

Providing Formal Property Rights to Slum Owners through Tenure Legalization Process in Turkey

Bayram UZUN & H.Ebru COLAK



KARADENIZ TECHNICAL UNIVERSITY, GISLab, TURKEY

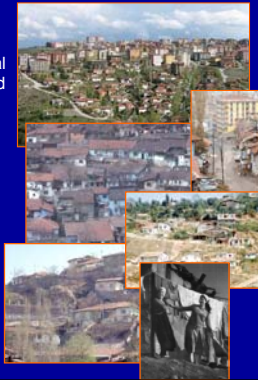


1. INTRODUCTION

- Slums are symptoms of immigration phenomenon. Immigration arised as a movement from rural to urban areas in the industrialization period.
- Today, an estimated one-third of all urban residents live in informal settlements or slums – the vast majority in developing countries.
- The Millennium Development Goals, for instance, advocate significant improvements in the lives of at least 100 million slum-dwellers by 2020.
- In this study, we will focus on providing land tenure to slum-dwellers which have been paid less attention till today.

2. THE SLUM PHENOMENON IN TURKEY

- In Turkey, urbanization accelerated in 1950's and still is in progress. Especially this date is the start point of the agricultural mechanization, highway transportation and industrialization of Turkey.
- In 1955, 5 percent of Turkey's urban population would reside in slums. Today, this percentage is 27.
- Primary aim of the immigrants which immigrate to urban areas is having a guaranteed and permanent job and then having a shelter.
- Especially the lack of convenient dwelling areas and affordable housing has led to construction of the slums.



- Slums were built on state property or on land belonging to the municipalities. Their slums were called *gecekondu*, literally meaning 'built in one night' or 'landed overnight' in Turkish.



- Over time, their slums turned into 'slum towns' surrounding the cities. A range of problems have been arised in these slum areas. After slum dwellers gained legal recognition, public bodies improved basic technical and social infrastructures.

3. THE PROCESS OF FORMALIZING SLUMS IN TURKEY

- The migrant population and their slums towns were tolerated by the government and by the public as poor individuals making an attempt to escape from rural poverty.
- The construction of slum is a solution way of the slum residents who have not sufficient income at the beginning for dwelling.



- There is no land and social housing policy to produce solution yet, authorities have produced two contrary policies in Turkey.
 - One of them is to demolish all of them.
 - The other is formalization of these illegal settlements.



- The political authority of Turkey has preferred the latter.

There were two main reasons to enact formalizing of slum dwellers:

- The urbanization brought many problems including excessive demand for affordable housing. The need for affordable housing led to the adoption of illegal solutions. Thus, slums met the housing needs of the migrant rural poor.
- More attention must be paid to providing land tenure. Because lack of security of tenure is one of the greatest known impediments to voluntary resource mobilization for housing. If the private housing financial and construction sectors can be mobilized, they can do far more for the urban poor.

According to this law (1983):

- All illegal settlements constructed on the government lands before the law have been included.
- The slum residents will pay the value of the land with installments.
- It is not allowed to allocate more than 400m² for each slum.
- The residents having a building or land in the same municipal boundary can not benefit from this law.
- At the end, 'title' was given for each slum by the governmental agency.



3.1 Formalizing Slums through the Land Readjustment Process

- Firstly 'title allocation document' was given to each slum resident who meet the legal requirements according to plot plan of informal settlement area by local authorities.
- After the preparation of subdivision map with the implementation of improvement plan using land readjustment (LR) method, 'title' was given for each slum by the governmental agency.
- Finally, security titles were provided for slum dwellers.



3.2 Disadvantages of the Amnesty Law

- The slum areas in and around big cities with development permits was idle for land speculation purposes, because of no regulations forcing landowners to construct buildings after the LR projects.
- Public urban service investments provide windfall gains for slum dwellers. But local authorities are failed to take a part of unearned earnings of slum dwellers.
- Legalization of slums fuelled the further invasion of public land and paved the way to widespread land speculation.
- Development right is completely left slum owner, this right is not shared with public authorities. In other words, instead of giving a single flat, slum owners is given all development rights on their building plot.

How slums could be integrated with urban areas?



- In recent years, slum problem have developed towards market-based housing solutions in Turkey.
- An increasing proportion of many of big cities' formal slum areas has been converted into shopping centers, offices and business spaces and luxurious high-rise apartments.
- Important contributing factors responsible for the commercialization of informal settlement areas are their increasing proximity to the city centre as cities grow outwards over time and the giving of development right and the provisioning of public utilities to these areas.



4. CONCLUSIONS

- The Amnesty law which enacted by the government not only legalized the illegally built squatter houses, but also was a tool for land speculation.
- Landlords of the slum dwellers have also improved their economic position over time.
- There is need for a further approach to recover a part of increasing value.
- For example, instead of leaving construction right to slum owner completely, this right should be shared with public authorities.
- Besides, there is also a need for providing urban settlement areas and meeting of affordable dwelling demands.

THANKS...

Ass. Prof. Bayram UZUN

Karadeniz Technical University
Dept. of Surveying Engineering
GISLab - 61080
Trabzon / Turkey
buzun@ktu.edu.tr
www.jeodezi.ktu.edu.tr/buzun

www.gislab.ktu.edu.tr

