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INFORMAL SETTLEMENTS IN SYRIA: *WHAT APPROACH AFTER THE CONFLICT?*

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Caption: Syrian residents return to the recently-seized Yarmouk Camp enclave to check on their houses and properties in south Damascus, Syria, 24 May 2018. According to media reports, a mass celebration was held at al-Najmeh Square in the adjacent al-Hajar al-Aswad neighborhood.

Executive Summary

A large proportion of Syria's population lives in informal housing, with estimates that informal housing represented 30 to 40% of total dwellings before the 2011 uprising. Such housing was particularly prevalent in the peri-urban areas that have suffered most of the destruction and displacement during the subsequent conflict. Despite its prevalence, informal housing and the rights of its residents have not received sufficient attention in recent policy discussions around Syria's reconstruction or with respect to protecting the rights of Syrians to housing.

In recent years, the government has approved tens of regulatory master plans in different cities for 'reconstruction' and 'development'. While little actual reconstruction has taken place because of the economic crisis, the economic sanctions, and the absence of international funds, these master plans have paved the way for the government to begin with deliberate mass-scale demolitions in many areas.

An examination of the few approved reconstruction projects that have proceeded shows some commonalities: most of the approved master plans are targeting areas of informal urban settlement, and the few projects that have advanced on the ground have tended to be in informal urban settlements. These patterns raise many questions about the government's intentions and plans for reconstruction and make it clear that informality needs to be a core element in the reconstruction debate.

This policy research report aims at mapping and analysing the government's approach towards informality. It starts by laying a pre-2011 historical background about the interlinks between the rise of informality in Syria and the Ba'ath government's socialist approach towards housing provision and land management. It provides a critical reading of the trajectory of the legal framework, which underpinned the government policies on land management, arguing that informality was a natural product of the government's chronic and systematic failure in coping with the increased needs for housing.

The report then examines the evolution of the government's post-2011 approach to informality. It maps a series of planned and ongoing reconstruction projects in several neighbourhoods across different cities in Syria while closely observing the legal foundations underpinning each case, the official narratives around them, the implementations procedures, the progress made, and the impact of these projects on the population.

The research deepens this analysis through two detailed case studies: al-Qabun district in Damascus suburbs and al-Haydariyya district in east Aleppo. This selection is based on profound similarities between the two areas that were both opposition strongholds severely impacted by the military campaigns waged by the government to retake them but also the significant difference in the legal

frameworks governing the reconstruction, the phase of implementation of the reconstruction project, and, most importantly, the type of land ownership, with al-Qabun existing on private land in contrast to al-Haydariyya where the authorities expropriated the land long before the conflict.

Drawing on the interlinks between the different case studies and the historical contexts of the conflict, the research concludes with observational patterns about the political, economic, and technical interests and motivations that might have shaped the government's approach to informality. It finds that the government has found in the massive informal reality of Syrian cities — which predates the conflict — a loophole through which it can advance a major politically loaded gentrification process that would reconfigure the reality of post-conflict Syria in favour of capitalist cronies at the expense of the rights of local residents. This insight has not yet gained sufficient attention in the important work conducted by Syrian and international actors attempting to tackle the consequences of the government's urban planning system and its legislative framework that is currently paving the ground for wider reconstruction. Addressing the situation is not just a matter of acknowledging some forms of informal land-tenure in the current legal frameworks. It requires reframing our understanding of informality beyond its mere articulation as a form of illegal tenure.

Pre-2011

The Rise of Informal Housing

Failure of the State-dominated Land and Housing Provision

With the rise of the Ba'ath Party to power and in line with its socialist vision, the government saw itself as the primary land and housing provider. In the early 1970s, strict land management legislation was issued to increase land supply ready for development by controlling the private real estate sector. A number of key laws were enacted for that purpose in 1974. Law 9 of 1974 provided for preparing lands for development in one of two methods, 'partitioning' by landlords (taqsim) or 'development' by the local authorities known as administrative units (tanzim). The "partitioning" method is a private-public collaborative process that allows landlords to partition their lands into parcels ready for construction while the administrative units extend basic infrastructure to those parcels adding the infrastructure costs as loans on the benefiting private properties. The "development" method is a process of master planning areas which allows the administrative units to expropriate lands, join them into one land, and prepare the detailed master plan for the resulting area. Landlords are compensated in the form of shares in the new shared-ownership land.

Law 14 of 1974 tackled the shortage of formal housing supply and the subsequent issue of rising informality by obligating construction on vacant lands, penalising land speculation and regulating the densification of the urban fabric. The law imposed harsh penalties on the owners of vacant lands who do not immediately develop their lands which included forcing the sale of the land in a public auction. According to the law, the winning bidder has a window of three months to submit the required documents to develop the land. Failure to do so would be penalized by reselling the land in an auction and deducting 25% of its value by the local authorities. To deal with the anticipated increase in the number of applications and transactions, the law mandated the creation of a temporary land registry to facilitate the process and register the resulting new property rights. However, the temporary register was quickly overwhelmed, hindering and limiting the implementation of the law (Aita, 2017). Two years later, Law 3 of 1976 prohibited the trading of lands that are located within approved general master plans in any city to avoid land speculation and attempt to reduce land prices. This law, however, proved itself ineffective as it adversely led to increasing land prices due to putting extensive areas of land off the market (Haddad, 2018). Moreover, landlords benefited from the widespread corruption to circumvent the law and find ways to sell their lands (Ibrahim, 2014).

The lack of affordable lands, which translated into increased informal market activity, was met by new laws that aimed to limit non-state led real estate activities outside the master plan. The Urban Expansion Areas Law 60 of 1979 was issued to effectively freeze the application of Law 9 of 1974 in areas outside the approved master plan. The freezing of Law 9 of 1974 by Law

60 of 1979 meant that landlords in areas outside of approved master plans, effectively, no longer had the right to partition their lands for development. Instead, the local authorities were granted the power to expropriate lands at a low compensation price of their agricultural value to partition them and sell them for development. Buyers of the parcels were prohibited from selling the bought parcels before being fully developed to avoid speculation. Consequently, the law, on the one hand, curbed the role of the private sector in real estate development, but, on the other, contributed to indirectly encouraging landlords looking for the fair value of their lands to sell them in the informal market to avoid the low compensation offered by the law. This in effect made lands outside the master plan available for informal development by lower-income people (McAuslan and MAM, 2008; Ministry of Local Administration and GTZ, 2009; Aita, 2020). The law was further interpreted by the authorities to include vacant lands even if they are located within the approved master plans, and big lands with a total area exceeding the maximum area cap allowed for planning permission. This further exacerbated the problem. The expropriation of vast areas of land by the authorities in a short period of time overwhelmed the authorities as they could not compensate for all these lands, which were eventually frozen off the official market, adding to the already existing scarcity problem (Ibrahim, 2014).

Authorities also used the Land Acquisition Law 20 of 1974, which was later replaced by Law 20 of 1983, as a vital tool of land management. The laws allowed the acquisition of land within or outside the approved masterplans by authorities in favour of public interest. This includes but is not limited to acquiring private lands to build infrastructure and public services such as rails networks, parks, hospitals, schools and military bases. However, those laws were continuously criticised by landlords for their unfair compensation, which led landlords to favour partitioning their lands and selling them informally.

While the state maintained its position as the dominant player in land and housing provision and sought to curb the role of the private sector, it nevertheless facilitated the role of the housing cooperatives and saw it as a complementary effort to those of the state under Law 69 of 1974. The law provides the legal foundations for establishing housing cooperatives that aim at constructing housing projects and providing them to members at cost price. The cooperatives are mainly run by their members, who are collectively responsible for the success of the projects. These cooperatives come under the umbrella of cooperative unions at cities and national scale. The unions take the responsibility of coordinating among the cooperatives and liaising with the authorities in favour of the cooperatives. However, the model faced the challenge of affordability as its intended beneficiaries often could not keep up with the required payments to the cooperatives and ended up selling their rights in the cooperative housing to private speculators while they moved to cheaper places or informal settlements (Aita, 2017).

Penalising vs Regularising the Informal Settlements

Law 44 of 1960 was the first law to deal with informality as it mandated the demolition of informal settlements. It provided a broad definition of properties to be demolished to include any building built without permission, in contradiction with the approved master plan, that deformed the aesthetic of a place or lacked safety factors.

However, faced with the rise in informality and the government's failure to provide affordable housing, the central committee of the Ba'ath Party in 1982 decided to extend essential services and infrastructure, including water, electricity, and other services, to all informal areas. This decision provided much-needed relief to the population of these areas and constituted recognition of their existence in the first place. However, this recognition remained indirect and limited, and it did not constitute formal recognition of their tenure rights.

This dual approach – maintaining that informal structures are illegal while tolerating them in certain areas and extending essential services to them – extended through the 1990s before new laws were introduced in the 2000s to curb the development of new informal areas while providing for the regularization of existing ones without truly implementing those regularizations in reality.

Law 1 of 2003 strengthened the prohibitions on illegal housing and increased penalties, including monetary fines and imprisonment on both the violators, including the owners, contractors, local officers and other individuals responsible for building or facilitating the preparations or selling of informal properties. It required the destruction of informal structures built after the enactment of the law or imposing fines on the owners in certain circumstances. Law 59 of 2008 revised the previous law and further strengthened prohibitions and increased the penalties (Goulden, 2011; Clerc, 2014). However, these two laws operated in an environment of institutional dysfunctionality and corruption, which made the laws difficult to enforce.

In parallel, the authorities adopted new laws and measures to facilitate regularising or formalising informal property in certain areas, but these laws were not implemented in any meaningful manner. Law 46 of 2004 provided for the regularization of some informal settlements through the provision of titles and building permits, if residents can meet conditions such as being able to pay for collective utilities and plot sizes are acceptable according to existing or proposed urban plans which was seen as a difficult condition to measure. The law was seen as a positive step towards more secure tenure in the informal settlement, but, according to researchers, it was not really implemented (Haysom and Pavanello, 2011). Law 33 of 2008 also aimed at regularising informal housing in certain approved

districts under certain conditions through the redistribution of ownership of jointly owned properties (*mulk 'ala al-shuyu'*), and the correction of real estate records. While the law presented a window of hope for many due to the possibility of the formalisation of properties' ownership, no major action had been taken by municipalities to implement the new directives by 2011 (Aita, 2017).

This dual approach of strengthening the prohibition on building new informal settlements while keeping the window open for the regularization of existing ones underpinned the 2000s approach towards a bigger role of the private sector in contributing to dealing with informality.

Outsourcing the Crisis to the Private Sector

The 2000s represented a shift towards a more prominent role of the private sector following the tendency for an open social market approach under the new rule of Bashar Al-Assad. Twenty years after the issuing of Law 60 of 1979, which denied landlords the right to partition the land for development in the urban expansion areas, Law 26 of 2000 was issued as a significant step towards loosening the mandate of Law 60 of 1979 and providing a more prominent role for the private sector in partitioning and preparing land for development. The law imposes a time limitation on the local authorities to partition lands for development within six months after the approval of the local master plan. In case no action is taken by the authorities, owners of the land have the right to partition it and prepare it for development in three years. If the owners fail to do so, the land will be subjected to expropriation by the authorities. The law also gave the municipalities the flexibility to re-zone informal areas by expropriating land required for extending infrastructure and services.

This approach towards a more prominent role for the private sector in the economy and in real estate particularly had repercussions on the authorities' approach towards informal housing as the issue became increasingly perceived as one of the individual violations that must be penalised or remedied as opposed to symptoms of systemic failures that need to be addressed. On the one hand, harsh penalties were imposed on those involved in the development of new informal housings, and on the other, the legal window for regularizing some informal settlements was kept open to facilitate the role of the private sector in sorting out the problem of informality.

In a further push to facilitate a more significant role for the private sector, including international investors, the High Investment Council and the Syrian Investment Agency were established under Law 9 of 2007 as a one-stop services bureau to facilitate and support international investment in the country. Another law, Law 8 of the same year, was issued to lift the cap on ownership for

foreign investors who became allowed to own or rent lands for investment projects even if the size of the land envisaged in the project exceeds the land ownership cap. With this arrangement in place, the Real Estate Development and Investment Law 15 of 2008 was issued to provide for the establishment of the national real estate development committee, entitled the General Commission of Development and Real Estate Investment (GCDRI), with one of its key responsibilities being to tackle the issue of informal settlements (GCDRI, 2018). Based on this law, the state was to provide public lands for private investors to encourage them to build social housing or redevelop informal areas through rehousing of its residents elsewhere. The law was perceived by experts as an attempt to outsource the responsibility of providing housing to the private sector. In practice, the impact of the law on informal housing was limited as the rigid regulatory framework and bureaucracy meant that none of the companies registered under the law managed to build a single housing unit before the eruption of the conflict (Aita, 2017).

Two Competing Approaches

The quick overview of the legal framework surrounding government policies in relation to housing provision and informality and the way these policies and laws were applied over the years tells a story of government failure in the provision of affordable housing, which led to the rise of informality as a coping mechanism by the population to meet its acute needs for housing. The realisation of this failure was what probably motivated the government to seek international assistance and launch multiple programmes in the 2000s in partnership with international organisations to reform the legislative machinery and policies dealing with urban planning and housing and produce new master plans for Syria's main cities. Some of the most notable programmes from that period: the Municipal Administration Modernisation programme (MAM) launched in 2005 with the aim of improving local governance and administration and achieving better planning and management of urban growth; the Study on Urban Planning for Sustainable Development of Damascus Metropolitan Area, commissioned by the Syrian government to the Japan International Cooperation Agency (JICA) to produce a master plan for the urban development of the Damascus Metropolitan Area that would reflect the position of the capital region in the socio-economic development of Syria in relation to other regions; and the sustainable Urban Development Programme (UDP) which was a GTZ-funded programme to promote capacities for urban management and development at the national and municipal levels. In all these studies and programs, the treatment of informal settlements was a central issue. Two main possibilities were under consideration: the first was to upgrade and regularise the settlements, and the second to demolish and reconstruct them. A final decision was not made, and the competition between the two approaches was not settled when demonstrators took to the streets in 2011.

Post-2011

Early Years (2011-2014): Urban Planning as Warfare

The eruption of protests in 2011 suspended ongoing international collaborations with the Syrian government to regulate urbanisation. Nevertheless, local teams continued their work on ongoing projects, especially ones concerning upgrading informal settlements that were used by the authorities to push a narrative of reform in the hope of containing the political unrest. In the early months of 2011, more emphasis was placed on the social dimension of urban development as studies and pilot projects to upgrade and legalise informal settlements were pursued increasingly. In parallel to the ‘upgrading’ approach, the policy of ‘renewal’ through demolition and rebuilding of certain informal settlements remained on the table, and investment projects led by private investors were further pursued and supported, themselves employed by authorities to push a parallel narrative of normality (Clerc, 2014).

