and management of a recovering economy than of huge amounts of foreign aid directed at physical reconstruction. The Syrian economy had continued to be relatively active even during the worst phases of the conflict. Agriculture, small businesses and trades continued in all regions of control, albeit at lower levels, despite the destruction of capital assets and international unilateral measures (sanctions). The country even had some level of exports to neighboring countries[266]. Such exports consisted mainly of agricultural goods and lightly manufactured products, contrary to the pre-conflict situation where oil exports dominated[267].

Prior to the conflict, the influence of oil exports was important for the economy and the national budget. However, the country could not be really qualified as suffering from a "resource curse". The public sector provided in 2010 an estimated 27% of total documented employment, mostly in education and health, and 43% of salary employment[268]. However, employment in the public sector was often a primary occupation as most of those working in public administrations and government owned enterprises had a second job either as employees in the private sector or more often as self-employed. Base salaries in the public sector were kept low compared to the standards of living, most people who sought such jobs were looking for job security and were interested in the fringe benefits of public sector jobs. It is therefore difficult to assess the portion of public sector jobs to total employment as many of the public sector employees could be counted on both ends. Moreover, it is hard with any accuracy to account for jobs in the informal sector. Informal employment constituted around 66% of total and 89% of private sector employment. It was almost evenly distributed between self-employment and wage employment[269]. Housing construction for the most part had been financed by individual household revenues of such employment, including during the "boom" experienced in 2007-2010. Only a small part of the housing stock was directly financed by public investments or through cooperative or large private real-estate development. Moreover, even when the public sector provided the initial financing, the private citizens eventually paid their mortgages and down payments from savings from their daily and monthly earnings.

During the conflict, the economic framework in the country changed drastically, as along with the shifting geographical layout of production, trade and their corresponding value chains. The "war economy" had strongly corrupted trade mechanisms, due to the fragmentation of the country, the impact of the sanctions and the influence of foreign powers[270]. GDP had decrease substantially to around 1/3rd of its 2010 value (at constant prices)[271]. Total employment decreased to half its 2010 levels. Most of the loss was in the private sector, resulting in a higher share of public employment. With budget restrictions, public sector salaries had not been properly adjusted to compensate for inflation and the depreciation of

[266] Around US$ 555 million, see http://atlas.cid.harvard.edu/explore/?country=212&partner=undefined&product=undefined&productClass=HS&startYear=undefined&target=Product&year=2018.
[267] Compare with http://atlas.cid.harvard.edu/explore/?country=212&partner=undefined&product=undefined&productClass=HS&startYear=undefined&target=Product&year=2010.
[268] CBS; Statistical abstracts ; 2011.
[269] Aita, Samir : *Informal labor in the Arab countries. Facts and rights*; Cercle des Economistes Arabes and ANND, 2017.
[270] Aita, Samir : *Economic assessment of urban issues for reconstruction of Syria* ; 2017.
[271] 2017 assessments. The GDP of the agriculture sector had fallen less, to half of its 2010 level, increasing the share of agriculture in total GDP from 17% to 31%. See SCPR ; 2019.

the national currency. Poverty and deprivation increased to warrying levels, affecting a large proportion of the population. Livelihoods became strongly dependent on humanitarian aid of the UN agencies, foreign governments, and international aid agencies, in most parts of the country. Public subsidies played a role to mitigate the impacts of the economic crisis but, they have been reduced drastically in 2018-2019. Despite all this, construction of housing continued during the conflict as mentioned above.

Moreover, as only 14% of the internally displaced are residing in temporary shelters (tents and schools) without paying rents; it is expected that the majority of those displaced pay rents for their housing, not unlike most of the Syrian refugees in the neighboring countries[272]. The burden of these rents in the household expenditures, which can be assumed to have increased significantly compared to the pre-conflict situation, needs detailed investigation. Rents are an economic burden, that once liberated can encourage investments in economic activities. However, they are also scarce inputs into the local economies in the hosting areas. Withdrawing them will have adverse economic effects on those areas.

The post-conflict Syrian reconstruction of housing shall then strongly depend on the type of economic framework that will take place and the ability of the economy to generate employment for the population and create sufficient revenues for the households to engage in reconstruction in turn. The role of the government and central bank's policies should be key. This role will be more decisive than in the pre-war situation, as household savings had been strongly depleted during the conflict, and the ability of the State to pre-finance and subsidize infrastructure and construction will be reduced.

The cost of housing construction/reconstruction

To outline a feasible housing strategy, an order of magnitude must be developed for the cost of housing reconstruction. According to the Syrian official statistics[273], the cost of a square meter of an ordinary housing unit in Syria averaged US$180 in the early 2000's, with the public sector construction being slightly more expensive US$190. The cost break-down however, reveals that the bulk of the cost for public sector construction was for the basic structure while in the private sector more money was spent on finishes. During the construction boom of 2010, this average cost raised up to US$260, while that of the public sector remained almost constant. This is despite the relative decrease of the average cost of land, whose share declined from 33% to 25% (especially considering the large expansion of informal constructions). Most of the cost increase came from hike of the prices of raw materials, especially those related to finishes, while the share of wages and taxes remained stable (see also figure 29 above).

Assuming that 2010 prices remain constant, the average housing unit remain around 100 m2 per dwelling, and the hypothesis of 5 years for reconstruction and return of refugees, the yearly cost for post-conflict housing constructions should stand roughly as follows (see above post-conflict housing demand):

- US$ 4.1 billion yearly to accommodate the demand generated by the natural increase of resident populations[274];

[272] UN-Habitat & UNHCR; 2018.
[273] CBS ; Statistical abstract ; 2011.
[274] Calculated considering 157,600 new households yearly x 26,000 US$ per dwelling.

- US$ 1.1 billion yearly for constructions and other associated costs of temporary shelters until more permanent shelters are available, (again assuming 5 years horizon)[275];
- Between US$ 1.7[276] and 5.2[277] billion yearly for the returning population (with their natural growth), depending on the effective status of the moderate and slightly damaged dwellings by the time the conflict is over;
- **Thus, a yearly total bill between US$ 6.9 and 10.4 billion over five years could be estimated for total constructions.**

Therefore, only a part of this total, between US$ 2.8 and 6.3 billion per year, is needed for reconstruction as such (the second and the third parts). Consequently, **the cost of housing reconstruction alone**, assumed to be performed in 5 years, **is estimated to range between US$ 14.0 and 31.5 billion.** This cost is assumed to include, as in the figures of the Syrian statistics, that of the direct infrastructure at the neighborhood level.

It is worth noting that the estimated average yearly cost of post-conflict housing construction for the first the 5 years represents an increase of 2 to 3 times the level of the yearly spending on housing construction during 2010, or 5 to 7.5 times the average yearly spending on housing construction during the conflict. **Thus, the global cost for housing reconstruction *per se* during the 5 assumed years ranges between 3.9 to 9 times the 2010 – normal - spending on construction.**

Construction prices

In the above estimation, the pricing of construction works constitute a key element in the analysis. The average price per m2 of US$ 260 of 2010 was well above the mean during the 2000's of US$ 180. The 260 cap is most probably due to the excess demand on materials, land and manpower during the construction "boom". Fluctuations in prices with supply and demand are likely to play an important factor in the sensitivity of the analysis.

If a post-conflict construction program would take place within 5 years, the demand on cement should be estimated at 2 to 3 times that of yearly consumption in 2010; i.e. a maximum of 30 million tons per year will be needed. The 10 million tons consumed in 2010 were mainly provided by local cement producers; mostly private. The present available production of cement was reduced drastically due to the conflict to around 2 to 3 million tons /year. However, the effective capacity would probably be higher in the post conflict. The low level of current production may be impeded by the difficulties of energy supply[278]. The status of the presently non-operating cement plants, such as that of Lafarge in the North, is also unclear.

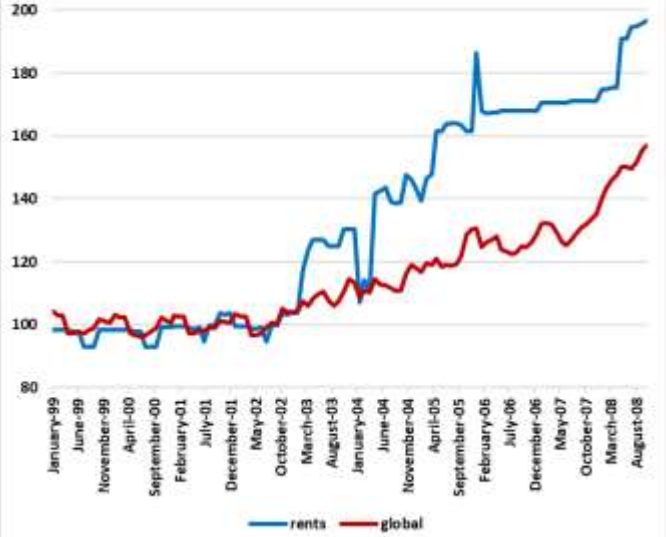
As for what concerns neighboring countries, Lebanon has a small yearly production capacity more than 1 million tons and Jordan of around 3[279]. But Egypt has a large excess of around 35 million tons[280], Turkey

[275] Calculated considering 42,000 new household demand yearly.
[276] Calculated considering 66,000 household refugees returning yearly.
[277] Calculated considering 200,000 household refugees returning yearly.
[278] See above section 2.2.
[279] https://www.zawya.com/mena/en/story/Cement_demand_in_Jordan_down_40_in_seven_years-ZAWYA20170508035632/.
[280] Current production is around 50 million tons, with a capacity of 85, increasing ; private communication Cemex Egypt ; see also http://developing8.org/wp-content/uploads/2018/05/Cement-profile-from-Egypt.pdf and https://www.statista.com/statistics/507174/egypt-production-of-cement/.

has another 40 million tons excess capacity[281], Saudi Arabia with additional 10 million tons excess[282] and Iran with 40 million tons[283]. Greece's excess capacity is impeded by Carbon emission regulations and Iraq cement production and adequacy for needs unclear. The present prices in Egypt, Turkey and Iran are extremely competitive compared to Saudi Arabia and Jordan; the latter having the highest prices.

Naturally not all the excess supply capacity will be readily available for Syria as demand in the region will continue to increase in other countries. However, in theory the demand for cement for post-conflict Syria can then be supplied by local and regional industries. It will only be limited by Syrian port and transportation capacities, by the unilateral measures (sanctions, etc.) and by the availability of hard currencies. **If 25 million tons are imported every year at an average price of US$ 35 per ton, the yearly foreign currency needs to import cement; would amount to US$ 875 million. This level of foreign currency will be needed for at least 5 years and then it will be reduced gradually.**

Fig 42. Syria. Evolution of the CPI index 1999-2008.
Source: Central Bank of Syria



However, post-conflict prices are driven by inflationary mechanisms other than direct supply and demand for building materials. Regulations and market mechanisms can greatly influence prices. This has been observed in Syria during the 2000's. Figure 42 shows how housing rent prices increased significantly after the liberalization of rents when law n°6 of 2001 was applied. The inflationary pressures continued as a result of the monetary policy[284]. Another major price increase occurred with the arrival of large numbers of Iraqi refugees after 2003 (peaking in 2007) and with the following construction "boom".