On the ground, informal construction increased both in formal and informal areas across major Syrian cities, with authorities initially turning a blind eye given their busyness in repressing ongoing demonstrations but also given their attempts to avoid additional confrontations with local communities (See, for example, in Damascus: Clerc, 2014; and in Homs: SDC and UN-Habitat, 2014).

As the conflict intensified, the government’s approach to informal settlements changed dramatically. Since 2012, urban planning was militarised and employed by the government as a tool of repression and even warfare. Informal settlements across Syria were seen by the authorities as fertile terrain for political opposition as these peripheries hosted large segments of Syria’s disenfranchised and poor residents. The authorities perceived these areas not only as potential areas of revolt but later as possible staging grounds for military actions when the revolution turned into an armed conflict (see, for example, Kilcullen and Rosenblatt 2014; Wind and Ibrahim 2020; Clerc 2014). This association can explain why the destruction of the built environment in Syria overlaps significantly with informal settlements near principal cities.

The destruction of these informal settlements, however, was not simply the result of fighting or bombardment. Its scale, patterns and distribution suggest it was deliberate. In addition to the authorities’ desire to eradicate opposition communities, destruction was instrumentalised to free central urban locations with strategic interests in potential investment projects (Vignal, 2014). As of 2012, the removal of informal settlements from central areas was favoured again as a strategy, targeting areas that had been designated as military targets (Clerc, 2014). This overlap suggests that the destruction of key targeted informal areas was a means to control territory as well as to lay the ground for possible investment projects in the future.

In addition to battle-induced destruction through indiscriminate and deliberate shelling and bombardment, the authorities embarked on demolishing thousands of residential buildings with explosives and bulldozers. Between 2012 and 2013, in the middle of the war, entire neighbourhoods in cities like Damascus and Hama were razed to the ground under the pretext of violating planning and building regulations. While many of the targeted neighbourhoods were, to a large extent, built informally, investigations show that demolitions targeted neighbourhoods mainly associated with opposition and served hardly any military purposes. They were generally conducted with no due process, explanation, warning, or compensation, even when they targeted buildings constructed on legally owned land and with construction permits. This approach suggests that urban planning was used mainly to cover for politically motivated acts to expel communities and control territories (HRW, 2014).

More recent large-scale demolitions took place since 2018 in multiple locations recaptured by the Syrian government, including in informal areas targeted in 2012 and 2013. The new waves of demolitions were largely associated with freeing land for urban development projects, despite government allegations that demolitions were part of efforts to ‘detonate explosives, headquarters, and tunnels left by terrorists in recaptured areas’ (EIP, 2019; HRW, 2018). This further suggests that the motivations behind the demolitions were multiple, incorporating a neo-liberal economic agenda, as well as a political one.

While destruction and demolitions were unlawfully taking place on the ground, the Syrian government was restructuring its urban planning system and legislative framework. On the one hand, laws and procedures to encourage real estate investments were passed. On the other, policies, studies and legislations concerning informality were accelerated and pushed forward. The Legislative Decree 40 of 2012 was issued, providing strict measures to prohibit informal construction, ordering the demolition of infringements, and imposing severe fines and prison sentences against those involved in informal construction (Syrian Parliament, 2012a). Simultaneously, the 2012 national budget designated ten billion Syrian pounds to implement the Informal Settlements Upgrading and Rehabilitation National Policy, drawn up in 2009 (Clerc, 2014). The legislative Decree 66 of 2012 was then issued, providing the legal foundations for developing two areas of informal settlements near Damascus, including the controversial and much-discussed Marota City (Syrian Parliament, 2012b). The reach of Decree 66 extends beyond the two areas it covers as it laid the ground for testing a new approach to reconstruction, which many fear is setting the blueprint for Syria’s future reconstruction and will reshape the discourse of urban planning in formal and informal areas in the coming years.

Recent Years (2015-2021): Marota City as a Model?

As the government was militarily advancing in recent years, destruction and demolitions escalated, notably after the recapture of Aleppo in 2016. The urban planning legislative framework underwent further changes, and the implementation of the Decree 66 pilot project in Marota City began as planning efforts to reconstruct other areas intensified. The challenging context of housing, land, and property (HLP) issues in Syria which predate the conflict, was further politicised by the authorities and, to a large extent, weaponised against specific communities throughout the conflict, rendering planning efforts, especially in informal areas where property rights are already contested, further challenging.

The progress in implementing Decree 66's first pilot project, Marota City, is critical to frame the discussion around the government's approach to informal settlements in recent years. A major flaw of Decree 66 is that while addressing informal settlements, it mostly accounts for people with formal property rights. Decree 66 provides for expropriating property and compensating through development shares in the new development. Nevertheless, only those with formal deeds can receive compensatory shares. Residents could submit proof that they owned unregistered property. However, this would only entitle them to the rubble of their demolished properties and a two-year rental allowance. They can, in some cases, be prioritised for substitute housing in case local authorities have a surplus.

Marota City is being developed on the land of the former informal settlement of Basatin al-Razi. As part of the development, the authorities evicted all residents, and their properties were demolished between 2015 and 2017. The process of eviction and demolition followed a lengthy, complicated, and, to a large extent, discriminatory process for claim registration and property valuation that has disadvantaged the majority of residents with formal and informal rights, let alone those forcibly displaced or disappeared from the area. Compensation in the form of substitute housing for entitled evictees never materialised to date. Rental allowance, on the other hand, estimated at 5% of the value of demolished properties, was worthless in the inflated rental markets of Damascus. This insecure situation left residents of the area — particularly those with no formal property rights, with no option but to seek shelter again in other informal areas (Abou Zainedin and Fakhani, 2020).

Three years after Decree 66, the Syrian government passed the legislative Decree 19 of 2015, allowing local councils to establish private joint-stock holding companies to carry out work on their behalf, including managing their assets and properties. The assets managed by the holding companies and any of their subsidiaries are exempted from taxes and fees. This exemption means that these holding companies benefit from both the advantages of operating under the company law as well as those

of owning public assets (Presidency of the Council of Ministers in Syria, 2015a). The first private joint-stock holding company established according to Decree 19 of 2015 was Damascus Cham Holding, incorporated in 2016 with an objective to manage the development of Marota City.

Since 2017, Damascus Cham Holding signed multiple contracts worth hundreds of millions of dollars with businessmen close to the regime whose companies would invest in Marota City in exchange for land. None of these contracts were allocated to construct substitute housing or support struggling original residents. On the contrary, they were designated for luxurious residential and commercial investments in which the businessmen hold greater shares than those of Damascus Cham Holding, giving them more power over implementation. In that sense, it seems like Decree 19 of 2015 provided a formal framework to award development contracts in informal areas to crony capitalists and pay them with shares in the zone, at the expense of the rights of original residents, as in the development of Marota City.

As contracts were being awarded to investors in Marota City and work was slowly progressing on the ground, the Syrian government was preparing its controversial Law 10 that was eventually passed in 2018 (and slightly amended in Law 42 of 2018). Law 10 of 2018 generalises the approach of Decree 66 and applies it outside the remit of its original two informal areas to allow authorities to create redevelopment zones within the general master plans of local administrative units through similar provisions to those of Decree 66 (Presidency of the Council of Ministers in Syria, 2018). The government had prepared the ground for Law 10 by issuing Law 23 in 2015, which provided for the implementation of approved master plans either through the subdivision (taqsim) of land by landowners or through regularisation (tanzim) by local authorities, with the latter being implemented in cases of disasters and wars, among others, as stipulated by the law (Article 5 in Law 23 of 2015). Where informal areas exist within the boundaries of approved master plans, authorities can subject these areas to the provisions of Law 23 of 2015 or choose to either develop them as per the Real Estate Development and Investment Law 15 of 2008 or expropriate their properties according to the acquisition Law 20 of 1983, as they see fit. Residents of informal buildings would only be entitled to the rubble of their properties, and in case local authorities have a surplus of public housing, informal residents would be prioritised for alternative housing (Presidency of the Council of Ministers in Syria, 2015b).

Moving forward, the government has developed a legislative and regulatory toolbox to allow it to accelerate reconstruction planning efforts in recaptured areas affected by the conflict, including informal ones, either through an approach that relies on (i) Law 23 of 2015, Law 10 of 2018 and Decree 19 of 2015, which in effect allows local authorities to manage development areas through their established joint-stock holding companies which oversee developments by shareholders as well as investors or through (ii) the old Real Estate Development and Investment Law 15 of 2008 which grants real estate developers the power to develop designated areas.

In principle, when Law 10 or 23 are applied, holders of informal property rights are entitled to nothing but the rubble of their demolished buildings, and in the case of Law 10, to a two-year rental allowance. Holders of formal property rights are compensated through development shares that are determined based on the value of the resident's original properties after deducting a percentage of land by local authorities for the public good (around 20% in Law 10 and 40-50% in Law 23). Land retained by local authorities for the public good can then be allocated as investments to real-estate developers through contracts with the local authority's holding company. Some holders of formal property rights (including owners and leaseholders) can also be entitled to alternative housing and annual rental allowance when Law 10 is applied. It is worth noting that Law 23 serves as a reference point in subjects for which Law 10 does not provide (Article 29 of law 10 of 2018).

When Law 15 is applied, local authorities can expropriate land according to the acquisition Law 20 of 1983 for whatever they deem as fair compensation and agree with the developer to allocate 40% of future residential plots to be sold to original landowners each according to their original share of land. Alternatively, local authorities can leave the development to be entirely managed as an agreement between the developer and original landowners, who can, in turn, agree whether original landowners will be compensated by the developer with cash or through substitute housing on the land or in an external location.

Despite the difference in the laws, their impact on the rights of affected people, particularly those living in informal settlements, are nevertheless consistent and reflective of the flaws underpinning the development of Marota City.

The ignorance of the problematic HLP context; the inadequate and complicated procedural requirements to lay property claims; the discriminatory and unjust valuation of property for compensation; the implementation of evictions and demolitions prior to issuing compensation or providing alternative housing; and establishing conditions that would favour the engagement and interests of crony investors at the expense of original residents are all cross-cutting features that are most likely to be reproduced in most developments irrespective of the legislative frameworks governing their implementation. While prioritising which areas to be reconstructed first and according to what laws and models does not necessarily seem coherent, exploring what patterns are developing on the ground can be helpful in articulating the main lines of the government's approaches to informality thus far.

Current Planning and Reconstruction Efforts

In 2016, the Presidency of the Council of Ministers announced that its priority when thinking about the reconstruction phase was to look into areas that have been affected by ‘terrorists’ while ensuring an adequate urban environment (Presidency of the Council of Ministers in Syria, 2016). With regards to informal areas, the council stated that efforts are underway in all governorates to review the situation. By the time of the council’s announcement, over 35 master plans were issued, mainly targeting cities in the governorates of Damascus, Aleppo, Homs, Hama, as well as Latakia and Tartous. Today, the number of areas that have been designated for urban planning and reconstruction has only grown across all cities in government-held and recaptured areas, including informal ones, and work has advanced to issue and implement master plans for many of them.

In order to comprehend how the government’s approach to urban planning and reconstruction in informal areas has materialised so far, a brief overview of the work that has occurred in four major war-torn cities following the government’s recapture of their insurgent parts is explored next. These are Damascus and its suburbs, Aleppo, Homs, and Hama. In the following subsections, the research will delve into more details in two case studies in the cities of Aleppo and Damascus in the hope of drawing some preliminary findings and conclusions.

Damascus and its Suburbs

In Damascus and its suburbs, multiple areas have been designated for reconstruction. In addition to Marota City currently being developed on the informal settlement of Basatin al-Razi in the districts of al-Mazza and Kafr Susa, these include the development of what has been known as Basilia City, also provided for in Decree 66, on land south of the south ring road of Damascus, including areas that are part of the districts of al-Mazza, Kafr Susah, Darayya, al-Qadam and al-Qanawat Basatin, all encompassing informal housing (Syrian Parliament, 2012b).

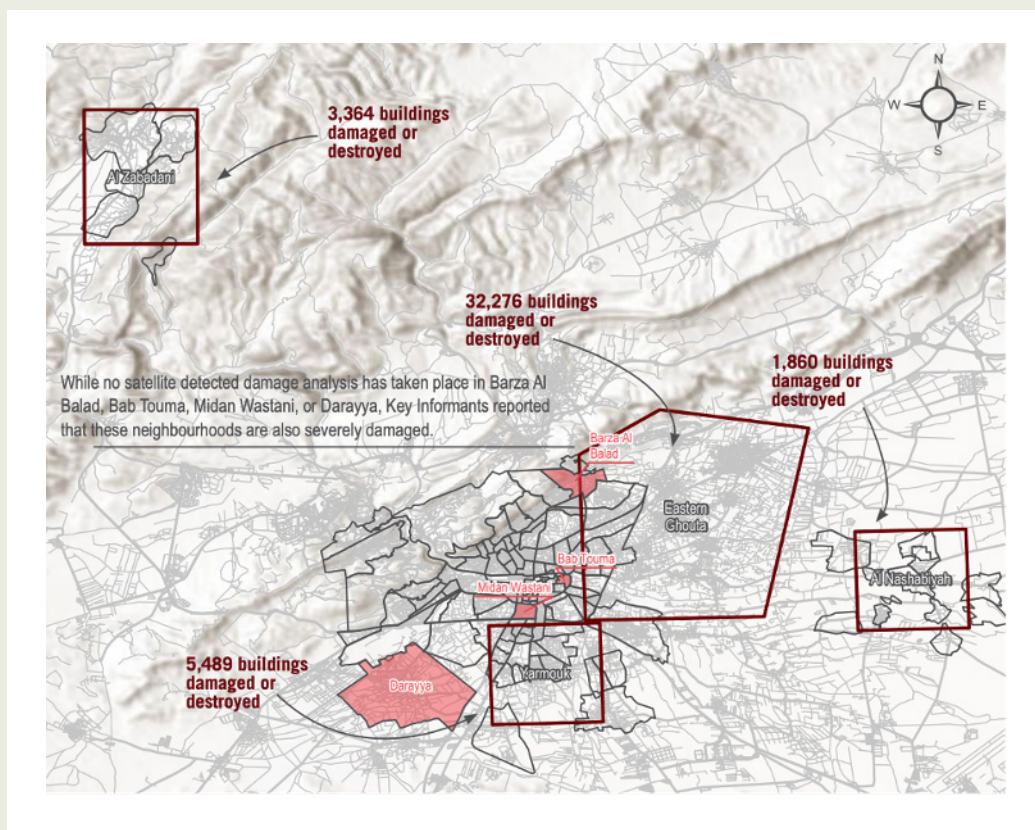
Besides the two areas specified in Decree 66, multiple other neighbourhoods have been designated for reconstruction in Damascus and its suburbs; most of them are areas that are occupied by informal housing. Amongst the most prominent areas for which master plans have been issued is al-Qabun, originally designated for reconstruction under Law 10. In 2019, the master plan of the industrial parts of al-Qabun was announced to be developed under Law 10, whereas the master plan of residential parts, both formal and informal, was finalised according to Decree 5 of

1982 and was only announced in 2020 to be developed as per the provisions of Law 23 of 2015 (EIP, 2020). Al-Yarmuk Camp is another significant area encompassing informal buildings designated for reconstruction under Law 23 of 2015 after finalising its master plan according to Decree 5 of 1982 in 2020 (EIP, 2021).

Other areas with informal buildings whose master plans are under development include Jubar, Barzah, and Darayya. Plans for the informal areas of al-Tadamun, al-Zahira, Nahr Eishah, Qasioun, Rukn al-Din, al-Muhajrin, Ma'araba, Dwel'a and Tabbala, al-Mazza 86, Dummar, and al-Mu'adamiyya are also expected to be issued in the next few years (Syria News, 2019). The Rif Damascus governorate announced in May 2021 that 24 master plans are being approved while another 24 are being discussed with the regional committee, which is speeding up its work to meet the urgency of the situation (al-Thawra, 2021).

In fact, areas whose master plans have been prioritised and released (including al-Qabun and al-Yarmuk) or those whose

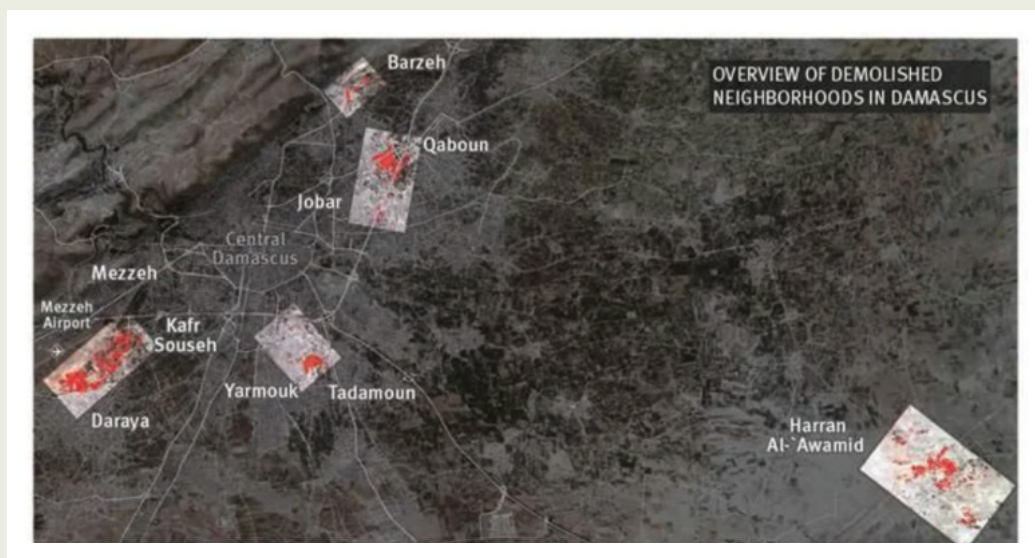
*Damage levels at multiple locations in Damascus and its suburbs
(REACH and UNITAR, 2019)*



master plans are still under development (such as Jubar, Barzah, and Darayya) were all strongholds of the opposition that have witnessed severe destruction and forced displacement. Some of them were subjected to post-battle unlawful demolitions between 2012-2013 and later since 2018, while their residents have been strictly blocked from return. Informality in these areas ranges from buildings illegally constructed on privately owned agricultural land to infringements on private, expropriated, or publicly owned land. Many of these areas have been the subject of former studies and plans for development that never materialised. These include the implementation of the Informal Settlements Upgrading and Rehabilitation National Programme announced in 2009, as well as the detailed studies issued in 2007 by local authorities and suspended in 2009 in order to be reconsidered in light of the studies of the Damascus master plan and the regional plan of the Countryside of Damascus, which were then under development (Clerc, 2014).

Aside from the development of Marota City, little to no progress has occurred elsewhere in Damascus and its suburbs. For areas where the master plans for reconstruction have already been announced to be implemented (usually under Decree 66 of 2012, Law 10 of 2018, and Law 23 of 2015), these plans are proving very problematic. The master plans of industrial al-Qabun and al-Yarmuk Camp, in particular, have generated considerable resistance by affected residents who fear the plans would unlawfully and unfairly deprive them of their properties and definitively block their return to their areas.

Areas targeted with demolition in Damascus between 2013-2012
(HRW, 2014)



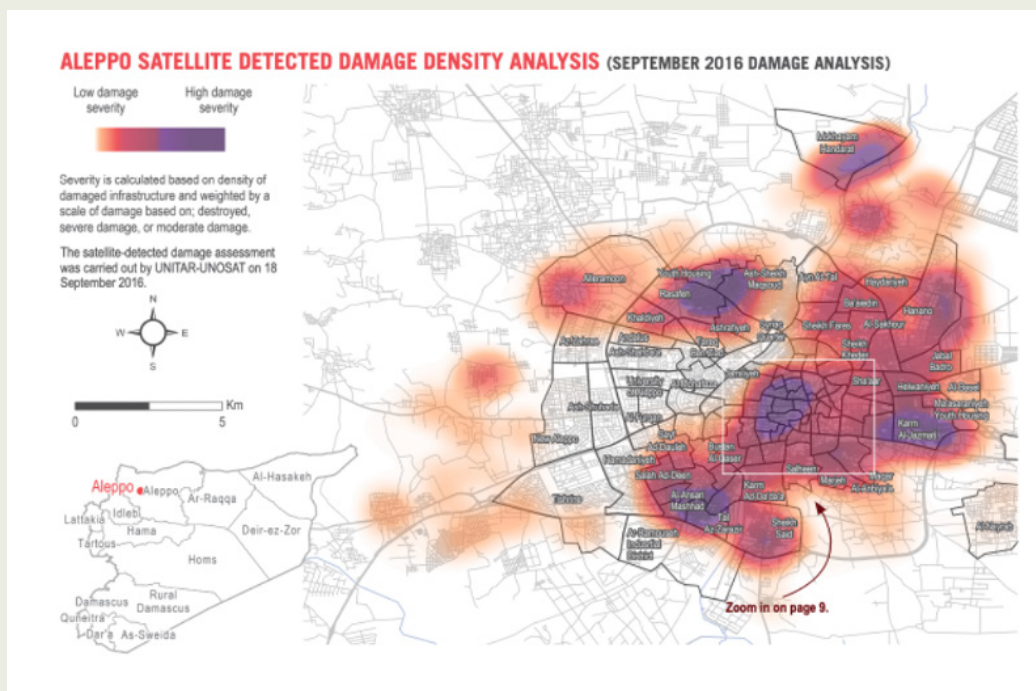
Aleppo

The emergency response plan for reconstruction in Aleppo city adopted in January 2017 prioritised the development of two informal areas (al-Haydariyya and Tal al-Zarazir) alongside four formal districts (encompassing the neighbourhoods of Masakin Hananu, Qadi 'Askar, Saif al-Dawla, Zibdiyya, al-Kallasa, and Bustan al-Qasr) described by the authorities as least damaged and most populated, three industrial areas (al-'Arkub, al-Kallasa, and al-Ramusa), and few other public buildings and facilities, amongst other institutional elements. Other formal and informal areas have also been designated for development in the city, although not prioritised in the reconstruction plan. These include expansion and informal areas to be developed under Law 10 of 2018 and Law 23 of 2015 (Ababsa, 2020).

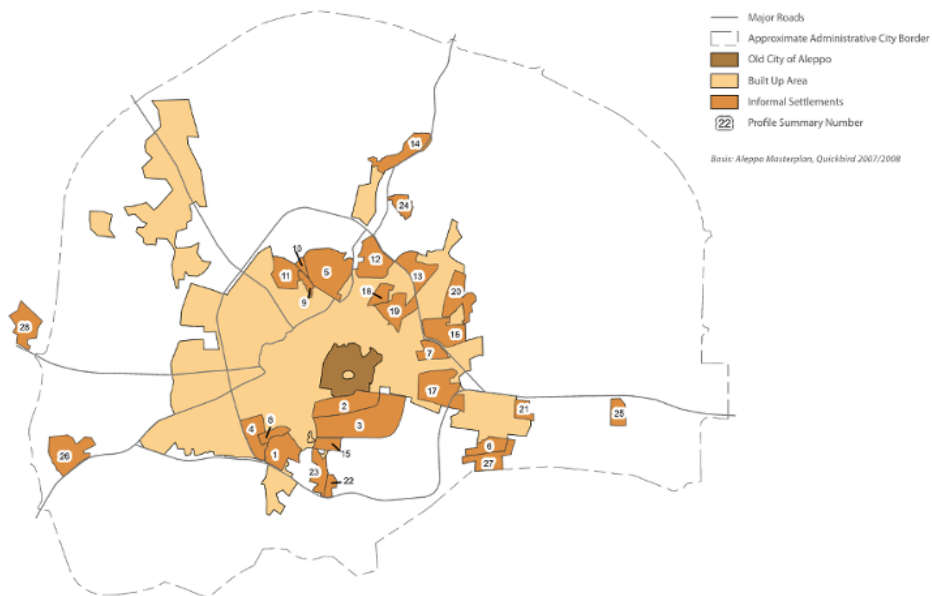
The two informal settlements, al-Haydariyya and Tal al-Zarazir, are currently under reconstruction as real estate investment projects according to Law 15 of 2008. Both areas were originally privately owned land that the government expropriated a long time ago fully (as in al-Haydariyya) or partially (as in Tal al-Zarazir) for

development projects that never materialised. They were hence squatted by informal developers who subdivided the land, sold its plots, or built high-rise blocks that were then sold to poor communities (Chibli, Pritzkat, Wakely, et al., 2009). In fact, they both have been prioritised as areas for real-estate investment back in 2010 according to the same law (15 of 2008) out of nine other informal and expansion areas designated for development in Aleppo (Aks al-Ser, 2010; Syrian Days, 2010). In 2011, al-Haydariyya was announced as a pilot project (alongside the informal areas of Qasiun in Damascus) for the implementation of the Informal Settlements Upgrading and Rehabilitation National Programme announced in 2009 (al-Thawra, 2011). Nevertheless, no actual work to develop the two areas commenced before 2011. During the conflict, the two areas were subjected to intense shelling and have sustained various levels of destruction, but they also have been the subject of unlawful demolitions following the government's recapture of the city. Today, work is steadily progressing in al-Haydariyya, and to a lesser extent in Tal al-Zarazir.

Damage levels in Aleppo city
(REACH and UNITAR, 2019)



*Informal settlements in Aleppo city
(Chibli, Pritzkat, Wakely, et al. 2009)*



Basic: Aleppo Masterplan, Quickbird 2007/2008

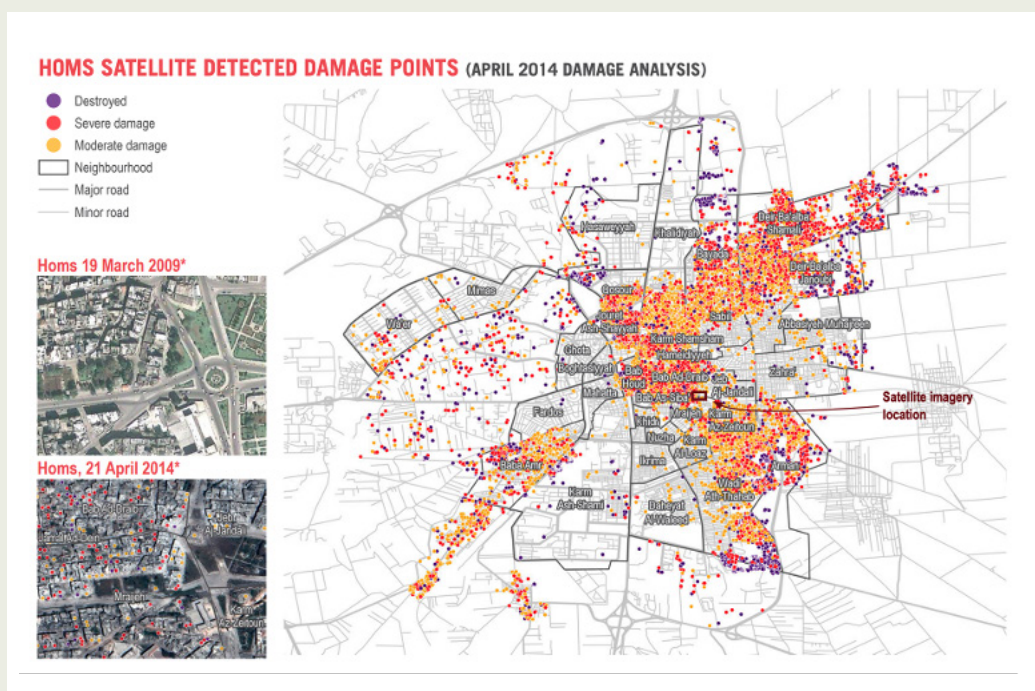
- | | |
|---------------------------------------|------------------------|
| 1. TAL AL ZARAZEIR | 15. HARET AL SHAHHADIN |
| 2. AL AHIAA AL JANOUBEYEH | 16. JABAL BADRO |
| 3. AL AHIAA AL JANOUBEYEH (EXTENSION) | 17. KARM AL JAZMATI |
| 4. ANSARI GHARBI | 18. SHEIKH FARES |
| 5. SHEIKH MAQSoud | 19. SHEIKH KHODR |
| 6. AL NEIRAB CAMP | 20. SHEIKH NAJJAR |
| 7. AL MAASARANYEH | 21. AL MALKEYEH |
| 8. ANSARI VILLAGE | 22. SHEIKH SEIED EAST |
| 9. ASHRAFEYEH 1 | 23. SHEIKH SEIED WEST |
| 10. ASHRAFEYEH 2 | 24. AWEJA |
| 11. ASHRAFEYEH BENI-ZEID | 25. DWERENEH |
| 12. EIN AL TAL | 26. KHAN AL-ASSAL |
| 13. HAIDAREYEH | 27. AL NEIRAB VILLAGE |
| 14. HANDERAT (CAMP) | 28. KAFAR DAEL |

Homs

In the city of Homs, the adjacent neighbourhoods of Baba Amr, Jubar, and al-Sultaniyya are the only informal settlements that have been designated for reconstruction thus far. The master plan for their reconstruction was approved by the Homs City Council in 2015 as per the provisions of Decree 5 of 1982 (SANA, 2015). In 2019, the Homs governor confirmed that the reconstruction of the three neighbourhoods will be pursued according to the provisions of Law 10 (Presidency of the Council of Ministers in Syria, 2019). In parallel, the general master plan of the city of Homs was amended in 2018 to incorporate adjustments in the plans and building regulations of three formal neighbourhoods: al-Qusur, Jurat al-Shayah, and al-Qarabis. The master plans of other areas such as Karm Shamsham and al-Khaldiyya are also under study and will be linked to the general master plan of the city (Presidency of the Council of Ministers in Syria, 2019).