In this respect, the price of land constitutes an important element of the cost. As shown above, the Syrian authorities had long maintained a scarcity in urban land surfaces, by over-regulating the urban planning and construction licensing. A key aspect of a "reconstruction" program would then be the issuing of new urban plans with large surfaces available for construction licenses. If properly accommodated within a thoughtful regional and urban planning framework, land prices would decrease significantly, and the share of land in the total housing reconstruction costs bill will be reduced.

A well governed housing reconstruction program should tackle all major issues affecting the cost of construction, i.e. urban planning and land cost, availability of cement and other materials, as well as manpower.

[281] http://www.globalcement.com/magazine/articles/929-turkeys-cement-industry-onwards-and-upwards.
[282] https://www.researchgate.net/publication/293275768_SAUDI_CEMENT_INDUSTRY-_A_FUNDAMENTAL_ANALYSIS
[283] https://financialtribune.com/articles/economy-domestic-economy/44763/revisiting-iraq-s-lucrative-cement-market.
[284] Aita, Samir ; 2007.

Financing construction and reconstruction

Even without conflict, financing is an important determinant of housing development and pricing[285]. In essence, "*loans pre-empt housing demand*".

Little data is available in Syria on the evolution of mortgages before the conflict. The Central Bank of Syria reported only on the total credit to the construction sector which evolved from 4.3% to 5.7% of the GDP between 2005 and 2009[286] (while the share of construction sector in GDP was constant at 6-7%). This is a low ratio typical of developing countries, although a net trend was emerging to increase credit to GDP ratio with the development of the newly introduced private banks since 2004 in Syria. The indicators of the depth of the financial in the construction sector[287] were evolving positively with the diversity of mortgage loans introduced[288] in addition to the subsidized loans linked to savings[289] provided by the public Real Estate Bank of Syria[290].

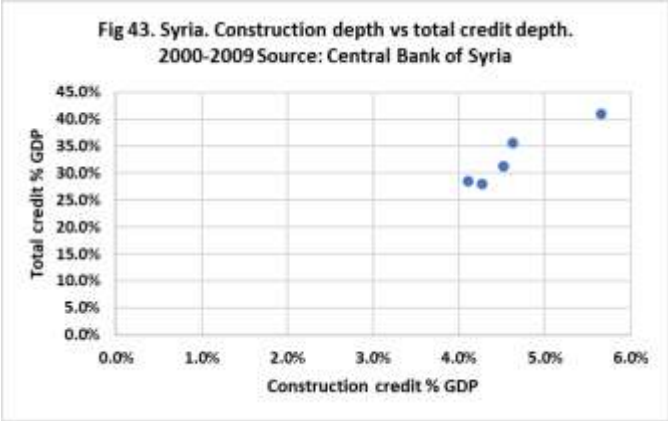


Fig 43. Syria. Construction depth vs total credit depth. 2000-2009 Source: Central Bank of Syria

This evolution does not seem to result from a housing financing strategy developed by the Syrian authorities or the Central Bank, with proper identification of demand and supply segments, gaps and key impediments as recommended by UN-Habitat[291]. During the years of the conflict in Syria, construction and real estate loans, along with other credit facilities, were seriously hindered, especially with the depreciation of the currency. However, the Central Bank has started again to ease loans as of early 2018[292]. Yet, the impact of the recent devaluation of currency may slow this again.

In 2010, the total cost of housing construction averaged US$ 3.6 billion[293]. That year new loans devoted to construction in the housing sector (private and public) amounted only at US$ 0.7 billion. The total bank loans (from public and private banks) to all economic sectors amounted at US$ 26.3 billion in 2010, and this was a year where the total bank loans to the private sector (housing and others[294]) increased by US$ 2.5 billion and those to public companies by US$ 1.1 billion.

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[285] UN-Habitat; 2019.
[286] Central Bank of Syria; ***Monetary development in Syria*** ; 1st quarter 2010 (in Arabic).
[287] UN-Habitat; 2019, p. 6.
[288] See a detailed description in http://www.aljaml.com/%D9%85%D9%84%D9%81%20%D8%AA%D9%81%D8%B5%D9%8A%D9%84%D9%8A%20%D8%B9%D9%86%20%D8%A7%D9%84%D9%82%D8%B1%D9%88%D8%B6%20%D8%A7%D9%84%D8%B3%D9%83%D9%86%D9%8A%D8%A9%20%D9%88%D8%A7%D9%84%D8%B9%D9%82%D8%A7%D8%B1%D9%8A%D8%A9%20%D9%81%D9%8A%20%D8%A7%D9%84%D9%85%D8%B5%D8%A7%D8%B1%D9%81%20%D8%A7%D9%84%D8%B3%D9%88%D8%B1%D9%8A%D8%A9.
[289] Regulated by Law n° 38 of April 1, 1978.
[290] http://www.reb.sy/reb/Realestateloans/Housingloans/tabid/114/language/ar-SY/Default.aspx. This bank suffered large difficulties in the 2000's.
[291] See the process for elaborating such a strategy in UN-Habitat; 2019, p. 8.
[292] https://snacksyrian.com/%D8%A5%D8%B9%D8%A7%D8%AF%D8%A9-%D9%85%D9%86%D8%AD-%D8%A7%D9%84%D9%82%D8%B1%D9%88%D8%B6-%D8%A7%D9%84%D8%B3%D9%83%D9%86%D9%8A%D8%A9-%D9%85%D9%86-%D8%AC%D8%AF%D9%8A%D8%AF-%D9%8A%D8%A7%D9%81%D8%B1%D8%AD/
[293] CBS: Statistical Abstract ; 2011.
[294] No details were given in the Central Bank statistics on housing loans alone.

The share of new construction and housing loans in 2010 was then 18.5% of total loans issued that year, an increase of 14.6% . In comparison, the total term and saving deposits increased that same year by US$ 2.1 billion, while hard currency deposits decreased slightly by around US$ 150 million[295].

The construction boom of the late 2000's was then financed within this monetary framework where the share of bank lending for housing construction was relatively low (23% of cost), especially as a sizeable part of it was informal. However, with the depletion of household savings, **the role of loans in a post-conflict reconstruction would be expected to be significantly higher. However, to unlock the full potential of housing finance, the HLP issues will need to be boldly solved and documented, as property collaterals are the basis for housing loans and real-estate development financing** (see Box 5 for the competitive ideas developed in Lebanon comparatively to the Solidere scheme).

The financing of post-conflict housing reconstruction received little interest in the economic literature. Barakat summarized[296] the advantages and disadvantages of different potential schemes for financing (see table 5)[297]in the following manner : 1) outright financial gift, 2) straightforward purchase, 3) no-cost self-help with provision of materials and technical support, or 4) loan programs.

In the principles/dilemma analysis developed in a common UN/Red Cross report[298], Barkat stated: "*One of the most important components of a post-disaster shelter program is its financing system. Outright cash grants are effective in the short term only and can create a dependency relationship between survivor and assisting groups. It is far more advantageous for both the individual and the community to participate in the financing of their own shelter programs, especially permanent reconstruction. On the other hand, people may have lost all their assets through direct damage or forced migration and they need to be helped*". And he added: "*None of these approaches is without problems. Whatever system is used, it must be appropriate to the local context, open to careful management and properly accounted for*".

There is no one model that will be effective globally for Syria. Loan programs have their internal limitations related to the size of the portfolio to be managed by individual branches of banks and micro-credit institutions. In heritage rehabilitation areas for example, small grants may be more efficient to achieve desired impacts and ensure some level of control over the maintenance of heritage conservation standards.

Considering international experiences, there will be a need to consider several policy recommendations for financing post conflict housing reconstruction. First there is a need to designate a specific national agency to coordinate strategies and assist in securing finance as well as define clear criteria and guidelines for such operations. This will be essential for an equitable distribution of resources as well as mitigating the risks of inflation. Second, there is a need to move from a supply side model to housing to a mixed approach of supply and demand financing schemes with clear instruments and tools to be offered to communities when consulting with them on reconstruction options. Third, financing and loan mechanism should leverage local and personal resources of communities and beneficiaries, avoiding 100% financial coverage. This will be essential to instill a sense of ownership and participation by the recipients but is

[295] http://cb.gov.sy/.
[296] Barakat, Sultan; 2003, p 11-12.
[297] Following the work of Aysan, Yasemin et al. : ***Developing Building Improvements for Safety Programmes: Guidelines for Organizing Safe Building Improvement Programmes in Disaster-prone Areas*** (London: Intermediate Technology Publications, 1995), p. 55.
[298] OCHA, IFRC: ***Shelter after disaster***; 2015.

also vital to reduce costs and avoid over dependency on finance. Fourth, the focus should be on keeping the cost of housing as a percentage of household expenditures similar or lower to that of pre-conflict, allowing repayment to reflect income and capacity. Fifth, the financing system should be operated through banking institutions[299].

Table 5. Advantages and disadvantages of various housing reconstruction finance options

Finance Option	Description	Advantages	Disadvantages
Outright gift	Beneficiaries are given houses on the basis of meeting certain conditions of entitlement. The recipient has no obligation to repay the cost of the house	Removes the need to set up a system to recuperate costs Allows recipients to use their assets to meet other needs	Encourages dependency and undermines local coping mechanisms Bypasses and thus weakens local institutions Is often an imposed solution The assisting agency cannot recuperate money for new projects Number of houses provided is limited
Partial contribution through self-help	Beneficiaries may receive building material and/or technical advice, and/or a partial grant. They build their own house, usually on a communal basis or by contracting local builders	Removes the need to set up a system to recuperate costs Allows recipients to use their assets to meet other needs Increases involvement and participation by the recipients	As with the outright gift, this option can undermine both local capacity to cope and local institutions Materials provided may not meet the requirements or aspirations of the recipients Time spent on building may conflict with other priorities of the recipients, such as income generation, which may be a vital element in family recovery
Loans	There are many variations of loan programmes. The most common for reconstruction is the long-term loan. Some loans may be without interest, while others apply normal interest rates	People without resources are able to rebuild their homes and repay the loan over time Recipients have freedom to build a house according to their own choice Encourages independence and sustainability	May encourage renters to become owners Credit systems may not exist and so may need to be set up Loans may be a significant financial burden for recipients, especially if they have no previous experience of credit systems Loan systems are costly to administer Many financial institutions favour only the most credit-worthy people and may demand the creditor's house as a guarantee

The development of proper financing schemes adapted to the Syrian context need more in-depth assessment of housing demand and supply and shall strongly depend on the global environment of the post-conflict situation. It could include all the different schemes described in table 5. Other criteria

[299] OCHA, IFRC; 2015, p. 157.

should be considered locally as a function of the area where construction/reconstruction/repair should take place (i.e. formal, informal, heritage, new).