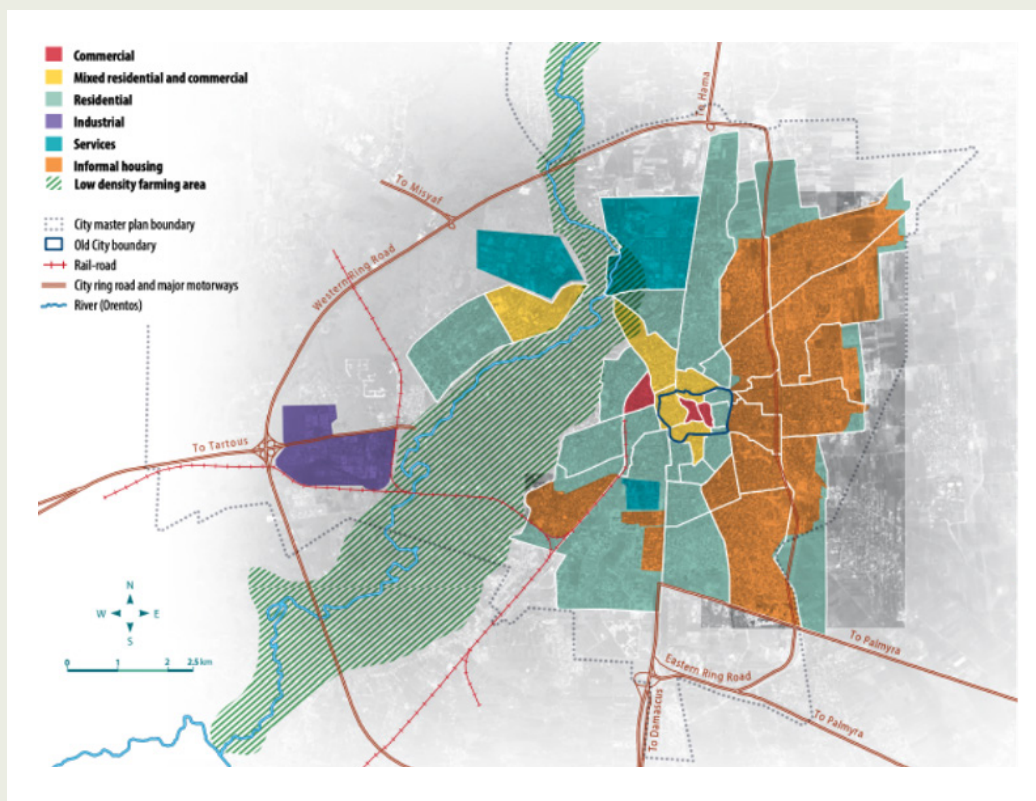
Informal areas prioritised for reconstruction in Homs consist of housing built illegally on privately owned agricultural land (Urban Research Centre in Aita, 2020). Thus far, no progress has been made on the ground in their development, aside from establishing the Homs Holding Company in 2017 as per Decree 19 of 2015, which is tasked with managing their development as per the provisions of Law 10 (The Syria Report, 2017). In the formal parts of the city, the amendments to the master plan provide extra development rights (added floors and commercial land use) claimed by authorities as means to grant property owners better economic value that should serve as compensation for the destruction of their properties. However, any reconstruction undertaken to implement the amendments will be entirely the responsibility of property owners. Those who wish only to rehabilitate their damaged buildings cannot benefit from the amendments to the master plan and will also have to finance the work by themselves.

Level of destruction in Homs city
(REACH and UNITAR, 2019)



In fact, all areas, formal and informal, targeted for development in Homs City thus far were strongholds of the opposition in the early years of the uprising. They have all been subjected to intense violence and eventually depopulated by the government in multiple waves between 2012 and 2014 (PAX, 2017). The informal areas have sustained the most severe levels of damage in the city, besides districts of the city centre. Formal areas being considered for reconstruction have been partially affected by damage, although their damaged parts have also been significantly affected.

*Urban composition of Homs city
(UN-Habitat, 2014)*

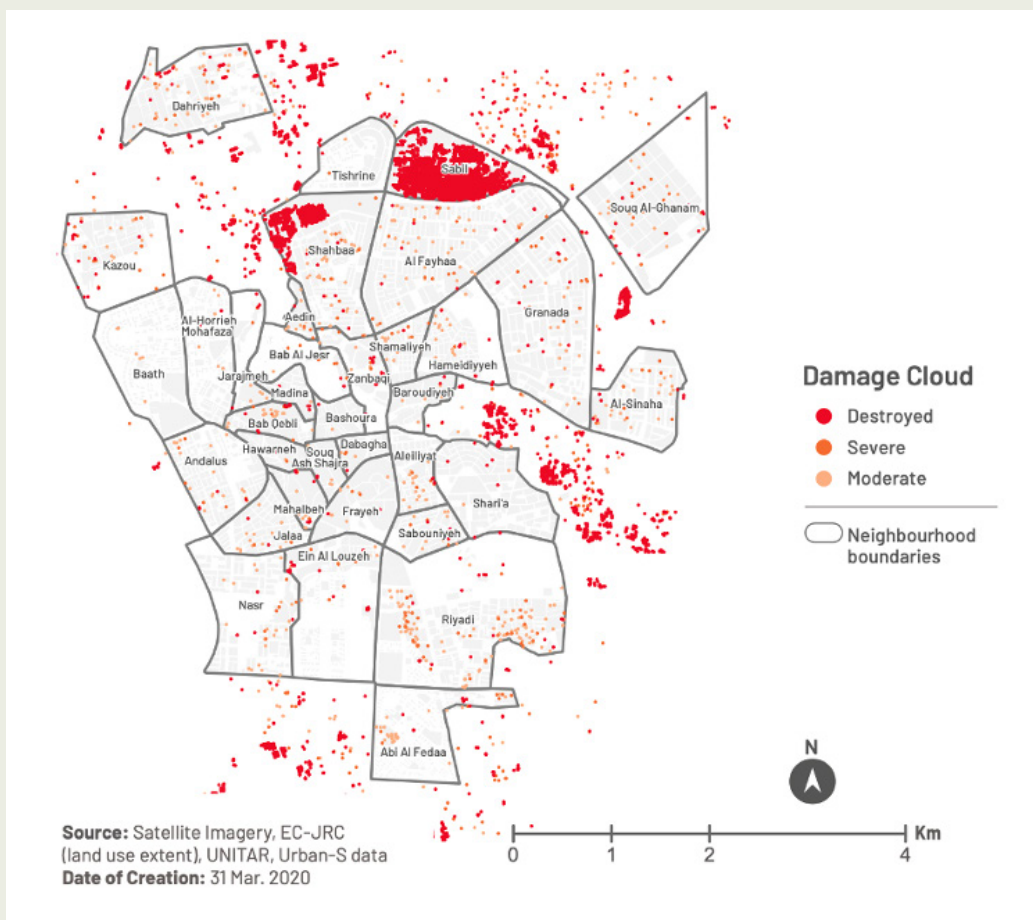


Hama

In 2016, the Hama City Council announced that work is under-going to address the situation in all informal areas in the city, either as real estate development projects under Law 15 of 2008 or under other legislations while developing the general master plan of the city (Hama City Council, 2016). The body established as per the provisions of Law 15 of 2008 to manage real estate investment projects in Syria, the General Commission of Development and Real Estate Investment (GCDRI), reported in its latest report in 2018 that four main areas in Hama city, all of which are informal settlements, are designated for real estate development and investment under Law 15 of 2008. These are Wadi al-Juz, al-Masha' al-Janubi, Masha' al-Naqarna, and al-Zanbaqi. The report further states that the GCDRI is contributing to the discussion of developing the city's master plan to designate more informal areas for real estate investment projects (GCDRI, 2018).

Despite incorporating areas that underwent episodes of rebellion and insurgency throughout the conflict, the City of Hama sustained minimum levels of damage in comparison to other cities. The only severe levels of damage detected in residential areas were in the two informal settlements razed to the ground by the government between 2012 and 2013, both associated with the opposition. Wadi al-Juz, one of them, was announced in 2019 by the GCDRI as the first development project in the city, given its potential investment value. The GCDRI further announced that work is underway with the city council to proceed with the development (SANA, 2019). It is worth noting that the area was announced to attract investors multiple times in the past years in order to commence with its development but with no interest being recorded (SANA, 2018; al-Fidaa, 2019; al-Eqtisadi, 2019).

*Level of Destruction in Hama city
(Urban Syria, 2020)*



Apart from this, demolition is the only major activity that is taking place across other informal areas, including ones that are not designated for development. Masha' al-Naqarna, another informal area designated for real estate investment, was the subject of intense demolitions since 2018. The area, originally agricultural land expropriated by the government decades ago for development that never materialised, was not entirely developed informally. In 2008, the Hama City Council announced the master plan for the area and granted building permits to housing associations for constructing housing units to which original landowners can subscribe as compensation. Construction commenced in 2015 and was nearly done when the government embarked on an aggressive demolition campaign in the area, citing informality as a pretext and targeting all buildings, including ones that were built by the housing associations (Mohammed, 2018; The Syria Report, 2020a).

*Demolished areas in Hama between 2013-2012
(HRW, 2014)*



Case Studies

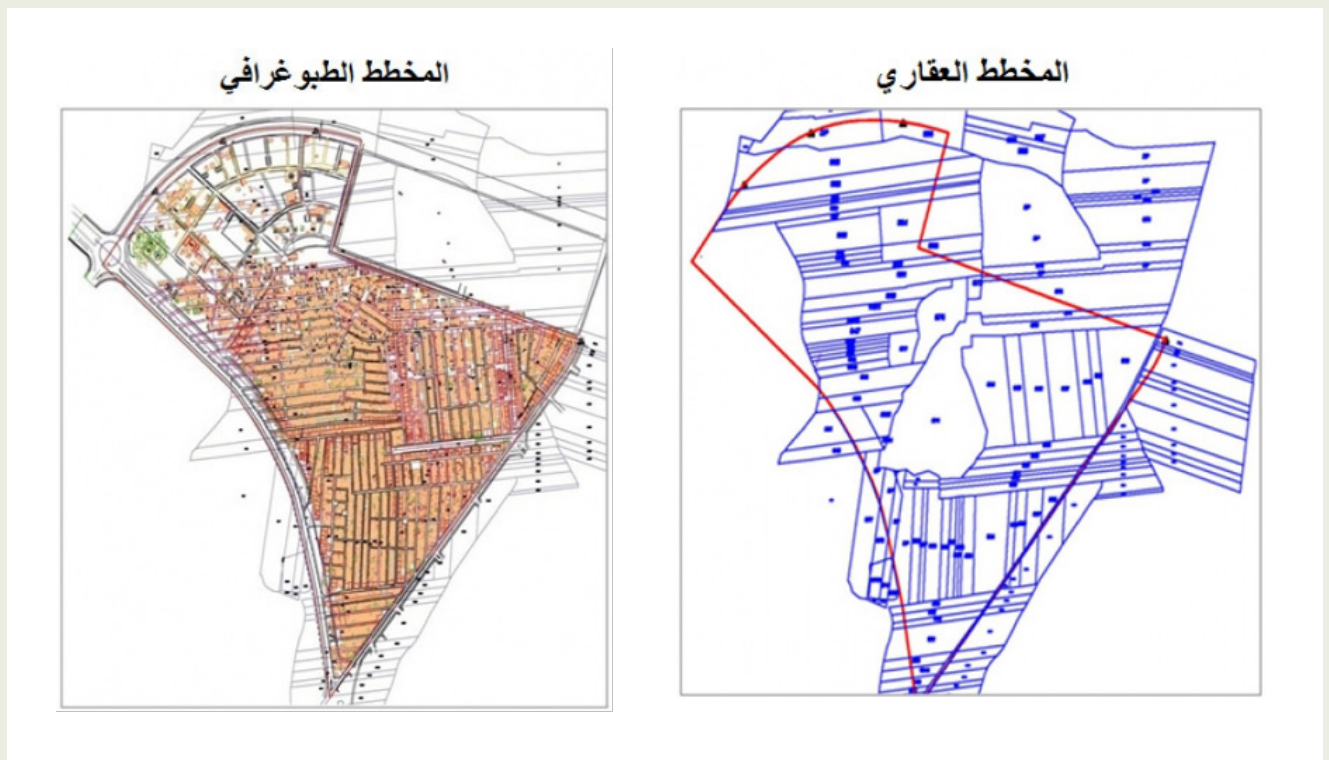
The research paper will next look in detail into two case studies of informal areas that have been prioritised for reconstruction, one in Damascus and the other in Aleppo, in order to understand better the approach of the Syrian authorities towards informality in the reconstruction context of the country.

Al-Haydariyya Neighborhood, Aleppo

Al-Haydariyya neighbourhood in the north-eastern outskirts of Aleppo city was a medium-density informal settlement built on land owned by the Aleppo City Council 'following waves of expropriations since the 1970s' (Ferrier, 2020, 19; Wakely and Abdul Wahab, 2010, 44; al-Jamahir, 2010). In 2010, its population was estimated to be approximately 50,000 (EIP, 2019). It is located within the master plan of 2004 and inside the administrative borders of Aleppo city (GCDRI n.d.).



Basic information about al-Hayrariyya real estate area GCDRI n.d.