Box 5. Lebanon. What other options than « Solidere »?

The legal framework for the reconstruction of downtown Beirut, the most damaged area during the Lebanese civil war, had been debated (1) even before the end of the conflict. Three major issues were at stake, mostly hey were concerns related to the political-economy of Lebanon: the significant added value of this very central area, the difficulties to evaluate HLP right, and how the surplus of the operation could be distributed. The fact that the area was very large and represented an opportunity to realize the urban plan of 1964 (!) added to the complexities: destructions were unevenly distributed; the surfaces to be built, and then the surpluses, were also be unevenly distributed; the necessary phasing of the reconstruction project, the size of each lot and the timeframe of compensation/investment; and the differences in valuation according to the new public facilities to be erected (roads, gardens, parking, etc.). The role of the State was thought essential to ensure equity.

Before "Solidere" was created as a private company, the conceived alternate scheme identified three separate functions through the creation of 1) **a realty fund**, managing only the portfolio of HLP rights, 2) a **real estate development company** (REDC, société d'aménagement) which shall be in charge of applying the urban plan (new layout, rezoning of lots, etc.), following the necessary legal procedures (declaration of public utility, etc.) and of the execution of the infrastructures, and 3) the **construction developers**, which may acquire a parcel or a group of parcels by competitive adjudication (thus paying the realty fund for the property acquisition and the REDC a share for its infrastructures). This latter group would invest its own resources, perform the construction, and resell the new developments at a profit.

The realty fund (société foncière) was to evaluate the rights of former owners on the basis of the current value of the properties before destruction minus the construction/rehabilitation cost. These values were to be compensated in shares and rights to build in the same location or nearby. The State/local administration would receive a free share of 25% of this fund, in addition to the value of public buildings. The State's share would cover the cost of public amenities and roads. Former owners would take the responsibility of indemnifying former tenants. The initial owners would have priority to become the developer of the parcel in which they used to own a property. The envisioned REDC could be public or PPP, receiving only a fee from the selling of the parcels.

This complex scheme was thought to allow a more equitable approach for the redistribution of the added value, and would have contributed to a more diversified urban development by separating the vested interests and allowing developers to meet different market niches.

(1) Oger; 1986.

When assessing financing schemes, local area by area approaches should be promoted. In fact, UN agencies and the ILO had promoted a "local economic recovery" (LER)[300] approach. It consists of working in an integrated manner on each area, tackling the specificities of each, leveraging local resources, stimulating both housing demand and supply, and aiming at gradually reducing dependency on aid through temporary jobs and income generation. The LER was designed to promote reconciliation, social

[300] ILO; 2010.

inclusion and participation within the targeted communities, decoupling, as possible, political and security concerns from socio-economic development.

Compensation for damage and public finances

One important issue in the financing of reconstruction is whether authorities should establish a public scheme for the compensation against damages and destructions caused by the war. While it is expected that some financial incentive mechanisms could be put in place by international aid agencies, the UN and the neighboring countries to encourage refugees for voluntary return, the polemic as to the design and labeling of such funds as restitution payments, an incentive or a compensation scheme will imply admittance of responsibility and will have legal ramification beyond the scope of this paper. Regardless, a financial compensation mechanism could constitute an important tool for peacebuilding as well as being an important incentive to boost construction/reconstruction.

The compensation mechanism could take the form of either of the schemes discussed above. However, in their globality, funds for financial compensations could represent a considerable share of the post-conflict government budget or could increase drastically public debt. Their impact on the fiscal space available for other priorities of the post conflict would have to be carefully assessed.

Public finance was greatly transformed in Syria during the conflict. Its share changed from a 54% of current spending in 2011 to 72-80% starting from 2013[301]. This is not mere quantitative change; it reflects structural transformation as well. The declared budget for 2019 allocated only 17% for investment, of which 1.3% for reconstruction and rehabilitation (around US$ 100 million only!). However, as Syria has not done a proper closing of accounts for its budget since 2013, the actual level of spending may be much lower. The reality is then far from the government public declaration that "*the Syrian economy has entered the phase of recovery*"[302].

The share of salaries in the current budget had significantly decreased, from around 34% in 2011 towards 17% in 2019. In fact, more than 50% of the current budget was moved to cover subsidies and "non classified items". In fact, more than 90% of the subsidies had been compensated by additional savings gained through inflation[303].

On the revenue side, the share of the current revenues from taxes, fees, royalties, and others dropped from 70% to 30% of the total State revenue in 2013. This share rose again to reach 64% in 2019, despite the loss of royalties from oil production. In line with the severity of the recent economic crisis due to the sanctions, the Syrian government has taken steps to reform the public subsidies by restricting the delivery of subsidized oil derivatives through smart cards[304]. The State also increased customs and tax duties on

[301] Sirop, Rasha; 2019.
[302] See the GoS officials declarations in 2017: http://alsafir-sy.net/?p=4062
[303] Sirop, Rasha; 2019, see analysis p. 6.
[304] https://social.takamol.sy/home, https://www.enabbaladi.net/archives/282417.

trade activities[305]. Illegal imports from Turkey and Lebanon were large during the conflict years[306], this means the government was increasingly taxing the formal economy while larger shares of it were being driven towards informality.

The financial burden of compensations will be tremendous, well beyond the capacity of current State instruments to manage it, all reforms and budget restructuring carried so far notwithstanding. One good indicator to monitor is the weakness of public sector driven programs for social housing construction/reconstruction even in areas that were far from the combat fronts or areas where combat activities subsided for three or four years.

On another note, the establishment of a compensation scheme requires a significant effort to assess the damage neighborhood by neighborhood, property by property according to a transparent, fair and accountable procedure. This will be essential to evaluate the cost of damage and to calibrated compensations accordingly. However, this effort is likely to be delayed, as property rights in each area must be precisely documented and the valuation has to be aligned with an agreed "reconstruction" framework. Also, the compensation scheme must be corelated with the necessary resolution of the fate of informal constructions, taking into consideration the payment of the corresponding licensing fees.

The role of the Central Bank shall be key in managing the financial end of the housing reconstruction process. In conjunction with the government, the Central Bank must elaborate a feasible financial scheme where compensations are set according to clear criteria for property valuation to avoid inducing inflation, burdening the public budget and/or increasing public debt.

[305] https://www.alsouria.net/content/%D8%A8%D8%AD%D8%AC%D8%A9-%D8%A7%D9%84%D8%A8%D8%B6%D8%A7%D8%A6%D8%B9-%D8%A7%D9%84%D9%85%D9%87%D8%B1%D8%A8%D8%A9-%D9%85%D9%84%D9%8A%D8%A7%D8%B1-%D9%84%D9%8A%D8%B1%D8%A9-%D8%B3%D9%8A%D8%AD%D8%B5%D9%84%D9%87%D8%A7-%D8%A7%D9%84%D9%86%D8%B8%D8%A7%D9%85-%D9%85%D9%86-%D8%AD%D9%85%D9%84%D8%A9-%D8%A7%D9%84%D8%AC%D9%85%D8%A7%D8%B1%D9%83-%D8%B9%D9%84%D9%89-%D8%AA%D8%AC%D8%A7%D8%B1-%D8%AF%D9%85%D8%B4%D9%82

[306] See Aita, Samir; *Trade without Religion between Turkey and Syria*; 2017.

6 KEY STAKEHOLDERS

Housing and real estate involve several kinds of stakeholders, for which it is essential to analyze the rights, duties and mandates of each[307].

6.1 The end-users

The occupants of a dwelling are either owners or tenants. Both benefit from an *usus* right (usage for shelter) different from those of *fructus* (*Intifa'*, taking benefit from) or *abusus* (*Tasarrof*, the rights to sell or modify a property). The rights of usage and benefit, as recognized by the Syrian civil code independently[308] , are basically legitimate and can be transmitted by inheritance.

In the Syrian context, considering conflict damages and reconstruction constraints, there are difference of interpretations of the legal issues related to these rights of usage. For example, in the case of public confiscation of properties for reconstruction, and in the case of forced land pooling as in laws 66/2012 and 10/2018 or in any potential compensation for damage, both formal owners and tenants could have rights for compensation. This will apply to a certain degree regardless of whether the dwelling was formal or informal. Formality is linked to the fact that property is regulated and included in an urban masterplan with proper cadastral registries. However, informal property is a property, nonetheless. Owners could have rights for compensation, even if the classification of the property right depends on the nature of land on which the dwelling had been erected (private or public, officially zoned for housing or for agriculture). The tenants of formal dwellings have rights according to rental laws. However, such rights could be argued to extend to informal dwellings as well. While degrees of compensation may differ, some type of a safety net should be developed to ensure that all will be able to access adequate housing options. This will be quintessential for social peace in the future.

In a post-conflict housing reconstruction scheme, there is a necessity to explicitly recognize the right of usage and not just the right of ownership, in particular to allow tenants of informal housing to have similar rights as those of formal housing. The right to housing should have been a constitutional right, and the State has an obligation to ensure people's access to housing. The failure of the State to provide such housing opportunities to citizens can be the starting argument for recognizing rental contracts in both formal and informal areas and providing both with a minimal safety net. Compensation for tenants should not only be monitored (rent subsidies for a short duration). Without access to their social and solidarity networks, many residents in both formal and informal areas will not be able to survive. As we have seen, the cash economy is only partially responsible for peoples' livelihood. The other part is covered through social and community capitals that can only be provided through physical proximity of people to their social support systems and to other life-saving systems in the city. The **right to the city** is not a theoretical right but is essential to survival. Without it there are no guarantees of social cohesion nor social peace.

The **mechanisms to prove the usage** should also be made flexible, as many had lost documents during the war. One possible way to do so would be to develop legal procedures to collect the testimonies of neighbors as proofs of usage. It is often better to err on the side of addressing structural grievances in a

[307] See Burckel; 2018, and Chouquer; 2019.
[308] Syrian Civil Code, article 85.

way to contribute to the resumption of economic activities and reinforcing social peace than to stick to the letter of unjust laws.

In these respects, it is worth mentioning that there is no unions or NGOs representing tenants to support collective bargaining, nor is class action litigation acceptable under the Syrian law. This applies even in normal situations not linked to post-conflict issues. The administrative and legal protection of tenants from eviction have virtually disappeared since the law n°6/2001 that removed rent controls and liberalized lease contracts. Other than direct tenure security, there is a need to address the question of fair rents. If collective bargaining is not possible, then other mechanisms need to be established to ensure protection of these vulnerable categories of end-users.

The global share of rental accommodations in the housing market was small before the conflict. However, the usage and the rental issues are of great concern today as large parts of some cities have experienced severe damages and destructions, and other hosted large numbers of IDP's. Moreover, there is a need to refocus the housing strategy towards more rental developments and low income housing, as the continuous focus on policies aiming to enable everyone to obtain free-hold properties was never feasible and will not likely to be sustainable in the future.

6.2 The owners

Ownership is a complex legal issue involving a "*bundle of rights*" within a tenure continuum. It results from the complex history of property rights in the country[309]. The Syrian civil code recognizes this complexity and the right of surface (*Sat'hiya*, the rights of an owner on buildings erected on a land of another)[310]. Thus, the concept of ownership ought to be understood in its most philosophical dimension as "*the greatest possible interest in a thing which a mature system of law recognizes*"[311], valid for Roman, Anglo-Saxon and Islamic based codes and systems of ownership rights.

In pre-conflict surveys, as we have seen before, most Syrians declared that they own dwellings. However, the situation is differentiated between those "formally" owning, alone or in partnership, the land on which their dwelling is erected and those having some ownership claim in "informal" areas, where they have shared claims over the land or no claims at all. In some cases, they may own the land but the construction was performed without a specific license. In the latter case, their rights may be legally recognized through other means. Many such owners have registered a deed for the purchase of their homes with notary acts of *abusus*; in other cases relatives would push for fictitious litigation and would ask the courts to put a lean on each other's properties creating a legal evidence for their ownership and giving the property the protection of a court juncture. Other such proofs of ownership exist. In all cases, the tenure rights could be eventually traded or transmitted by inheritance.

Therefore, there is a necessity to recognize these forms of ownership (except when they have been established by squatting on private property, something that is very rare in the Syrian context)[312]. Formalizing de facto forms of ownership is essential to set a reconstruction and reparation framework. This involves complex issues:

[309] See Hallaj, O. A. et. al.; 2018.
[310] Articles 994 to 999.
[311] As defined by A.M. Honoré, « Ownership », in A.G. Guest (ed.) Oxford Essays in Jurisprudence, Oxford University Press, Oxford, 1961, p. 113 mentionned in Chouquer, 2019.
[312] See Hallaj, O. A. et. al.; 2018.

- ***Proof of ownership***: In the case of post-conflict reconstruction and reparation, the application of the Pinheiro principle 13 implies the use of different types of evidence of ownership in addition to formal property preserved by national cadastral registers. These may include certificates of place of residence, identity card, pre-war bills, and eyewitness testimony. This applies for both formal and informal ownership, "*acknowledging the fact that claimants had to leave documents behind when fleeing their homes or that documents had been lost or were destroyed during the conflict*"[313].
- ***Sorting property rights***: In the case of informal settlements which need to be formalized, there is a necessity to demarcate the land on which a building is erected, to separate it from that of the neighboring buildings (*Tahdid wa Tahrir* in Syrian legal terms) and to subdivide ownership among the owners of the different dwellings (and their inheritors). Compensation schemes should be established for the initial owners (private, State, etc.) for the different cases of restoration, reconstruction, or displacement into new sites. Duties and payment schemes within the general framework for compensation will have to be designed according to such categories and packages of funding and standard administrative operating procedures under some form of judiciary oversight will be needed for each.
- ***Public services and norms***: There is also a necessity to specify clearly the norms of construction that the buildings have to comply with (structural norms, public rights of way, common facilities and public spaces, etc.), as well as the minimal levels of public services and environmental constraints (electricity connection, tap water, sewage, etc.). This a necessity to define how both formal and informal dwellings could be reconstructed and connected to public infrastructure. The respective responsibilities between owners, the municipalities and the providers of public services must be clearly stated. The norms should also clarify what types of construction are to be supported given the different degrees of damage in each neighborhood.
- ***Property confiscation***: Pinheiro principle 5 specifies that "*States shall prohibit forced eviction, demolition of houses and destruction of agricultural areas and the arbitrary confiscation or expropriation of land as a punitive measure or as a means or method of war*"[314]. The Syrian constitution impose that "*15.2 Private ownership shall not be removed except in the public interest by a decree and against fair compensation according to the law; 15.3 Confiscation of private property shall not be imposed without a final court ruling; 15.4 Private property may be confiscated for necessities of war and disasters by a law and against fair compensation; 15.5 Compensation shall be equivalent to the real value of the property*"[315]. The interpretation and determination of what are "*public interest*", "*fair compensation*", "*necessities of war*" and "*real value of property*" can be subject to legal disputes at the Council of State which undertakes administrative justice in Syria. However, resorting to legal junctures may be time consuming and may create bottle necks. This will exacerbate the risk of jeopardizing the social contract for post conflict peacebuilding. The social and media unrest against laws 66/2012 and 10/2018 clearly demonstrate such risks.
- ***Multiple ownership, repair and reconstruction***: With the large displacements of population and numbers of refugees in neighboring countries and in Europe, it is expected that many owners of

[313] FAO, NRC, OHCRHR, UN-Habitat: Handbook on Housing and Property Restitution; 2007, p71.
[314] FAO, NRC, OHCRHR, UN-Habitat: Handbook on Housing and Property Restitution; 2007, Principle 5.3, p103.
[315] Syrian constitution 2012, available in English at https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_125885.pdf.

a share of a common property or building shall have difficulties to prove their rights or to agree on the necessary repairs or reconstructions to be made (especially that after a decade of war many of the original owners will have passed away and their inheritors may have their internal disputes among themselves as to what to do with the property). Those still residents are in urgent need for such repairs/reconstructions. There is then a need to establish a clear legal framework on how the absence of some of the legal owners can not impede the repairing and reconstruction activities, while preserving fully their rights.

- ***Setting up administrative procedures to handle the work- load***: All the above issues will require intensive administrative follow up. Many of the legal problems cannot await the results of lengthy litigations. Therefore, a blanket definition of workable packages of solutions may be needed to speed up the process. Judiciary oversight will be required for the implementation of administrative procedures and the possibility of litigation will be there as a final recourse, but the bulk of people will be served much faster if the courts could be circumvented at first.

For the same reasons indicated for tenants, there is a need for social and NGOs representations of owners, including in informal settlements, to defend their rights and conduct collective bargaining with the State. The case of the collective bargaining of the owners of the industrial estates in Quaboun near Damascus demonstrates the power of collective negotiation with the local authorities to ward off land confiscations.

6.3 housing developers

Housing and real estate developers in Syria differ greatly by their scope (individual developers for their own habitation; small developers of individual buildings sites to be subdivided among several owners; and large developers of urban areas). They also differ by their status (private person or private firm, cooperative or public entity). Their main mission is to acquire land and to erect one or several buildings for their own private use, or to sell and/or lease them out[316].

Public developers

In principle public developers are mainly concerned by developing social housings. They receive free or subsidized land from the State in return for providing housing units for sale or rent to low income groups at cost or with small margins of profit. However, in the past, many public developers were also engaged in the high end of the market by constructing housing to high level civil servants and army officials, which were sold back on the market. Recently many of these developers registered to apply for development licenses as part of law 15/2008. They hope to get into the business of real-estate development discussed earlier in the paper. Some of the most prominent public developers in Syria are:

- The General Establishment for Housing (GEH), established in 1961; it is mandated to provide social and residential housing. Its mission within the current 11th five-year plan is to complete 30,881 dwellings under construction (out of the planned 279,000[317]; thus 11%), to build and deliver new 45,619 dwellings (out of 571,000 planned, thus 8%) and to start to erect another 39,391 dwellings to be delivered in the 2016-2020 period[318].

[316] Burckel, 2018.

[317] See above section 1.1, the housing gap.

[318] The figures for 2019 concern the finalization of 5,164 dwellings, while 27,518 were committed ; see http://escan.gov.sy/index.php?page=category&category_id=28&lang=ar&lang=ar.

- The Military Housing Establishment (MHE), established in 1975[319], which is also a construction company. It had a very large mandate to carry military and civilian constructions including housing projects. Its housing portfolio is not as big as it was once. However, the MHE has important secondary production lines for building finishes and furnishing, making it a very strong general contractor for public jobs.
- The Military Construction Establishment (MCE), which is a construction company acting as well as a developer and a general contractor[320].

Most public sector developers contract out many of their housing commissions to small scale private subcontractors. They rely on their ability to mobilize large public budget to up-front finances, which enables them to win bids. Their political weight is such that it would be difficult for another public client to commission private sector contractors for fear of being suspected of corruption. Contracting one of the public developers is a safe bet for municipal officials.

Cooperative developers

Initially reserved for the public sector workers and professional unions members, the **cooperative developers** reached a total cumulative number of 2,800[321] in 2014; supervised and licensed by the General Union of Housing Cooperatives (GUOHC). Their members reached 800,000[322]. However, with numerous financial scandals and irregularities in their operation, the licensing of new cooperatives was lately limited by the Prime Minister awaiting a new draft law to be adopted[323]. The active ones numbered to 1,345 housing cooperatives. They were sorted according to scope and validity of their mission: 1,158 with a mixed scope of housing and/or summer resorts, 30 for summer resorts only (these are subject to licensing by the Ministry of Tourism), 151 have been disbanded[324], and 61 were merged with other cooperatives[325] to "*safeguard the interests of their members*". Despite the necessity to create new dwellings at least to replace the damaged and destroyed ones, the operation of the cooperatives and their local unions (under GUOHC) faced numerous problems during the conflict: land provided by municipalities at market price (despite the stipulation of the law to provide subsidized land), direct intervention of the MOPWH in the management, etc.[326].

Large Private and PPP Developers

Few large holdings had been granted land to develop significant real estate projects, mostly with central location and high added value. This was the case prior to the conflict for Cham and Syria holdings. Following the issuing of law 15/2008 developers started to register under the General Commission of Development and Real Estate Investment (GCDRI)[327]. In 2018, the number of registered companies

[319] By legislative decree n°12 of 1975, see http://www.mod.gov.sy/index.php?node=554&cat=4016. It had developed several projects in Damascus (Husseiniyah), 'Adra industrial city, Abi'l Fidaa neighborhood in Hama (the largest project with 5,000 dwellings) and for workers in Deir Ez Zor Omar plant.
[320] See http://www.gcdri.gov.sy/Companies/Ar.
[321] 391 cooperatives had been created in Damascus with difficulties to obtain land within the urban plan, see https://www.albayan.ae/one-world/2000-05-15-1.1083818.
[322] http://b2b-sy.com/news/23251/.
[323] https://aliqtisadi.com/1254381-%D8%AD%D9%84-%D8%AC%D9%85%D8%B9%D9%8A%D8%A7%D8%AA-%D8%AA%D8%B9%D8%A7%D9%88%D9%86%D9%8A%D8%A9-%D8%B3%D9%83%D9%86%D9%8A%D8%A9/.
[324] Many is Reef Damascus, see http://mopwh.gov.sy/?page=show_det&category_id=12&id=611&lang=ar.
[325] The cooperatives are assumed to hold deposits in the Real Estate Bank of SYP 30 billion, i.e. around US$ 600 million.
[326] See per example 2017 report of Homs Union http://www.guohc.org/ar/post.php?id=80.
[327] See http://www.gcdri.gov.sy/.

reached 47[328], planning to build dwellings for 800,000 households[329] (!). Most of these developers were limited liability companies, registered mostly in 2010-2011 and 2017-2018 (see appendix B). In 2017, 24 areas of real estate development had been defined in the country with a total surface of 4,228 ha, to enable the construction of 165,000 dwellings hosting around 1 million inhabitants (with a total estimated cost of SYP 620 billion, i.e. around US$ 1.24 billion at the time).