Al-Haydariyya was a hotspot for protests during the uprising in Aleppo, which were violently suppressed by Syrian security forces (EIP, 2019). Like other suburbs in Aleppo’s eastern neighbourhoods, armed opposition groups took control of it following the start of the armed revolt in mid-2012. Between 2012 and 2016, aerial bombardment and military actions were used against it and other areas of armed opposition in eastern Aleppo. Its civilians were deprived of basic needs during the second half of 2016 when the Syrian army and its allies besieged eastern Aleppo. In December 2016, government troops retook control of the eastern part of the city; however, tens of thousands of its residents were forcibly displaced towards Idlib as part of a deal between the warring parties. Despite the heavy fighting in Aleppo, al-Haydariyya neighbourhood was exposed to relatively little damage, estimated as less than 20% according to UNITAR-UNOSAT (Ferrier, 2020; Wakely and Abdul Wahab, 2010, 44). Little authentic information is available on who stayed behind in the neighbourhood and whether new residents moved to it later.

The GCDRI used its prerogatives under Law 15 of 2008 and according to the Decision 5050 of October 2018 by the Prime Minister to classify al-Haydariyya (area size of 118 hectares) as a priority informal settlement area to be demolished and rebuilt in order to become a model for reconstruction and real-estate development and investment of 9,000 residential units for 45,000 residents with the estimated costs of 111.8 billion Syrian Pounds (approximately \$160 millions as of August 2018, according to the formal price of the Central Bank of Syria) (GCDRI, Facebook Page, July 16, 2020). Since the end of 2016, al-Haydariyya was emptied of its remaining residents, and the Aleppo City Council started the demolition in February 2019. In partnership with the municipal council and the GCDRI, the Military Construction Establishment completed the public works.



Aerial views of Al-Haydariyya showing changes between December 2000 and August 2018 (Google Earth)

Basic information and an early draft of the master plan of al-Haydariyya according to GCDRI (GCDRI, August 28, 2018)



منطقة الحيدرية

المحافظة الحسنية السورية
الهيئة العامة للتطوير والاستثمار العقاري
أمانة أولوية

الموقع:	شمال شرق مدينة حلب
محافظة:	حلب
المساحة:	١١٨ هكتاراً
الجهة الإدارية:	مجلس مدينة حلب
نوع المشروع:	سكني (منطقة سكن عشوائي)
الوحدات:	٩٠٠٠ وحدة
عدد السكان:	٤٥٠٠٠ نسمة
التكاليف التقديرية:	١١١,٨ / مليار ليرة (باعتبار صرف العملة)

منطقة الحيدرية في محافظة حلب

رؤية تخطيطية



المخطط التنظيمي



منطقة الحيدرية في محافظة حلب

الحيدرية / ١١٨ هـ الكامل	وفق قرار رئيس الوزراء
نوع الإنشاء	المرتبة الأولى
مساحة المقدم المخصصة للأبنية السكنية والحضارية والكهربائية وشبكات المرافق العامة	١١,٦
مساحة المقدم المخصصة للمرافق العامة	٠,٥٤
مساحة نظرية	٢
مساحات زراعية	٢,٠٢
مساحات زراعية	٣,٢٤
مساحات زراعية	١١,٢٧
مساحات زراعية	٤,٢
مساحات زراعية	٣,٥٣
مساحات زراعية	١٢,٢٥
مساحات زراعية	٢٣
مساحات زراعية	١٠٠
مساحات زراعية	١٨,٧٦

السادة شركات التطوير العقاري المرخصة لدى الهيئة:
تتقدم الهيئة العامة للتطوير والاستثمار العقاري لكم بأطيب الأمنيات وتود إعلامكم بصور إعلان مجلس مدينة حلب للتقدم لتنفيذ منطقة التطوير العقاري (الجديدة) وهي منطقة التطوير العقاري الأولى التي يتم الإعلان عنها في محافظة حلب وتندرج فرصة استثمارية واعدة ومجزية.
نرجب على جميع شركات التطوير العقاري المرخصة دراسة هذا الإعلان وإمكانية التقدم لهذا المشروع باعتباره مشروعاً جدياً وهاماً من مشروعات التطوير العقاري في محافظة حلب:
إعلان طلب عروض أسعار

بناء على قانون التطوير والاستثمار العقاري رقم 15/ لعام 2008 وتعليماته التنفيذية الصادرة بقرار السيد رئيس مجلس الوزراء رقم 6023/ لعام 2012
وقرار السيد رئيس مجلس الوزراء رقم 5050/ تاريخ 21/10/2010
وكتاب الهيئة العامة للتطوير والاستثمار العقاري رقم 945/ص تاريخ 10/9/2018
وكتاب الهيئة العامة للتطوير والاستثمار العقاري رقم 1045/ص تاريخ 7/10/2018
يعلم مجلس مدينة حلب للسادة المطورين العقاريين عن رضته بطلب عروض أسعار بطريقة الطرف المحتوم وفق ما يلي:

موضوع طلب العروض: دراسة كامل منطقة (الجديدة) المحيطة بموجوب قرار السيد رئيس مجلس الوزراء رقم 5050/ تاريخ 21/10/2018 وتنفيذ المرحلة الأولى منها على مساحة 28.8/ هكتار بطريقة التحاصص مع التطوير العقاري وفقاً لأحكام قانون التطوير والاستثمار العقاري رقم 15/ لعام 2008 وتعليماته التنفيذية الصادرة بقرار السيد رئيس مجلس الوزراء رقم 6023/ لعام 2012 ودفتر الشروط الحقوقية والمالية والفنية الخاصة وتنفيذ باقي الأجزاء لاحقاً.

ضمانة حسن التنفيذ الأولية: (2.5%) من القيمة التقديرية لتنفيذ المشروع كجزء من ضمانة حسن التنفيذ وتقدم بموجب شيك مصدق لصالح مجلس مدينة حلب أو تودع نقداً في الحساب المصرفي لمجلس مدينة حلب حصراً .

ضمانة حسن التنفيذ: (5%) من الكلفة التقديرية الإجمالية لتنفيذ المشروع الواردة في عرض المطور العقاري على ألا تقل عن الكلفة التقديرية للمشروع الواردة في قرار الإحداث. وتسدد قبل توقيع العقد مع الإدارة .

مدة التنفيذ: تحدد هذه المدة (3) سنة فقط ثلاث سنوات موزعة على النحو الآتي (180) يوم فقط مائة وثمانون يوماً لتقديم الدراسة و (2.5) سنة فقط سنتان ونصف للتنفيذ .

مدة ارتباط العرض بعرضه: يبقى العرض مرتبطاً بعرضه لمدة (90) يوماً تقويمياً فقط تسعون يوماً تبدأ من اليوم التالي لانتهاء تقديم العروض المحددة بالإعلان .

مدة ارتباط المطور المرشح بعرضه: يبقى المطور المرشح مرتبطاً بعرضه لمدة (90) يوماً تقويمياً فقط تسعون يوماً تبدأ من اليوم التالي لتبليغه خطياً قبول عرضه .

غرامة التأخير: تفرض على المطور العقاري غرامة تأخير يومية قدرها 0.001 واحد بالألف عن كل يوم تأخير عن المدة المحددة للتنفيذ على أن لا تتجاوز 20% عشرون بالمائة من الكلفة التقديرية للمشروع الواردة في العقد. تقديم العروض: تقدم إلى ديوان مجلس مدينة حلب ضمن ثلاث مغلفات مغلفة الأول يحتوي الأوراق الثبوتية والضمانة الأولية والمغلف الثاني يحتوي العرض الفني والمغلف الثالث يحتوي العرض المالي ونسبة التحاصص وتوضيح المغلفات ضمن مغلف رابع يكتب عليه اسم العرض وعنوانه ومعلنون باسم مجلس مدينة حلب لغاية الساعة 15.30 ظهراً في موعد أقصاه يوم الواقع في 9/12/2018 .
فرض العروض: تقضى العروض في جلسة سرية في اليوم التالي لأخر موعد لتقديم العروض .

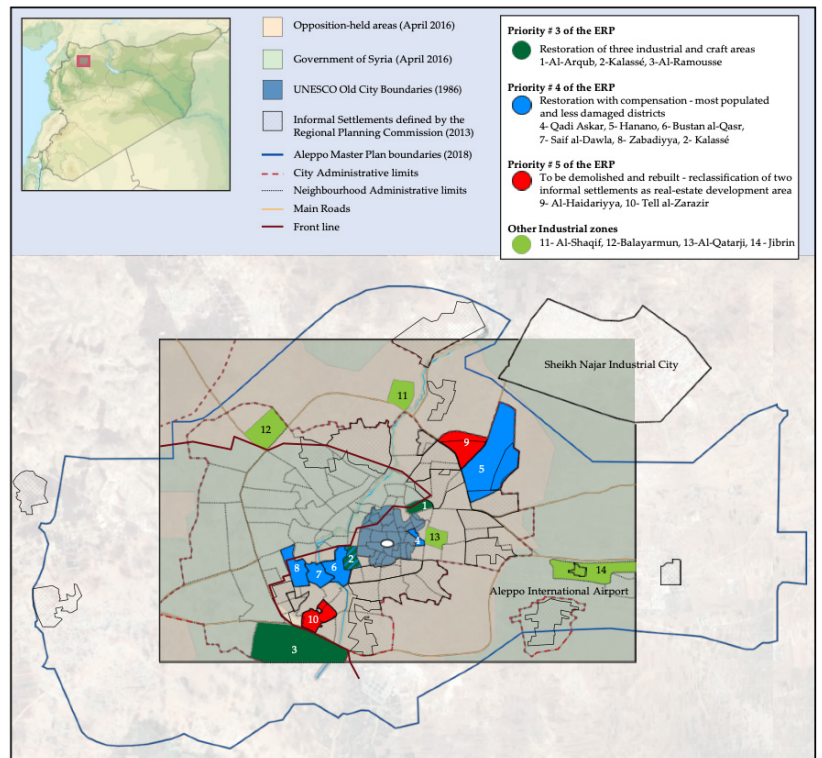
ثمن الاضارة: (50000) خمسون ألف ليرة سورية فقط لا غير ويتم الحصول عليها من دائرة مناطق السكن غير المنظم بموجب إبطال رسمي .

يطبق على الإعلان والمشروع أحكام قانون التطوير والاستثمار العقاري رقم 15 لعام 2008 وتعليماته التنفيذية الصادرة بقرار السيد رئيس مجلس الوزراء رقم 6023/ لعام 2012 ودفتر الشروط الخاصة الحقوقية الفنية والمالية ونظام العقود الموحد الصادر بالقانون رقم 51 لعام 2004 ودفتر الشروط العامة الصادر بالمرسوم رقم 450 لعام 2004 وكافة القوانين والأنظمة النافذة ذات الصلة.

ملاحظة: يمكن منح المشروع التسهيلات والمزايا الواردة في مشروع تعديل القانون رقم 15/ لعام 2008 في حال صدوره بقرار من السيد رئيس مجلس الوزراء عملاً بالفقرة (و) من المادة (52) من مشروع تعديل القانون ويتم تعديل باقي المواد في دفا تر الشروط بالاتفاق مع المطور العقاري.

رئيس مجلس مدينة حلب
المهندس محمد أيمن حلاق

Map of the prioritised informal settlements in Aleppo (Ferrier, 2020; graphic designer: Laura Pigneri, January 2020)





الهيئة العامة للتطوير والاستثمار العقاري

8 July 2020

برعاية كريمة من السيد الدكتور بشار الأسد رئيس الجمهورية العربية السورية قام السيد المهندس حسين مخلوف وزير الإدارة المحلية والبيئة والسيد محافظ حلب يوم الأربعاء الموافق لـ 2020/7/1 بتدشين مشروع التطوير العقاري في منطقة الحيدرية (المرحلة الأولى مشروع البنى التحتية والطرق والمحاور)؛ وتقع منطقة الحيدرية للتطوير العقاري السكنية شمال شرق مدينة حلب بمساحة إجمالية تبلغ /118/ هكتار وتتألف من /9000/ وحدة سكنية تستوعب نحو /45000/ نسمة، ويأتي هذا التدشين بعد متابعة مستمرة وحثيئة من قبل الهيئة العامة للتطوير والاستثمار العقاري عقدت فيه عدة اجتماعات تنسيقية مع السيد المحافظ ومجلس مدينة حلب وشركات التطوير العقاري في المنطقة الشمالية اقترحت فيه الهيئة تقسيم المنطقة إلى ثلاث مراحل لتسهيل عملية التنفيذ وتشجيع شركات التطوير العقاري بمختلف ملاءاتها على التقدم لتنفيذها.

ويذكر أن مجلس مدينة حلب الجهة الإدارية المسؤولة عن المنطقة كان قد أعد دراسة كامل لمنطقة (الحيدرية) المحدثة بموجب قرار السيد رئيس مجلس الوزراء رقم /5050/ تاريخ 2018/10/21 بتنفيذ المرحلة الأولى منها على مساحة /28.8/ هكتار بطريقة التخاصص مع المطور العقاري وفقاً لأحكام قانون التطوير والاستثمار العقاري رقم /15/ لعام 2008 وتعليماته التنفيذية.

ويحمل تدشين منطقة التطوير العقاري الأولى في محافظة حلب في هذا الوقت بالذات دلالات مهمة على العزيمة والإصرار للشعب السوري التي ستنتصر على كل أدوات الحصار، وأن السوريون عازمون على المضي قدماً في عملية إعادة الإعمار غير أبهين بمؤامرات أو عقوبات أعدائهم.



In July 2020, the Minister of Local Administration and Environment, Husain Makhluף; the Head of Aleppo City Council, Ma'd al-Madlaji; and the Governor of Aleppo, Husain Diab, visited the site to announce the end of the first stage, which focused on developing the basic infrastructure of the roads and launching the second stage which consists of actual buildings (SANA, 2020). The Minister stated that the project is aimed at al-Haydariyya residents.