Typically, these large developers are granted licenses to develop real estate projects in informal settlements that had been erased, such as the case of Wadi Al Joz in Hama (figure 44) which was granted to two development companies (Barazi and Aram) to erect 2,400 dwellings[330]. The granting of license was announced initially through a competitive bidding process, but no bidders presented offers. The project was finally transformed to a (Public-Private partnership) PPP project, by direct negotiations, with urban services to be implemented by the developers.

Fig 44. Wadi Al Joz communal settlement in respectively 11/2012, 7/2013, 8/2013 and 3/2019. Source Google earth

[328] The licenses of 5 companies had been canceled in 2017, see http://www.gcdri.gov.sy/News/43/Ar.
[329] http://www.gcdri.gov.sy/News/45/Ar.
[330] https://www.almodon.com/arabworld/2018/10/17/%D8%AD%D9%85%D8%A7%D8%A9-%D8%A7%D9%84%D8%A8%D8%B1%D8%A7%D8%B2%D9%8A-%D9%84%D9%80-%D8%A5%D8%B9%D9%85%D8%A7%D8%B1-%D9%85%D8%B4%D8%A7%D8%B9-%D9%88%D8%A7%D8%AF%D9%8A-%D8%A7%D9%84%D8%AC%D9%88%D8%B2-%D8%A8%D8%B9%D8%AF-%D8%AA%D9%87%D8%AC%D9%8A%D8%B1-%D8%B3%D9%83%D8%A7%D9%86%D9%87 ,

In addition, PPP holding companies had been created following the legislative decree n° 19 of April 30, 2015, such as Damascus Cham Holding[331] aiming at "*the management of the property of the Damascus Governorate within the urban regulated areas[332]; the management of other properties of the Damascus Governorate within the administrative boundaries of the province; the relevant properties being real estate assets and properties in kind, as well as services or intangible assets that the Governorate owns or has the right of investment or lease; … and investing through partnerships to establish private companies to operate the properties and services of the Governorate inside and outside the regulated areas*". The major project of Damascus Cham Holding is the so-called "Marota City" at the prime location of Mazzeh-Kafar Souseh-Razi (figure 45) that has been cleared from informal settlements[333]. The concerned regulated area lays over 2,149,000 m2, with the prospect of 12,000 housing units (1.8 million m2) and around 1.0 m2 of commercial offices; all fully serviced[334]. This large project came after the drawbacks of the nearby « towers project » of Souria Holding initiated in the 2000's[335] and of the « Damascus Hills » project on the Damascus-Beirut road[336]. However, the "Marota city" project had been blocked by European and US sanctions[337] imposed on its private shareholders.

Fig 45. Layout of Marota City in Damascus

Damascus Cham Holding also recently included in its projects the development of the Hamrawi heritage quarter in Old Damascus, near the Omayyad Mosque. The Hamrawi quarter had been submitted to confiscation since 1960 and long subject to legal controversies[338]. A similar PPP scheme is also emerging

[331] Founded December 17, 2016 ; see http://damacham.sy/%D9%85%D9%86-%D9%86%D8%AD%D9%86/.
[332] Meaning outside the designed regulated areas.
[333] See section 3.2 above.
[334] Including central management of taxation and fees (!).
[335] See http://www.buna.sy/projects/all/Abraj-Souria-Project
[336] See http://www.matrixpartnership.co.uk/damascus-hills--syria.html and https://www.albayan.ae/across-the-uae/2005-10-17-1.108677.
[337] https://www.europeansanctions.com/2019/06/ofac-designates-syrian-businessman-and-his-network/
[338] See https://snacksyrian.com/%D8%AF%D9%85%D8%B4%D9%82-%D8%A7%D9%84%D9%82%D8%A7%D8%A8%D8%B6%D8%A9-%D8%AA%D8%AD%D9%83%D9%85-%D9%82%D8%A8%D8%B6%D8%AA%D9%87%D8%A7-%D8%B9%D9%84%D9%89-%D8%AD%D9%8A-%D8%A3%D8%AB%D8%B1%D9%8A/ and http://www.alazmenah.com/?page=show_det&category_id=13&id=38906.

concerning the long-standing development of the Yalbugha complex downtown Damascus held by the Ministry of Endowment[339].

The Wadi Al Joz (Hama), the Razi (Damascus) and similar "during-conflict" projects share in common the provision that the municipalities provide the land and the PPP develops infrastructure, builds housing and commercial units and operate an urban zone as a private company in partnership with investors. Unlike build-operate and transfer project (BOT) these projects are not time-bound, and the property is transferred from the public domain to the private company in which the local authority is but a shareholder. Accountability mechanisms for urban governance and service provisions are unclear.

Small developers

All types of stakeholders above are concerned with a minor portion of housing development. The private or PPP ones are mainly focused on prime locations in cities with high rent-seeking by real estate valuation. The cooperative developers focus mainly on middle class housing, with historically a small share of total construction.

Most of the housing development in Syria is made by the **numerous small private developers**, focusing on one or two buildings. These small developers could be formed around one future owner of a dwelling.

6.4 The municipalities

The municipalities are major stakeholders in urban development. They are responsible, and accountable, for organizing urban areas; providing public infrastructure; overseeing service provisions by line ministries and their local directorates; as well as representing their population constituency towards regional, central authorities, and public utilities.

It is at the level of the municipality that developable urban land was rarified and that the urban plans and land use schemes were delayed for long periods of time. And it is at this level that reforms are needed to streamline the urban planning process and to avail significant swathes of land to be developed. It is in essence the responsibility of the municipality to recue land scarcity to keep land prices affordable in a post-conflict housing reconstruction framework.

More recently, the Legislative decree n° 19 of April 30, 2015 had allowed the municipalities to establish holding companies and enter PPP partnerships. Yet, with or without these holdings, there is a risk of conflict of interest within the municipalities between the necessity of providing land and public services at affordable prices and the pressures to keep both prices high to finance their budgets in times of severe budget restrictions at the central and local levels. This risk has been observed in post-conflict Iraq where the selling of land and public buildings constituted the main source of financing of the municipality budgets in recent years [340].

[339] https://www.almodon.com/arabworld/2019/1/13/%D9%8A%D9%84%D8%A8%D8%BA%D8%A7-%D8%A8%D9%8A%D8%AF-%D9%88%D8%B3%D9%8A%D9%85-%D8%A7%D9%84%D9%82%D8%B7%D8%A7%D9%86-%D8%B5%D9%81%D9%82%D8%A9-%D9%85%D8%B4%D8%A8%D9%88%D9%87%D8%A9-%D8%A3%D8%AE%D8%B1%D9%89

[340] UN-Habitat Iraq ; 2018.

6.5 The multiple actors in the "market"

For new built dwellings, multiple actors intervene to provide opportunity for a customer needing housing and for matching housing demand with offers in the market, even within informal settlement. These are[341]:

- The **provider of land**: who can be the municipality that zoned the land for urban construction, or the landowner of an agricultural green field land or the head of a community having formal or informal right to a collective land holding.
- The **operator or developer**: who serves as formal or informal land developer.
- The **suppliers**: providing services to the operators, such as brokers and middlemen (*simsar*) who facilitate the relations between providers/operators and customers.
- The **facilitators**: Public/private interest groups that facilitate the development of the construction.
- The **regulators**: government agencies.
- The lender: public and private banks.
- As well as several other actors such as the engineers' contractors' and other labor unions, professionals, merchants, etc.

A simple representation of the interactions between the reconstruction approaches, the financing mode and the role of the actors is represented in table 6[342]:

Table 6. Typical interactions between reconstruction approaches and stakeholders

Reconstruction approach	Degree of household control	Form of assistance		Role of actors			Location	
		Financial	Technical	Community	Agency	Contractor	In-situ	New site
Cash approach	Very high	Cash only	None	None	None	Household may hire	Yes	No
Owner-driven reconstruction (ODR)	High	Conditional cash transfer to household	Technical assistance; Training of household	None	Project oversight and training	Household may hire	Yes	No
Community-driven reconstruction (CDR)	Medium to high	Transfer to household or community	Technical assistance; Training of community and household	Project organisation and oversight	Project oversight and training	Community may hire	Yes	No
Agency-driven reconstruction in-situ	Low to medium	Funds handled by agency	Limited or none	Limited	Management of project	Agency hires	Yes	No
Agency-driven reconstruction in relocated site	Low	Funds handled by agency	Limited or none	Limited	Management of project	Agency hires	No	Yes

[341] Soliman, Ahmad ; 1989.
[342] IFRC, Skat; 2012.

7 CONCLUSION AND RECOMMENDATIONS FOR FURTHER RESEARCH

This report has developed a first approach for an urban recovery framework for Syria. It has shown that the concept of housing "reconstruction" should be envisaged as an economic revitalization and social peacebuilding recovery process, imbedded in the physical, economic, financial, social, legal, administrative, governance and political-economy environment of the country. In particular, it must be viewed as an integral part of housing construction which responds to the new demand of the growth of population and households.

An analysis was performed of the demand and supply of housing prior and during the conflict. That lead to an estimation of likely supply and demand in the post-conflict situation. With a hypothesis of a "quick" return of the displaced and the refugees within 5 years, the effort to be made for housing construction and reconstruction is then about 2 or 3 times yearly volume that undertaken in 2010, 2011 and 2012.

The legal and regulatory environment is a crucial element of an urban recovery framework, where HLP issues are not only essential for ensuring human rights and the compliance with the Pinheiro principles, but are also key for any potential financing scheme for construction and reconstruction, as the Syrian households' savings have been severely depleted during the conflict. The cost of housing reconstruction has been estimated to range between US$ 12.5 and 30 billion, mostly in local currency as the costs of labor and land occupy a significant share. In comparison, Syrian households had spent the equivalent of US$ 4.1 billion in 2010 on housing construction.

The role of governance institutions is key to lower land prices during reconstruction through proper regional and urban planning, to avoid bottlenecks in the provision of the materials necessary for construction and repairs to infrastructure as well as to establish a financing scheme for compensation of those who have their housing damaged or destroyed after proper valuation. Also, the role of the Central Bank shall be key in framing the financial schemes to avoid inducing inflation and burdening the public budget and debt.

Further research might focus on the following issues:

- There is a necessity to apply the described framework to **analyze in depth post-conflict demand and supply in the main cities and neighborhoods that suffered greatly from the conflict**, taking into consideration the damage and destructions, the displacement of the population and the critical issues for peacebuilding on the social level. Such focus should be conducted with various stakeholders at the local level.
- There is a necessity to analyze the **progress of the regional and urban planning** and to set the general framework for land use. The new economic functions of cities as well as considerations for reconstruction, such as land prices and provision of public services must be carefully examined. This is to set the guidelines for the acceleration of the issuing of the urban plans at the local level.
- There is a necessity to **analyze the present regulations and activities concerning the "formalization of the informal" housing and** to design guidelines conforming to the Vienna

declaration (see appendix A) to accelerate the establishment of proper records for property rights and urban plans.

- In that respect, there is a need to **analyze the present regulations** for public confiscation, for the valuation of the confiscated properties, for the compensation of owners and users, and for PPP schemes. This analysis should be based on a clear definition on the public interest and a differentiation between public and private interests and goods. This is partly needed to set recommendations for post-conflict legislations respecting the Pinheiro principles for future developments, but also, to understand the prospects of reversing some decisions carried during the conflict or to amend them.
- There is a necessity to analyze **the needs for the rehabilitation of the heritage areas**, the procedures for their conservation and recovery, as well as the availability of specialized human resources and materials for the purpose.
- There is a necessity to **analyze the prospects of employment and of economic activities at the global and local levels**, with special focus on the still operative small and medium enterprises (SMEs), especially those linked to construction activities.
- There is a necessity to **refine the economic hypothesis for assessing the cost of reconstruction** with various scenarios for the return of the displaced and the refugees. Costs and market dynamics and practices during the conflict need further analysis to understand the behavior of key actors, especially first-time entrants into the housing market. An economic model needs to be developed with the different construction/reconstruction approaches and financing schemes to analyze more in depth the pace of an economic and urban recovery framework.
- There is a necessity to **analyze the issues related to the provision of construction materials**, the potential bottlenecks, the needs for hard currencies, the opportunities for investment as well as the risks related. This analysis should also focus on the way and the rhythm of alleviation of the general unilateral measures (sanctions) imposed on the country.
- There is a need to review existing building codes of various cities with an eye on developing a streamline guideline for construction, and for connections to urban infrastructure.
- **From a peacebuilding and country reunification perspectives, there is a need to analyze the differences in the present situations** in the various areas of *de facto* control in the country, in particular between the government, the North-East and the Turkish controlled areas, but also between main cities and marginalized areas. The recovery framework should be adapted to create a drive for unification, to minimize the attempts by warlords to usurp the reconstruction process in the future, and to address the basic grievances as part of the post-conflict peacebuilding.
- The **potential foreign aid for recovery** should also be assessed, in order to propose the necessary, reasonable and efficient level and type of aid to foster urban reconstruction and the return of the displaced and refugees, avoiding the creation of an “aid curse”.

Bibliography

- Ababsa, Myriam: ***Syria's Food Security: From Self-Sufficiency to Hunger as a Weapon***; in Matar, Linda & Kadri, Ali (editors): Syria. From National Independence to Proxy War; Palgrave Macmillan, 2019.
- Abdallah, Nizar: ***The social and economic dimensions of the housing problem***; Syrian Economic Sciences Society, June 12, 2001 (in Arabic), available at http://www.mafhoum.com/syr/articles_01/nizar/nizar.htm.
- Abu-Ismail, Khaled Araji, Salim and Nehme, Manuella: ***Post-conflict macroeconomic challenges: Iraq, Libya, Syria and Yemen***; ERF Forum; https://theforum.erf.org.eg/2019/01/15/post-conflict-macroeconomic-challenges-iraq-libya-syria-yemen/.
- Aita, Samir: ***Local Needs Assessment of HOMS and its neighborhoods. The impact of the conflict and the needs for peacebuilding and recovery;*** Report to be published by ESCWA 2020.
- Aita, Samir: ***Syrian cities Needs' Review, The evolution of Syrian cities' population and needs during the conflict***; Report to be published by ESCWA 2020.
- Aita, Samir: ***Economic assessment of urban issues for reconstruction of Syria***; in the State of the Syrian Cities 2016-2017, Common Space Initiative, October 2017.
- Aita, Samir: ***Informal labor in the Arab countries. Facts and rights;*** Cercle des Economistes Arabes and ANND, September 2017.
- Aita, Samir: ***Trade without Religion between Turkey and Syria***; IFRI editorial, March 24, 2017.
- Aita, Samir: ***Syria. Asprirations and Fragmentations***, in "ARAB SPRING: Negotiating in the Shadow of the Intifadat", Edited by I. William Zartman, 2015, University of Georgia Press.
- Aita, Samir: ***Variables et Enjeux Economiques du Soulèvement*** , in François Burgat & Bruno Paoli : « Pas de Printemps pour la Syrie », collection la Découverte, 2013
- Aita, Samir: ***The social crisis and the territorial planning in the Eastern region***; Syrian Economic Sciences Society, January 12, 2010; (in Arabic), available at http://www.mafhoum.com/syr/articles_10/aita.pdf.
- Aita, Samir: ***Labour Market Policies and Institutions, with a Focus on Inclusion, Equal Opportunity and the Informal Economy: the Case of Syria***; ILO study 2009, available at https://www.academia.edu/27632246/Labour_Markets_Policies_and_Institutions_with_a_Focus on_Inclusion_equal_Opportunity_and_the_Informal_Economy.
- Aita, Samir: ***Inflation in Syria… An economic or a monetary policy issue?;*** Al Hal magazine, August 2007 (in Arabic), غلاء الأسعار في سورية... مشكلة اقتصادية أم مشكلة سياسة نقديّة؟ available at https://www.academia.edu/38977203/%D8%BA%D9%84%D8%A7%D8%A1_%D8%A7%D9%84%D8%A3%D8%B3%D8%B9%D8%A7%D8%B1_%D9%81%D9%8A_%D8%B3%D9%88%D8%B1%D9%8A%D8%A9_..._%D9%85%D8%B4%D9%83%D9%84%D8%A9_%D8%A7%D9%82%D8%AA%D8%B5%D8%A7%D8%AF%D9%8A%D8%A9_%D8%A3%D9%85_%D9%85%D8%B4%D9%83%D9%84%D8%A9_%D8%B3%D9%8A%D8%A7%D8%B3%D8%A9_%D9%86%D9%82%D8%AF%D9%8A%D8%A9_
- Arnott, Richard: ***Housing policy in developing countries: the importance of informal economy***; World Bank, Commission on Growth & development, Working paper n°13, 2008.
- Assad, Ragui, Krafft, Caroline & Rolando, Dominique J.: ***The role of housing market in the timing of marriage in Egypt, Jordan and Tunisia***; ERF Working paper, n°1081, April 2017.
- Barakat, Sultan & Zyck, Steven A.: ***Housing Reconstruction as Socio-economic Recovery and State Building: Evidence from Southern Lebanon***; Housing Studies, Vol. 26, No. 1, 133–154, January 2011.

- Barakat, Sultan: ***Housing reconstruction after conflict and disaster***; HPN Network paper n° 43, December 2003.
- Berger, Helge: ***Germany and the Political Economy of the Marshall Plan, 1947-1952***: A Re-Revisionist View; in: Barry Eichengreen (ed.), Europe's Post-War Recovery, Cambridge University Press, 1995, pp. 199-245.
- Bhatia, Michael: ***Post conflict Profit: The Political Economy of Intervention***; Global Governance, Vol. 11, No. 2 (Apr.–June 2005), pp. 205-224.
- Bourguignon, François & Sundberg, Mark W.: ***Aid Effectiveness – Opening the Black Box***; American Economic Review, February 2007.
- Boussauw, Kobe: ***Challenges, threats and opportunities in post-conflict urban development in Kosovo***; Habitat International, Volume 36, Issue 1, January 2012, Pages 143-151.
- Burckel, Denis: ***Management de l'immobilier***; éditions Vuibert, 2018.
- Burnside, Craig & Dollar, David: ***Aid, Policies, and Growth: Revisiting the Evidence***; World Bank Policy Research Paper, n° O-2834, March 2004.
- del Castillo, Graciana: ***Rebuilding War-Torn States; the Challenges of Post-Conflict Economic Reconstruction***; Oxford University Press, 2008.
- Chouquer, Gérard: ***Le Foncier. Entre propriété et expertise***; Presse des Mines, 2019.
- Clerc, Valérie: ***Haro sur l'informel. Le foncier dans le traitement des quartiers précaires, espaces de compétition du politique : Cambodge, Liban, Syrie***; in *Repenser les quartiers Précaires*, AFD, pp.113-126, 2016.
- Clerc, Valérie: ***Informal settlements in the Syrian conflict: urban planning as a weapon. Built Environment***, Alexandrine Press, 2014, Arab cities after 'the Spring', 40 (1), p.34-51.
- Clerc, Valérie: ***« Les quartiers informels à l'épreuve de la crise en Syrie : une inflexion inachevée des politiques d'habitat et d'urbanisme ? »***; in BARTHEL P.-A. et JAGLIN S., 2013. « Printemps arabes » et fabrique urbaine, bilan et perspectives de l'action dans les quartiers informels, AFD, p.53-62.
- Clerc, Valérie: ***"Zones of collective illegality" in Syria: defying a regime***; in Villes en Développement, n°91, June 2012.
- Clerc, Valérie (2011-1): ***"Mixity" in Urban Policies directed towards Informal Settlement Areas in Damascus, a Concept for Public Decision?***; ENHR conference, July 5-8, 2011.
- Clerc, Valérie (2011-2): ***Développement urbain durable et quartiers informels à Damas : évolution des paradigmes et contradictions des réformes***; in Barthel P.-A. et Zaki L. (dir.), 2011, Expérimenter la « ville durable » au sud de la Méditerranée, Chercheurs et professionnels en dialogue, Paris, Éditions de l'Aube, collection Villes et territoires, p.175-199.
- Clutterbuck, Martin: ***Property restitution in post-conflict Syria***; in "Syrians in displacement", FMR 57, February 2018, available at www.fmreview.org/syria2018.
- Central Bureau of Statistics (CBS): ***Statistical Abstarcts***; 2000 to 2017.
- Central Bureau of Statistics (CBS): ***The 2004 census results***; 2005 (in Arabic).
- Collier, Paul & Hoeffler, Anke: ***Aid, Policy and Growth in Post-Conflict Societies***; World Bank Policy Research paper n° 2902, October 2002.
- David, Jean-Claude: ***Alep et ses territoires. Fabrique et politique d'une ville (1868-2011);*** Beirut-Damascus, Presses de l'IFPO, 2014
- Dayri (Al), Iyas: ***The zones of informal dwellings in Syria and their relations with the characteristics of the households and population***; 2007 ((in Arabic).