Sources (Top to Bottom, Left to right)

- (GCDRI, July 2020 8)
- The plaque cornerstone (Sourialyoum, 2020)
- Posters of al-Haydariyya's master plan installed on the site during the interministerial visit (SANA, 2020)
- Site press conference during the visit (SANA, 2020)
- The Interministerial visit with some of al-Haydariyya's buildings in the background (Sourialyoum, 2020)



Poster of al-Haydariyya's master plan with details of block B (Ministry of Local Administration and Environment, Aleppo City)



Aerial views of al-Haydariyya showing changes between August 2019 and March 2020 (Google Earth)

In December 2020, during the government's celebration of the fourth anniversary of recapturing Aleppo, the state-run television station al-Ikhbariyya al-Suriyya praised the al-Haydariyya project as a pilot project of real estate development (Syrian News Channel, December 2020). According to its reportage, the project aimed to create 7700 flats and generate investment and job opportunities. The Director of the Urban Planning office in the council, Khulud Fad'in, explained that the 82-hectares land area of al-Haydariyya was divided into three areas (A, B, and C) through three road axis, the size of each ranges between 25 and 27 hectares. With a budget of 2.1 billions Syrian pounds (approximately \$1.7 million as of December 2020, according to the formal price of the Central Bank of Syria; note that the Syrian Central Bank raised the exchange ratio between the dollar and the Syrian pounds from 700 to 1250 in June 2020), the reconstruction of the main infrastructure of the road axes, including sanitation, electricity, water, and telephone nets, was completed in order to develop this area and attract real-estate developers to invest in it (Syrian News Channel, 2020). Hardly any information appears in the public domain about Blocks A and C except the early experimental drafts and the later, more developed drawings that appear on the masterplans cited earlier. The early draft shows some zoning in Black A; however, for unclear reasons, priority

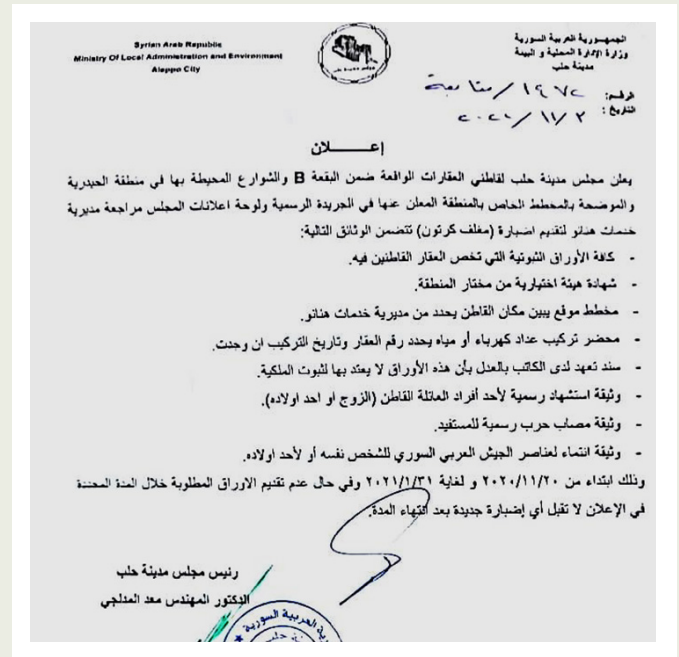
is given to Block B. Block B will include 2700 flats, according to the Minister of Local Administration and Environment, who also explains that the land was divided to facilitate investment (SANA, 2020).

Accentuating that al-Haydariyya is an area of a collective informal settlement entirely owned by the Aleppo City Council, the Director of the Urban Planning office stressed that this area was first selected to resolve the issue of informal settlement since the issue of ownership in it is already resolved (Syrian News Channel, 2020, mm. 3:22-3:37). While the Minister of Local Administration and Environment stated that the project was to be built for al-Haydariyya residents who suffered from 'terrorism' (SANA, 2020), the director of the Urban Planning office described the residents (al-qatinin) as squatters (wadi'n al-yad), repeating that the area is owned by the Council completely. However, the urban planning director stated that given the "social role" of the city council, priorities to subscribe for housing will be given to 1,100 families who are residents in the neighbourhood and who will register (in the City Council, which is the owner of the land and the future project). She added that the door will be open for those who can prove their previous residency in the area (Syrian News Channel, 2020). In accordance with this statement, the city



Life interview from al-Haydariyya with the Director of the Urban Planning, Aleppo City Council (Syrian News Channel, 2020)

Notice from the Aleppo City Council to the residents of the site of block B of al-Haydariyya (Al-Jamahir, 2020)



council announced a formal request to those living in Block B and the surrounding streets (with no affirmative reference to those who previously lived in it) to provide all of the documents of their properties, including electricity and water bills and a notarised affidavit that these papers are not being used as proof of ownership. Priorities were given to the residents who had a formal certificate of martyrdom for a family member, a certificate of being a war-wounded person, and a certificate of belonging to the Syrian army.

So far, no reported interest by private investors has been announced, risking further displacement of those who remained in the area as no alternative temporary housing solutions have been offered, and the community has had little input, if any, into the planning process. The land empty of occupants with no actions on the ground triggered the imagination of a student graduation project at the Ittihad Private University in Raqqa Governorate and a branch in the city of Manbij in the northeast of Aleppo Governorate, widely shared on social media, notably on a page that is frequented by many local residents, to take it as a design case study for experimentation. The government's complete obliteration of the old informal housing fabric in al-Haydariyya seems to have encouraged the student to propose a layout that took into consideration only the new road axes of the site. This modern proposal has attracted contrasting views of the former and recent occupants of the site who took the opportunity to express through the Facebook page deep concerns about the destination of their properties. While several comments praised what they considered an elegant modern dreamy approach, the vast majority of them criticised the disconnection with the popu-

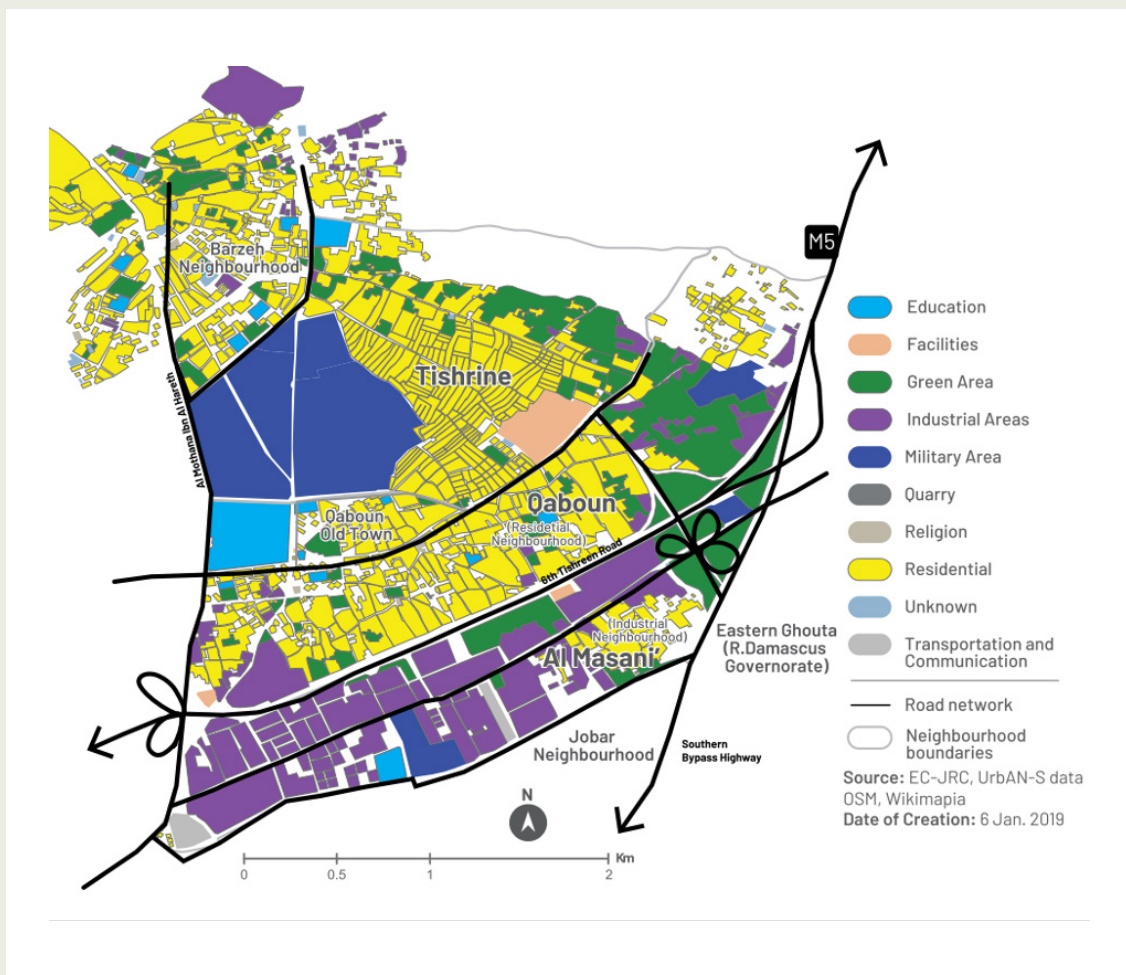
lar social context of the neighbourhood. Many comments voiced scepticism about the public and private sectors' ability to build a modest structure in Syria in a timely manner, let alone a modern urban design. Many of them were cynical about the disparity between the adverse economic situation of the low-income inhabitants of the district and the proposed modern design that includes international business franchise (Facebook groups: Al-Haydariyya Fi-Qulubina, September 22, 2019; Akhbar Halab, September 4, 2019).

The government's statements and actions raise several questions about the effectiveness of its strategies for reconstruction, the absolute ownership of the land and the houses, and the recognition and preservation of the rights of the previous and current occupants. Why did the public authorities select the strategy of completely demolishing a well-constructed medium density neighbourhood of relatively little damage instead of renovating the less damaged buildings and demolishing those most damaged? Why did the authorities start in an area whose vast majority of previous occupants are far away from it? Why did the authorities not start in one of the empty nearby lands where the construction cost would not have included the cost of demolishing and removing rubble and the hassle of registration and legal rights? Does owning the land through past expropriations give the City Council the rights to own the land, the houses, and, by extension, the project, including the decision making in a top-down manner rather than a participatory approach? If electricity and water bills are not worthy as proofs of ownership according to the notarised affidavit that the council requested from the

Al-Qabun Neighborhood, Damascus

Damascus' population increased by six folds from 0.4 to 2.4 million between independence in 1946 and the uprising in 2011. Economic, political, and conflict-related factors such as the rural-urban migration, the influx of internal migrants as well as hosting of refugees from neighbouring countries were among the key drivers of this increase (Mosel and Jackson, 2013). The formal housing supply mechanism failed to cope with the significant increase of housing demand for many reasons, including the lack of adequate housing supply policies, the absence of an appropriate planning system, and the incompetence of relevant administrative institutions. Consequently, the Informal housing market became the primary housing supply method that compensated for the housing shortage in Damascus (Khadour and Kafa, 2009). Between 1981 and 1994, around two-thirds of the housing stock was supplied through the informal market (Jabour, 2002). During the same period, the district of al-Qabun (al-Qaboun) emerged as a key urban settlement in the Ghouta oasis to the northeast of Damascus both as a residential and industrial district.

Al-Qabun district's land use (UrbAN Syria, 2020)



Historically, land ownership in the district was reshaped by the policies and land reforms of the Arab Unity Government (the short-lived government during the Egypt-Syria unity in 1958-1961) and the successive Ba'ath Party Governments which saw lands being expropriated from the traditional large landowners and redistributed in smaller parcels to the farmers who worked on the land. The area is also known for its industrial activity, which dates back to the mid-1940s. In 1948, an industrial zone was established by a presidential decree and quickly developed as al-Qabun benefited from the low-cost labour and the strategic location of the district at the north-eastern entrance of the capital on the main route towards Homs and Aleppo (UrbAN Syria, 2020). The industrial zone was reorganised twice in 1972 and in 1984. Each phase saw lands being seized by the governorate to allow for the extension of roads and services (The Syria Report, 2020b). Before the conflict, three communities living in distinct neighbourhoods within al-Qabun district coexisted: local residents of al-Qabun, Damascus migrants, and rural migrants. Al-Qabun's original population consisted of a mix of business class industrialist families, and lower-income families of workers and farmers that had been on the land for generations. The Damascene migrants were families who moved out from Damascus seeking more affordable housing and occupied formal residential properties with formal ownerships. The rural migrants were a big number of families who arrived in the city from the rural areas at the beginning of the 1980s and settled in large informal settlements with no formal ownership. Most of them worked as employees in the public sector (UrbAN Syria, 2020).

Al-Qabun was not included in the detailed Master Plan of Damascus in 1963. In 1972, a base map that took into consideration the existing developed area identified land-use zones, including what should remain as agricultural areas. This became the base of the 1984 master plan of the area, which did not take the interests of the local communities into consideration. According to the Master Plan, land-use zones identified were distributed as 30% agricultural land, 25% industrial land, 22% 'Amiri lands' (state-owned real estate that may be distributed to people to dispose of it but without the right of ownership), 15% al-Qabun old town, and 8% formal residential area. The initial focus of the urban plan was the development of the industrial sector. The implementation of the plan was problematic because the land had already several successful businesses which were built in the 1950s, while the vision was to consolidate patches of lands to build bigger scale industrial facilities. This vision never materialised after facing multiple challenges, including the lack of funding to undertake some key actions and the difficulties facing investors if they are to evict smaller agricultural or industrial land users to consolidate the land (UrbAN Syria, 2020). Original landowners with existing claims to the land continued to engage in small scale industrial activities in response to the market demand. In the 1970s, the demand for housing increased as the growing population could no longer be accommodated in al-Qabun's old town. The government response was to start expropriating land for residential expansion, which resulted in a wave of rapid informal development by landowners who wanted to avoid the expropriation of their land with extremely low compensation. The quick development of informal housing was motivated by a

trend of similar practice by Ba'ath supporters who benefitted from the government turning a blind eye to their construction and from the fact that the authorities decided in 1982 (through a presidential decree) to extend infrastructure and basic services to other informal settlements, which gave these settlements some legitimacy.

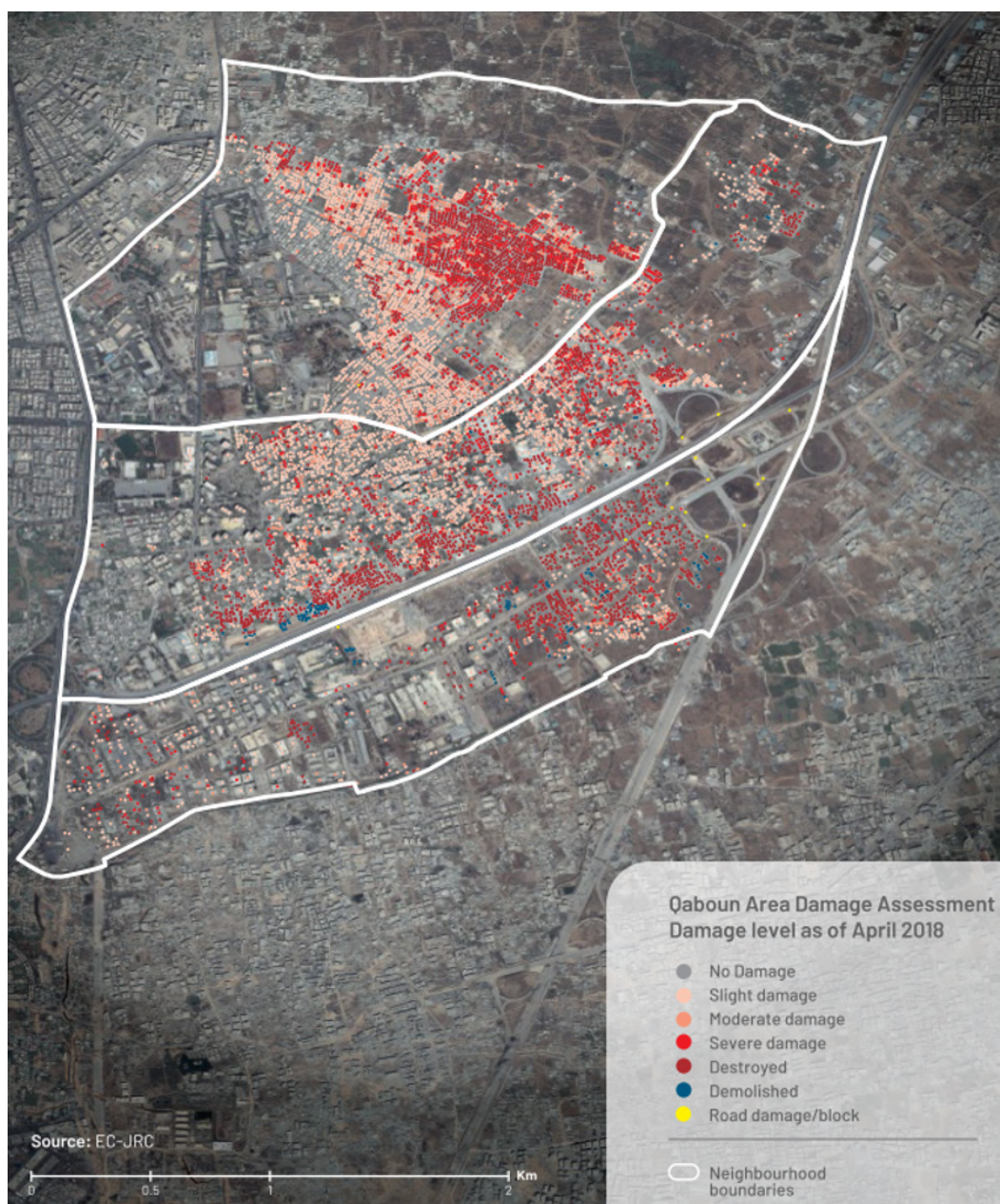
The district, which had 3,500 residents in 1935, continued to grow until it reached an estimated 110,000 residents before the 2011 conflict. This rapid increase was accompanied by a growth in informal settlements, which was alarming to the government. Consequently, the district was included among the areas assigned in programmes led by the government and other international development agencies in the 2000s to deal with urban informality in Syria's main cities. One of these studies, which was conducted by JICA at the request of the government, recommended that the area be formalised as a matter of principle under the framework of Law 46 of 2004, which provided for the regularisation of some informal settlements. The aim was to use this area as a case for applying a participatory approach for the formalisation of informal settlement (JICA, 2008). However, no projects in line with this recommendation were implemented before the conflict.

Early in the uprising, al-Qabun witnessed peaceful demonstrations which were met with violence by the government. Eventually, the district turned into a war zone that saw intensive violence and severe systematic destruction of the residential neighbourhood and key civilian services and infrastructure. In November 2012 alone, 220 airstrikes were carried out on the neighbourhood. In early 2014, a semi-official ceasefire was reached between the government and rebels after difficult negotiations (PAX, 2014). Access from and to the district remained restricted, and the population survived on informal trade routes linking it to other opposition-controlled parts of Eastern-Ghouta bypassing the restrictions imposed by government forces. However, the dynamics of the war economy, which played into this supply chain, led to severe inflation and hence, the deterioration of the population living conditions. In February 2017, the government forces abandoned the truce with no warning and launched an extensive military campaign to recapture the district. In a few weeks, thousands of people fled al-Qabun through the underground tunnels dug by the rebels. These tunnels were later compromised by the government forces making the siege absolute and denying the population their only survival channel, which led to a severe deterioration of the humanitarian situation. Consequently, the remaining civilians and the opposition forces had no alternative but to accept a deal in May 2017 that led to their forcible evacuation to Idlib in the north, like the fate of other areas across Syria. This evacuation was deemed to constitute a war crime of forced displacement, according to the Independent International Commission of Inquiry in Syria (ICO, 2018). By May 2017, the government had complete control over al-Qabun, and by then, the district was almost entirely depopulated of its residents; the population which was estimated to be 89,974 before the war according to a 2004 census dropped down to an estimated population of 300 to 2,500 according to reports in December 2017 (REACH, 2017).

31 *Informal Settlements In Syria: What Approach After the Conflict?*

Over the years of conflict in al-Qabun, the neighbourhood endured a high level of destruction, making it barely recognisable after its full recapture by government forces (Urban Syria, 2020). This can be attributed to the wide use of indiscriminate weapons, including barrel bombs and artillery shelling. Parts of both the informal settlements area and the industrial areas were severely destroyed, and a lower level of destruction spread across the rest of the informal settlements. Areas of the formal settlement to the south-west and most of the industrial area received minor damages.

Al-Qabun area damage level as of April 2018 (Urban Syria, 2020)



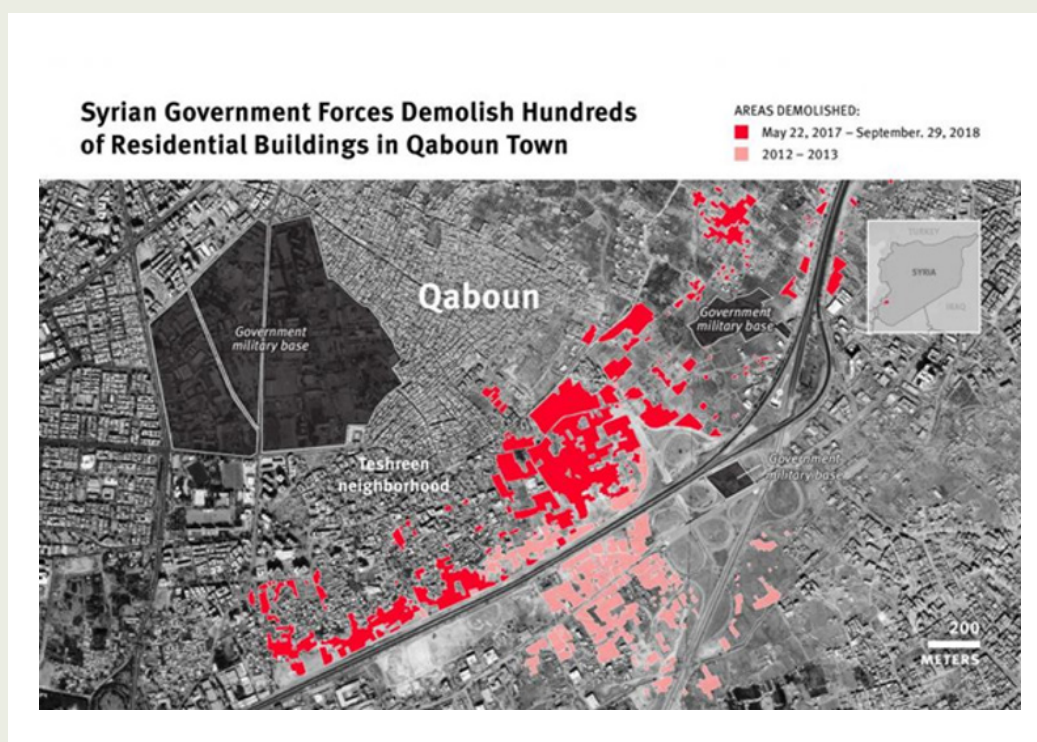
The destruction caused by weaponry was later amplified by the systematic demolitions of some of the recaptured areas by the government forces using bulldozers and explosions, such as the well-documented demolitions carried out in July and October 2012 and in July and November 2013 (HRW, 2014). According to Hussein Makhlouf, the Governor of Damascus Countryside back then, those demolitions were required to drive out the opposition. In practice, they appeared to focus on the outskirts of a strategic highway to deny armed groups any local shelter.

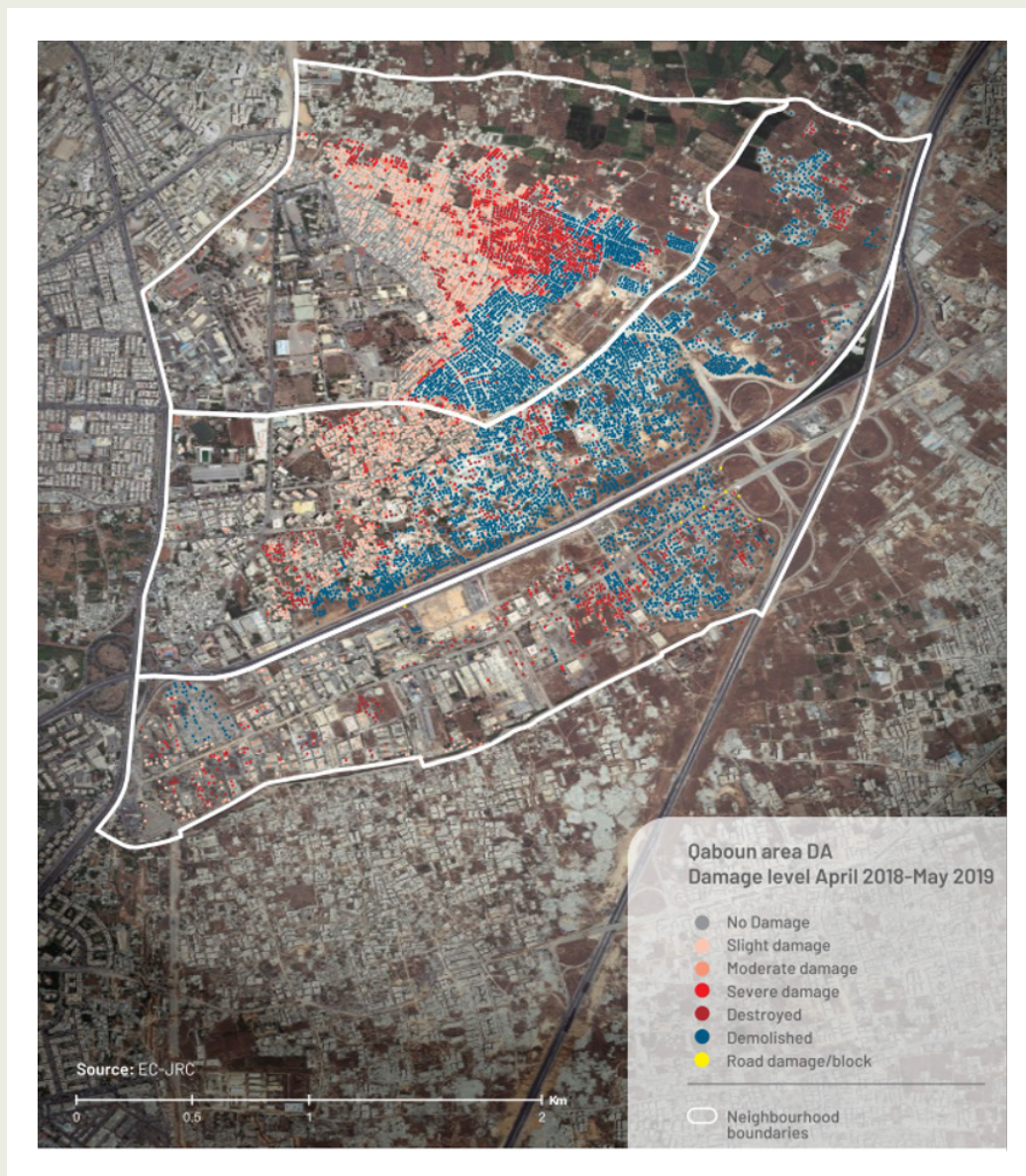
Further systematic demolitions were carried out by the government after the recapture of the whole area following the departure of opposition forces and displacement of the residents in 2017 and after the ratification of Law 10 in 2018. In 2018, the government detonated and demolished buildings, sometimes as high as 15 stories (Enab Baladi, 2018b; HRW, 2018). The Ministry of Defence made a series of tweets warning that engineering units of the Syria Arab Army planned to detonate explosive remnants of the ‘terrorists’ in line with the official narrative that claimed that those explosions resulted from the removal of landmines and the remnants of the armed groups (IEP, 2019). It is worth noting that the areas of demolition overlapped with the areas that were announced a few months later as priority areas for development (EIP, 2019), a fact which led many to see those demolitions as steps to level the ground in preparation for undergoing the new master plans (Enab Baladi, 2018b).



Damage comparison between 2015 and 2018 (UrbAN Syria, 2020)

DigitalGlobe 2018 (HRW, 2018)





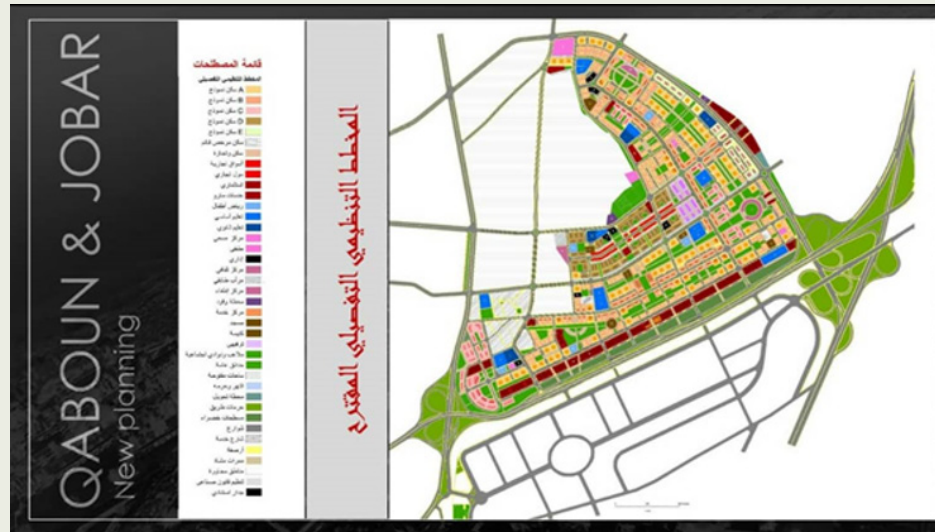
Al-Qabun planned demolitions between April 2018 and May 2019, highlighted in blue (UrbAn Syria, 2020)

During this period, as demolition was being carried out, the district remained inaccessible to its residents, who were banned from entering the neighbourhood without security clearance (HRW, 2018). However, some residents managed to visit their undemolished properties only to learn a few days later that their properties which they left intact, were also demolished (Enab Baladi, 2020a). More recently, according to a local source, some families managed to obtain permits to return and live in their houses after the breakout of Covid-19 (Enab Baladi, 2020a).