- Dergham, Dureid: ***The social and economic dimensions of the housing problem***; Syrian Economic Sciences Society, June 12, 2001 (in Arabic), available at http://www.mafhoum.com/syr/articles_01/dergham/dergham.htm.
- Emam, Hassan: ***Real Estate Industry in Egypt: Segmentation, Targeting and Positioning Approach***; Master Thesis, University of Manchester, Manchester Business School, January 2011.
- ESCWA: ***Housing and Property Rights***; NAFS project, 2018; available at http://nafsprogramme.info/library/syria-law-and-properties.html.
- FAO, NRC, OHCRHR, UN-Habitat: ***Handbook on Housing and Property Restitution for Refugees and Displaced Persons. Implementing the 'Pinheiro Principles'***; March 2007.
- Girod, Desha M.: ***Explaining post-conflict reconstruction***; Oxford University Press, 2015.
- GIZ: ***Employment Promotion in Contexts of Conflict, Fragility and Violence, Opportunities and Challenges for Peacebuilding***; September 2015.
- Gobat, Jeanne & Kostial, Kristina: ***Syria's Conflict Economy***; IMF Working Paper, WP/16/123, June 2016.
- GTZ, Uberbau: ***Aleppo diverse. Open City. An Urban vision for the year 2025***; February 5, 2010.
- GTZ: ***Guidelines for Building Measures after Disasters and Conflicts***; Division 42, 2003.
- Hallaj, Omar A. et. al., eds.: ***The Development Plan for the Old City of Aleppo***; The City of Aleppo and GTZ, 2000.
- Hallaj, Omar A. et. al.,: ***Urban housing and the question of property rights in Syria***; in the State of the Syrian Cities 2016-2017, Common Space Initiative, 2018.
- (Al) Hassan, Hala : ***The legal reality of the cooperative housing associations according to legislative decree n°36 of 2014*** ; Al Baath magazine, Vol 38, n° 9, 2016 (in Arabic) د. هلا الحسن: الواقع القانوني للجمعيات التعاونية السكنية وفق المرسوم التشريعي السوري رقم 36 لعام 2014.
- Hoeffer, Anke, Ijaz, Syeda Shahbano & von Billerbeck, Sarah: ***Post-Conflict recovery and peacebuilding***; World Bank, World development report 2011, background paper, Oct. 10, 2010.
- Ibrahim, Raeeda Kifah: ***The Role of Government in Solving Housing Issues in Syria***; Master of Economics Thesis, University of Aleppo, 2013-2014.
- IFRC, Skat: ***Sustainable Reconstruction in Urban Areas***: A handbook; 2012.
- ILO: ***Local Economic Recovery in Post-Conflict: Guidelines***; 2010.
- JICA, MOLA: ***The Study on Urban Planning for Sustainable Development of Damascus Metropolitan Area in the Syrian Arab Republic***; March 2008.
- Keynes, John Maynard: ***The economic consequences of peace***; 1919, reedited by Freeland Press, 2017.
- Lafi, Nora: ***Building and Destroying Authenticity in Aleppo: Heritage between Conservation, Transformation, Destruction, and Re-Invention***. In "Christoph Bernhardt, Martin Sabrow, Achim Saupe. Gebaute Geschichte. Historische Authentizität im Stadtraum", Wallstein, pp.206-228, 2017
- Leckie, Scott: ***Housing, Land and Property Rights in Post-Conflict Societies, Proposals for a New United Nations Institutional and Policy Framework***; UNHCR LEGAL AND PROTECTION POLICY RESEARCH SERIES, PPLA/2005/01, March 2005.
- Lombard, Melanie & Rakodi, Carole: ***Urban land conflict in the Global South***: Towards an analytical Framework; Urban Studies, 2016, Vol. 53(13), pp. 2683–2699.
- Matar, Linda & Kadri, Ali (editors): ***Syria. From National Independence to Proxy War***; Palgrave Macmillan, 2019.

- MAM, MOLA: ***The Strategy for Urban Development and Transformation at Qassioun in the city of Damascus***; 2009.
- Mayya, Roula: ***The Housing Sector and the Regional Development***, between past, present and future, National Agenda for the Future of Syria, ESCWA report September 4, 2014.
- McMichael, Gabriella: ***Rethinking access to land and violence in post-war cities: reflections from Juba, Southern Sudan***; Environment and Urbanization, August 28, 2014.
- Mohammad, Bahjat: ***Determination of geographical criteria for delimitation of the administrative and planning regions in preparation of a sustainable regional development. The example of Syria***; the Syrian Geographic Journal, issue 29, December 2013 (in Arabic), تحديد المعايير الجغرافية لرسم حدود الأقاليم الإدارية والتخطيطية تمهيداً لتنمية إقليميّة مستدامة. سوريا نموذجاً.
- Munoz-Rojas Oscarsson, Olivia: ***Wartime destruction and post-war urban reconstruction: case studies of Barcelona, Bilbao and Madrid in the Spanish Civil War and its aftermath***; PHD thesis, London School of Economics, February 2009.
- OCHA: ***Syria, Humanitarian Need Assessment (HNO) 2019***, March 2019.
- OCHA: ***Syria, Humanitarian Need Assessment (HNO) 2018***, November 2017.
- OCHA, IFRC: ***Shelter after disaster***; 2015.
- Ohiorhenuan, John F. E.: ***Post-conflict Recovery: Approaches, Policies and Partnerships***; Centre for Research on Peace and Development (CRPD), Working Paper No. 4, December 2011.
- Oger : ***Beyrouth. Centre Ville, Reconstruction*** ; May 1986.
- OSCE: ***Assessment of municipal responses to informal settlements in Kosovo***; December 2011.
- Pinheiro, Paulo Sergio: ***Housing and property restitution in the context of the return of refugees and internally displaced persons***; UN ECOSOC final report, E/CN.4/Sub.2/2005/17, June 28, 2005.
- Pugh, Cedric: ***Housing policies and the role of the world bank***; Habitat International, Volume 15, Issues 1–2, 1991, Pages 275-298.
- Qudsi, Jwanah: ***Rebuilding old Aleppo. Postwar Sustainable Recovery and Urban Refugee Resettlement***; Award winner, International Conference on Sustainable development, 2016.
- Reach: ***Syrian Cities Damage Atlas. Eight years anniversary of the Syrian civil war. Thematic assessment of satellite identified damage*** ; March 2019.
- Regional Planning Commission (RPC): ***The national framework for the regional planning. The Summary;*** 2018 (in Arabic) الإطار الوطني - الملخص.
- Regional Planning Commission (RPC): ***The national map of Informal settlements. The assessment of the problem is a step towards solving it***; 2013 (in Arabic); هيئة التخطيط الإقليمي: الخارطة الوطنية للسكن العشوائي، رصد المشكلة خطوة نحو الحل.
- Regional Planning Commission (RPC): ***a short research for the workshop on the basis of an industrial recovery***; December 3, 2012 (in Arabic). بحث موجز أعد لتقديمه في ورشة عمل الأسس المكانية لنهضة صناعية
- Roquet, Vincent, Bornholdt, Luciano, Sirker, Karen and Lukic, Jelena: ***Urban Land Acquisition and Involuntary Resettlement Linking Innovation and Local Benefits***; World Bank, Directions in Development, Environment and Sustainable Development, 2017.
- Roy, Ananya & Alsayyad, Nezar : ***Urban Informality. Transnational perspectives from the Middle East, Latin America and South Asia*** ; Lexington Books, 2003.
- Sabbagh, Youssef Marwan : ***The legal influence on the economic and social dimensions of the housing problem in Syria***; Syrian Economic Sciences Society, June 12, 2001 (in Arabic), available at http://www.mafhoum.com/syr/articles_01/marwan/marwan.htm.

- Sampaio, Antonio: ***War in cities. Before and after urban warfare: Conflict prevention and transitions in cities***; International Review of the Red Cross (2016), 98 (1), 71–95.
- Seifan, Samir: ***The economic consequences of the real estate boom in Syria***; Syrian Economic Sciences Society, May 31, 2011 (in Arabic), available at http://www.mafhoum.com/syr/articles_11/16-seifan.pdf.
- Serageldin, Mona: ***Inclusive Cities and Access to Land, Housing, and Services in Developing Countries***; World Bank, Urban development Series Knowledge Papers, n°22, February 2012.
- Shriqi, Mada: ***The evolution of Population Fertility in Syria since independence 1947-2005***; Arab Center for Research and Policy Studies, 2016 (in Arabic).
- Seneviratne, Krisanthi, Amaratunga, Dilanthi & Haigh, Richard: ***Addressing housing needs in minimizing the problems of post conflict housing reconstruction***; 2013.
- Shaar, Al Hakam & Templer, Robert: ***Urbicide or an elegy for Aleppo***; Tvergastein Interdisciplinary Journal of the Environment, 2016.
- Sirop, Rasha: ***Analysis of the current situation of Syria's public finance***; Workshop of Workers Observatory for Studies and Research, Damascus, January 29, 2019 (in Arabic). تحليل الحالة الراهنة للمالية العامة في سورية
- Soliman, Ahmad : ***Tilting at Sphinxes : locating urban informality in Egyptian cities*** ; in Roy, Ananya & Alsayyad, Nezar : Urban Informality. Transnational perspectives from the Middle East, Latin America and South Asia ; Lexington Books, 2003.
- Soliman, Ahmad : ***Housing mechanisms in Egypt: A critique*** ; Neth. J. of Housing and environment Res., 1989, 4: 31. https://doi.org/10.1007/BF02498029.
- Stern, Susan: ***Marshall Plan 1947–1997 A German View***; at the Wayback Machine (archived July 9, 2006),http://web.archive.org/web/20060709055340/http://www.germany.info/relaunch/culture/history/marshall.html.
- Stewart, Frances: ***Employment in Conflict and Post-conflict Situations***; Think Piece, UNDP Human Development Report Office, 2015.
- Strachan, Anna Louise: ***Changes in economic activity during and after conflict***; Helpdesk Report, K4D, March 22, 2017.
- Soufan, Anas: ***Historiographical Overview on the Post-Conflict Reconstruction in Syria: From the mid-19th Century to the 2011 Crisis***; WHC, 2016, available athttp://whc.unesco.org/en/events/1286/.
- State Planning Commission (SPC): ***The 10th Five-Year Plan***, 2006.
- Syrian Center for Policy Research (SCPR): ***Food Security and Conflict in Syria***; June 2019.
- Syrian Center for Policy Research (SCPR): ***War Economy of Syrian Crisis***; WB/IMF meeting, April 21, 2017.
- Syrian Center for Policy Research (SCPR): ***Forced dispersion. A demographic report on human status in Syria***; 2016.
- Syrian Economic Center (SEC): ***The Housing issue in Syria… and the Continuation of the Crisis***; August 2007 (in Arabic).
- UNDP: ***The first national prospective report for the vision of Syria 2025***; 2008 (in Arabic) التقرير الوطني الاستشرافي الأساسي الأول لمشروع سورية 2025.
- UNDP: ***Post-Conflict Economic Recovery: Enabling Local Ingenuity***; Crisis Prevention and Recovery Report, 2008.