The first draft of the al-Qabun master plan was prepared between 2010 and 2012. The master planning process was only continued in 2018 after the recapture of the area by the government forces when the Ministry of Public Works was commissioned by the Council of Ministers to develop master plans for al-Qabun, among

other areas around the city of Damascus. In June 2020, Damascus Governorate approved the regulatory detailed organisational chart No.105 for the area of al-Qabun and Yarmuk Camp, stating that the plans will be announced and anyone with any objections will only have 30 days to formulate them (Enab Baladi, 2020c). The master plan issued by the Damascus Governorate provides for the demolition and regulation of more than 70% of the area of the al-Qabun neighbourhood to build several residential and commercial towers, in addition to buildings for investment and public services for the city (The Syrian Observer, 2021).

The master plan of al-Qabun (Enab Baladi, 2020a)



3D view of al-Qabun master plan
(Damascus Governorate, Facebook Page, 2020)



Part of the master plan of al-Qabun (Enab Baladi, 2020a)



Despite previous announcements by the Damascus Governorate that the new master plan would come under the controversial Law 10 of 2018, it instead came under the provisions of Law 23 of 2015, which is not less problematic for multiple reasons. Under this law, which also works alongside the previous Real Estate Development and Investment Law 15 of 2008, developers do not have to abide by regional zoning plans. The law provides for the expropriation of lands and properties by the local administrative units in return for compensation in the form of shares in a joint land. According to Law 23, owners of properties in informal settlements would lose 40 to 50% of the value of their properties' without compensation in return for the gained 'benefits' from becoming part of a master plan. The administrative units are also allowed to take any share of the land for free to extend infrastructure and public services. According to Article 51 of this law, owners of illegal properties on public or private land have the right only to collect the rubble of their destroyed buildings.

A few days later, in July 2020, the governorate confirmed that no alternative housing will be provided to the residents of al-Qabun as their areas were reorganised within the legislative Decree 5 of 1982 (the Urban Planning Law) and under the provisions of law 23 of 2015. Decree 5 authorizes the Ministry of Housing to decide on the principle of urban planning to secure the needs of residential settlements within "available" means. As a result, residents of al-Qabun will not receive alternative housing but will alternatively be offered shares in jointly owned land. The director of the technical studies in the governorate, Mu'ammar Dakak, attributed the reason behind not providing alternative housing to the financial burden this would place on the governorate, which paid rent allowance to those who were evacuated by the governorate. According to him, the governorate was not able to secure the financing necessary for building alternative housings (Enab Baladi, 2020b). If the experience of compensating through regulatory share will replicate that observed in Marota city under Law 10, residents of al-Qabun will receive shares based on undervalued properties and will have to engage in a discriminatory process with the likely outcome that they will be forced to sell their share and leave their properties behind (Abou Zainedin and Fakhani, 2020).

The industrial zone of al-Qabun was also targeted by development and was given a separate master plan 104 of 2019 in accordance with the provisions of Law 10 of 2018, which allows authorities to create redevelopment zones within the general master plans of local administrative units (The Syria Report, 2021). According to the new master plan, the 750 industrial facilities privately owned by the local industrialists will be relocated to another industrial zone in Adra, and they will lose their property rights. The area will be redeveloped to have 102 residential buildings in addition to 72 investment projects (Enab Baladi, 2018b, 2018a; The Syria Report, 2020b; The Syrian Observer, 2021). According to the former head of the engineering department of Damascus countryside, the fact that the new master plans of the area deprive the industrial zone of its former organisational identity means that owners might not be compensated (Enab Baladi, 2018b, 2018a).

The implementation of this master plan would have an impact on the wider population. An economic researcher estimated the number of families living off these facilities to be about 20,000 families (The Syrian Observer, 2021). The master plan 104 gave the right to Sham Holding — a joint-stock company affiliated with the Damascus governorate and authorised to manage the governorate's properties — to assign one of the Holding's management companies the tasks of managing the regulatory zone in al-Qabun Industrial City, implementing it, supervising it and concluding all necessary contracts for this process (The Syria Report, 2020b).

The master plans of al-Qabun were announced during a time when international pressure was accumulating following the issuing of Law 10 of 2018, and arguably, locals in al-Qabun benefited from this pressure to some extent resist the application of the master plan. However, what is arguably more important is the instant reaction of the local industrialists who immediately organised themselves after learning about the consequences of the application of the industrial zone master plan (Enab Baladi, 2018b, 2018a; Kania, 2021; The Syrian Observer, 2021). Facing the Governorate of Damascus' claim that over 80% of the area was already demolished, the local industrialists commissioned the Syrian Engineers Association and the Syrian Ministry of Justice to conduct an assessment which concluded that more than 90% of the facilities in question are undamaged or have minor damages (Enab Baladi, 2018a; UrbAN Syria, 2020; Kania, 2021). The results were subsequently used to rally the Syrian Chamber of Industry, which assumed the role of the mediator and advocated for the industrialists' interests with the Prime Minister, who promised to support (UrbAN Syria, 2020). It has been argued by researchers that the formal HLP rights of the local industrialists, their pre-war economic and political role, and that they remained loyal to the central government during the war are among the factors that might have contributed to temporary blocking the interests of influential economic elites affiliated with the government who have interests in moving ahead with the master plan (Kania, 2021).

Residents of al-Qabun also met master plan 105 with resentment. According to a statement in August 2020 by the director of the Organization and Urban Planning Directorate of Damascus, Ibrahim Diab, the directorate received 2,050 objections to al-Qabun's residential master plan (Enab Baladi, 2020a). Other sources close to local residents estimated the number of objections to be way higher.

Despite these efforts by the industrialists and the residents of al-Qabun, the Governorate of Damascus approved the master plan in June 2020 (UrbAN Syria, 2020). Currently, the implementation of the master plans of al-Qabun seems to be on hold. However, this most likely does not reflect any fundamental changes to the plan given the strategic importance of al-Qabun to the regime but may be attributed to the weakened economic capacity of the government considering both the international sanctions on Syria and the pandemic.

Findings and Conclusion

Opportunistic Governmental Strategies, Manipulated Legal Frameworks, and Abused Human Rights

The brief mapping of the government efforts to advance reconstruction plans across some of the major war-torn cities in Syria clearly indicates that addressing the issue of informality remains on top of the government's priorities. Zooming into the specific case studies suggests that the government's approach to informality in the current context does not reflect the need to find lodging for the millions of displaced, many of whom lived in such informal settlements. On the contrary, the government's approach is proving highly politicised, generating further destruction and displacement in the hope of attracting investments that are yet to materialise. While current data on the ground is still insufficient to identify clear patterns in terms of what areas are being selected first for reconstruction and why, what legal frameworks are implemented and where, and what urban vision is being pushed and how, some preliminary findings and conclusions can still be drawn based on the developments in the past few years.

Authorities have prioritised both formal and informal areas to commence reconstruction efforts in different governorates. However, progress on the ground seems to be mostly advancing in informal ones. The government's narratives and its justifications for its approach have not always been consistent. In the official narratives of the central government, work has been prioritised in areas affected by 'terrorists' as part of general efforts to enhance the built environment in the post-conflict reconstruction phase. On local levels, authorities cite different reasons, including levels of damage and land tenure issues, to justify why certain areas have been prioritised for development through certain models and legal frameworks.

In fact, the majority of areas where reconstruction plans have been announced and work has commenced have actually been hotbeds for the opposition. Prioritising them for reconstruction can be symbolic of pushing a narrative of victory by the government. However, the political reality of these areas means that they have been fully or partially depopulated of their original residents throughout the years of the conflict, either through systematic forced eviction processes or driven by security concerns. This dreadful reality makes the government's current plans for reconstruction extremely problematic, given that original residents will most likely face tremendous security concerns if/when engaging with the process. In that sense, the government's approach appears to be politically loaded. It implies eliminating the existence of certain politically threatening communities by reconstructing their areas in a way that deprives them of the opportunity to protect their property rights within these areas and hence to maintain a dwelling or eventually return.

At the level of local authorities, levels of damage were cited on some occasions to clarify why certain areas have been prioritised for reconstruction under what models and through which laws. Whereas lower levels of destruction would naturally suggest prioritising rehabilitation work as opposed to demolition and reconstruction, the reality on the ground has been bewildering. On the one hand, the government has embarked on developing informal areas that witnessed min-

imum to no levels of damage throughout the conflict and branding such developments as reconstruction, as is the case in Marota City that is being built from scratch under Decree 66 of 2012. In al-Haydariyya, where a low level of damage is sustained, authorities further prioritised demolition and reconstruction under the provisions of Law 15 of 2008. In Hama, authorities demolished brand new and under-construction formal buildings that were promised as alternative housing for evictees of urban development projects tens of years ago in order to make room for new real estate investments. In Homs, on the other hand, while authorities designated severely damaged informal areas for reconstruction from scratch under Law 10, other formal areas that were also severely damaged were addressed with amendments to their master plans that left it for residents to adopt if they wish voluntarily.

In addition to the inconsistent and unreasonable designation of areas for reconstruction based on levels of damage, the process of assessing damage itself has been a contested one as it can be substantially manipulated to push for options that serve certain interests, as was the case in the industrial area of al-Qabun. Taking the damage levels as the sole indicator is additionally problematic, given that destruction in the Syrian conflict was not collateral damage. In fact, many of the areas designated for reconstruction, especially informal ones, have been the subject of ministerial and municipal studies and plans for development before the conflict. While none of these development plans materialised back then, current efforts seem like an opportunity for the government to pick up old plans. These possible hidden agendas suggest that in some cases, destruction during the conflict may have been instrumentalised to advance post-conflict plans. It looks like the government used an opportunity to free land for development with fewer costs and liabilities for compensation. The unlawful post-battle demolitions of intact buildings in some areas with no due procedures, warnings, or compensations, for which security concerns were cited, long before official planning efforts were initiated, support this assumption of an opportunistic governmental approach to deal with informal settlements.

On other occasions, land tenure issues were raised by local authorities to justify why work has been prioritised in some informal areas. In Aleppo, for example, the fact that al-Haydariyya land was entirely seized by the government long ago provided a solid ground for local authorities to prioritise it, as fears around the complex, lengthy, and costly process of expropriating land were waived. Original residents were deemed as intruders on public properties to which they have no rights. Loose promises of alternative housing were given to the few residents who could maintain access to the area. While it may be still early to judge how genuine such promises are, current and previous experiences on the ground suggest they are not. The fact that demolitions and evictions preceded planning for compensating affected residents or securing alternative housing for them in all targeted areas, whether the land was privately or publicly owned, reduces hope in the veracity of claims that the government will fulfil its promise of providing adequate compensation or alternative housing.

In fact, the arguments raised by the authorities in Aleppo as to why work in al-Haydariyya was prioritised is illustrative of a profound and problematic issue in the government's approach to addressing informality in Syria, namely, that residents of informal areas have insignificant legal rights and, thus, can be evicted with minimal liabilities for the state. Notwithstanding the fact that informality in Syria is, for most, an indicator of the government's failed approaches to guide urban development, this mentality is highly alarming given that informal areas hosted nearly half of the population in major Syrian cities before the conflict. The fact that informal areas have sustained the most severe damage in many cities throughout the war only exacerbates the reality, raising the alarm to significant grievances in post-conflict Syria.

Implicitly, the economic situation in the country and the financial deficit of the government can also provide insights into why certain areas are being developed according to what laws and which models. Shifting the plans in al-Qabun, for example, from development under Law 10 of 2018 to Law 23 of 2015 was most probably a tactic by the government to eliminate the responsibility of providing alternative housing for those affected. The inability to attract investments despite profound efforts by the government can also explain why there has been a shift from implementing Law 10 of 2018 to Law 23 of 2015, which in turn holds more potential to outsource to the residents the responsibility to finance reconstruction while maintaining the opportunity to contract private investors.

Generally, the government's overall approach has been one that favours investments at the expense of residents' rights. This can be seen in the legal provisions and procedural requirements of current laws guiding reconstruction plans, as well as in the laws and efforts extended by the government to further incentivise the investment environment in the country. In light of the economic stagnation in the country and its currently heavily sanctioned environment, such efforts have been insignificant in attracting investors. Nevertheless, some irreversible damage is already taking place, given that demolitions and evictions are implemented irrespective of progress on the investment or reconstruction front. If the government's efforts to attract more investors proves successful, the political and socio-economic as well as demographic configuration of the country would be structurally damaged.

In conclusion, it looks like the government has found in the massive informal reality of the pre-conflict Syrian cities a loophole through which it can advance a major politically loaded reconstruction process, which would reconfigure the reality of post-conflict Syria in favour of capitalist cronies at the expense of the Syrian people's rights. This view has fallen through the cracks of the work of Syrian and international actors attempting to tackle the consequences of the government's urban planning system and its legislative framework that is currently setting the ground for reconstruction.

Addressing the situation is not just a matter of acknowledging some forms of informal tenure rights in the current legal frameworks. It is a matter of reframing our understanding of informality beyond its mere articulation as a legal or illegal form of tenure. Informality in Syria has been a manifestation of the government's failure to guide urban development, but most importantly, a significant indication of the ability of those in need to find innovative counter solutions to their systematically marginalised and overlooked urban needs. To approach informality from a legally restrictive perspective is in itself counterproductive, let alone when neo-liberal and politicised approaches are underpinning the reconstruction effort. Upholding a rights-based and socially just perspective to embrace informality and the rights of those who lived in informal settlements seems to be the only viable way to address the severe needs in war-torn Syria, as has been the case in addressing urban poverty around the world.

In this sense, and instead of criminalising and demolishing informal settlements to make way for neo-liberal investment projects in post-conflict Syria, the government and the international organisations should seek answers in how informal settlements have catered to the needs of nearly half of the population in the country's pre-conflict reality. This new vision of informal settlement and human rights in Syria should not only inform our efforts to address the current urgent situation but also broaden our understanding of how the marginalised can eventually claim their oppressed rights.

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