- UNDP: ***Sustaining Post-Conflict Economic Recovery: Lessons and Challenges***; Bureau for Crisis Prevention and Recovery (BCPR), Occasional Paper No.1, 2005.
- UNESCO, UNITAR: ***Five years of Conflict. The State of Cultural Heritage in the Ancient City of Aleppo***; 2018.
- UN-Habitat & UNHCR: ***Housing, Land and Property Issues of Syrian Refugees in Lebanon from Homs City Implications of the Protracted Refugee Crisis***; November 2018
- UN-Habitat & UNHCR: ***Homs: Overview of HLP Issues, Displacement, and Durable Solutions Perspectives***; draft, October 2018.
- UN-Habitat Iraq: ***Iraq. Municipal finance & Improved budget execution in urban related sectors; 2018***.
- UN-Habitat: ***Syria. City profile Hama, multi-sector assessment***; June 2016.
- UN-Habitat: ***Syria. Baba Amru neighborhood profile***; June 2015.
- UN-Habitat: ***Syria. City profile Homs, multi-sector assessment;*** May 2014.
- UN-Habitat: ***Women in post-conflict settlement planning***; 2013.
- UN-Habitat : ***Guide to Preparing a Housing Finance Strategy***; The Human Settlements Financing Tools and Best Practices Series, 2009.
- United Nations Secretary General (UN-SG): ***United Nations Policy for Post-Conflict Employment Creation, Income Generation and reintegration;*** 2009.
- Urban Analysis Network Syria (UrbAn-S): ***Aleppo City Profile***; August 2017.
- Workers Observatory for Research and Studies (WORS): ***Ink on paper and irresponsible speeches***; 2019 (in Arabic). المرصد العمّالي للدراسات والبحوث: منزل لكلّ أسرة، حبر على ورق وكلام غير مسؤول
- World Bank: ***The mobility of displaced Syrians. An economic and social analysis***; 2019.
- World Bank: ***The toll of war. The economic and social consequences of the conflict in Syria***; 2017.
- World Bank: ***Post-Conflict Reconstruction: The Role of the World Bank***. World Bank, 1998.
- World Bank: ***Housing. Enabling markets to work***; 1993.
- Zreik, Burhan: ***The legislative framework of the endowment (waqf) system in the experience of the Fertile Crescent countries***; in Ghanem, Ibrahim Al Bayoumi : The endowment system and the civil society in the Arab countries ; Center for Arab Unity Studies, 2010 (in Arabic).

Appendix A

Vienna Declaration on Informal Settlements in South Eastern Europe

As signed in Vienna on 28th September 2004 by
H.E. Mr. Demeti (Vice Minister of Territory Regulation and Tourism, Albania),
H.E. Mr. Buxhaku (Minister of Transport and Communication, Republic of Macedonia),
H.E. Mr. Vucinic (Minister for Urban Planning and Protection of the Environment, Montenegro) and
H.E. Mr. Ilic (Minister for Capital Investment, Serbia),

In the presence of
Dr. Erhard Busek (Special Co-ordinator of the Stability Pact),
Lars Reutersward (UN-Habitat, Director of Global Division),
And signed in Pristina on 17 March 2005 by
Mr. Jasch (UNMIK Principal International Officer, Ministry of Environmental Protection and Spatial Planning, Kosovo)
with full support of
H.E. Mr. Kosumi (Minister of Environmental Protection and Spatial Planning, Kosovo)

Vienna Declaration on National and Regional Policy and Programmes regarding Informal Settlements in South Eastern Europe

The undersigned National and Regional Representatives from South Eastern Europe

recognize that:

I. The objective of this declaration is to commonly agree on actions that (a) will regularize (legalise) and improve informal settlements in a sustainable way and (b) will prevent future illegal settlements.

II. Informal settlements are human settlements, which for a variety of reasons do not meet requirements for legal recognition (and have been constructed without respecting formal procedures of legal ownership, transfer of ownership, as well as construction and urban planning regulations), exist in their respective countries and hamper economic development. While there is significant regional diversity in terms of their manifestation, these settlements are mainly characterised by informal or insecure land tenure, inadequate access to basic services, both social and physical infrastructure and housing finance.

III. Every person in the city or community has the right to be an equal member of the community. Legalisation/regularisation of informal dwellers will make them individuals with equal rights. As such, inhabitants of the city should enjoy the same opportunities to realise his/her access rights to an adequate standard of living and access to services as everyone else in the city, as well as the same obligations to respect the law and pay taxes and user charges.

IV. Sustainable urban management requires that informal settlements be integrated in the social and economic, spatial/physical and legal framework, particularly at local level. Successful

regularisation efforts contribute to long-term economic growth as well as to social equity, cohesion and stability.

V. Principles of Good Governance have to be applied by Central and Local Governments when implementing the commitments made under international agreements and conventions to make maximum efforts, particularly to provide access to adequate shelter and to ensure that the shelter situation of the residents of informal settlements is improved. Respective commitments are contained in the "Charter of Fundamental Rights of the European Union (2000/C, 264/01), Articles 17.1 and 34.3", the "European Social Charter (Revised, 1996, European Treaty Series No. 163), Articles 30 and 31" and the "UN Habitat Agenda (1996), Chapter III, Paragraph 39". Detailed references are stated in Annex A.

VI. The urban, social and economical integration of informal settlements within the overall city structure will be a key factor in preparing for accession to the EU. Vienna Declaration Page 1 of 3 28 September 2004.

The National and Regional Representatives from South Eastern Europe have agreed on the following:

I. To create an adequate legal and institutional environment allowing for the functioning of housing, real estate and land markets through (a) the formulation and implementation of respective regularisation policies within the context of overall housing policies, (b) the adoption of specific and well-targeted programmes, (c) a clear assignment of responsibilities to national and local authorities in line with the subsidiarity principle (decentralisation) and (d) the promotion of sustainable urban management.

II. To aim at the complete regional resolution of informal settlements by the year 2015, with national targets to be set by January 2005.

III. To undertake in-situ regularisation and upgrading to the maximum extent (but only in cases that do not threaten proper urban development, i.e. contravening rights of way, environmental protection, cultural heritage protection).

IV. To prevent future informal development by:

a. Reviewing and modifying, as appropriate, legal and regulatory framework and enforcing it

b. Changing planning processes, where appropriate, to provide adequate housing and/or serviced plots for all income groups, allowing wider public participation in the planning process

c. Mounting an awareness campaign to build up trust and explain that illegal construction is not only against the law, but will seriously hamper economic development

V. To follow principles of good governance, such as non-discrimination, equality, transparency and accountability regarding the provision of tenure security, public services and infrastructure.

VI. To develop effective policies and programmes facilitating sustainable regularisation of

informal settlements, in accordance with paragraph III and IV above, along the following principles:

a. Creating security of tenure, providing public services and improving urban management

b. Decentralising land information, registration and management responsibilities

c. Integrating aspects of legal framework, property and urban functionality

VII. To support capacity building and training activities regarding urban management at national and local level, first and foremost of local governments, which will be at the forefront of urban management.

VIII. To periodically exchange information on good practice and monitor progress towards the above objectives through (bi-annual) regional review meetings, and regional reports to global habitat meetings such as the World Urban Forum.

Appendix B

Development companies registered by GCDRI

As of April 2019[343]

Company name	Nationality	Type	date of registry	Projects
City	Syrian	LLC	Jun-07	
Bena	Syrian	LLC	Jun-10	
Amissa	Syrian	LLC	Jun-10	
Alyyat	Syrian	LLC	Sep-10	
Romada	Syrian	LLC	Sep-10	
Thiqa	Syrian	LLC	Sep-10	
Toukhi TDREI	Syrian	LLC	Oct-10	
Ru'ya	Syrian	LLC	Nov-10	
Altoun	Syrian	personal	Jan-11	
Tatwir	Syrian	LLC	Feb-11	
Syrian Gulf	Syrian	LLC	Mar-11	
Overseas Investment	Syrian	LLC	Mar-11	
Nouay	Syrian	LLC	Mar-11	
Ghabra	Syrian	LLC	Jul-11	
Ammar	Syrian	personal	Sep-11	
Syrian Engineers	Syrian	LLC	Oct-11	
Rawabi	Syrian	LLC	Feb-12	
Ayoub	Syrian	personal	Jul-12	
Green Cities Builders	Syrian	LLC	Feb-13	
Pyramid	Syrian	LLC	May-14	
Sana	Syrian	LLC	Mar-15	
Qordoba	Syrian	LLC	Apr-15	
Baraka Amad	Syrian	LLC	Dec-15	
Villa Mac	Syrian	personal LLC	Aug-16	
Kanbod	Syrian	LLC	Dec-16	
Inshaa	Syrian	LLC	Feb-17	
Madinati	Syrian	LLC	Apr-17	
Nabni	Syrian	LLC	Apr-17	
Hussam	Syrian	personal LLC	May-17	
Qal'a	Syrian	LLC	Jul-17	
Ibda'at	Syrian	LLC	Jul-17	
Tharaa	Syrian	LLC	Jul-17	
Ittihad	Syrian	LLC	Jul-17	Aleppo Holding
Madaniya	Syrian	LLC	Jul-17	
Sukhni	Syrian	LLC	Aug-17	Historical building Aleppo Old City
Damas	Syrian	LLC	Sep-17	
Katerji	Syrian	LLC	Oct-17	
Aram	Syrian	personal LLC	Feb-18	
Bunyan	Syrian	LLC	Feb-18	
Qawafi	Syrian	LLC	Feb-18	
Tahhan Global	Syrian	LLC	Mar-18	
Asia	Syrian	LLC	Mar-18	
Barazi	Syrian	LLC	Mar-18	
A'Ali Jibal	Syrian	personal LLC	Jun-18	
Cham Towers	Syrian	LLC	Aug-18	
Tutul	Syrian	personal LLC	Aug-18	
Qudra branch	UAE	branch		

[343] See http://www.gcdri.gov.sy/

Urban Recovery Framework for Post-Conflict Housing in Syria

This report intends to establish a first approach for an urban recovery framework for post-conflict housing in Syria. This framework takes into account the country's past experiences in housing delivery and construction as well as the dynamics of the housing market. It also considers the facts on the ground during the conflict, including the massive damages and destructions and the unprecedent flow of displacement and refugees. It tries to embed the housing reconstruction process in its physical, economic, financial, social, legal, administrative, governance and political-economy environment. Special focus is made on ethical concerns for human rights but also within a realistic outlook on financial considerations. The final objectives of this framework approach are to create a public debate, mainly amongst Syrians, and to focus research on the major issues involved and the dynamic interplay among these issues.

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منتدى الاقتصاديين العرب

September 1, 2020