

Dealing with Urban Growth in Damascus, Syria: Challenges and Recommendations

Abstract

Damascus has experienced a rapid urbanization in the last decades, caused mostly by high population growth rates and migration. Uncontrolled urban growth has negatively affected the city's development. Increase in informal land development in and around the city, as well as the decline of green spaces as a result of urban sprawl, are the two major challenges, which the paper focuses on.

The paper analyzes aspects of urban governance in Damascus, Syria. It explores the legal and institutional framework, along with the planning system, and their role in exacerbating problems associated with urban growth in the city.

Finally, guidelines for dealing with urban growth on the national, regional and local levels are proposed.

1 Introduction

Damascus, Syria's capital city, has witnessed a haphazard metropolitan growth with a population reaching more than 4 million¹ in its metropolitan area, or about 35% of Syria's urban population (11.3 million according to official statistics (CBS, 2011)). Today, more than 50% of the population lives in urban areas in Syria; this proportion is expected to reach 75% by 2050 (Fernandes, 2008, p. 3; Lavinal, 2008).

The urban growth has led to unsustainable development features, such as informal land development and urban sprawl. These emerging urban phenomena have negatively affected the city's built environment and the quality of life in the city. For example, there has been a strong decline of open space in the city's historically famous surrounding green area Al-Ghouta².

Damascus has had problems in dealing with these challenges in the last decades: certain legal measures have exacerbated the problems, instead of solving them; the outdated planning system, ineffective institutions, lack of rule of law, and the absence of participation further hinder effective dealing with Damascus' urban development challenges.

Several national and international efforts have been made in recent years to solve these problems. For example a new master plan has been developed which deals with different growth problems, like informal settlements and transportation issues. The new master plan offers solutions to re-demarcate the borders of the metropolitan area and adapt it to the growth reality; however, the new master plan hasn't been implemented due to delays on the national level. Furthermore, the government has stipulated new laws or amendments of outdated laws to solve the problems of informal settlements in the city. Despite these efforts, the problems are still present and hindering a sustainable development of the city.

An effective legal and institutional framework for planning is a prerequisite to sustainable urban development and improving living conditions in the city. In order to create an environment that promotes a healthy urban life, it is important to make the local government more effective, reduce state control, and involve different actors and civil organizations.

In the first part, this paper describes the urban problems caused by the rapid urban growth of Damascus. After this, the legal and institutional framework is explored. The paper focuses on the current planning system and the role of the civil society and NGOs. In the final part, the paper proposes measures for improving the legal and institutional framework on national, regional and local level.

¹ Calculated based on estimates by (JICA, 2008, p. 11) for 2004 and the growth rates given in (CBS, 2011)

² Al-Ghouta is a traditional green area with farmland in the south and east of Damascus.

2 Challenges of Urban Growth in Damascus

The main factors underlying the process of rapid urban growth include natural population growth and regional migration and in-migration. It is worth to mention that over the past forty years Syria has been the destination for a large number of refugees from Palestine and Lebanon and in recent years from Iraq.

Up to 50 % of the urban population in the country's largest cities is living in informal settlements (Fernandes, 2008, p. 7 cited from Wakely, 2008). Informal expansion is an inevitable reality for Damascus.

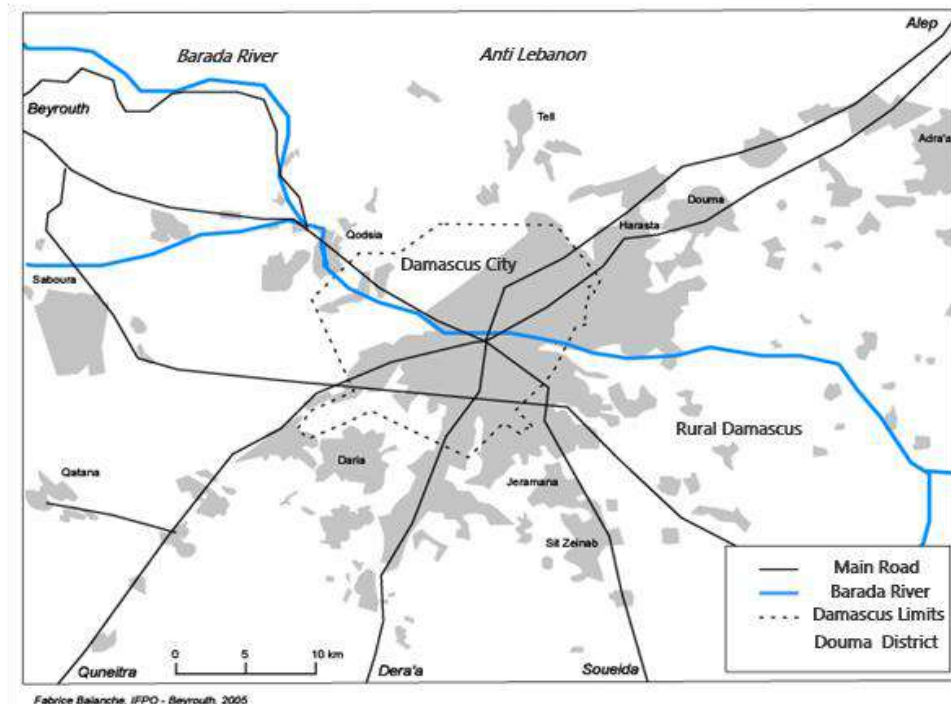


Figure 1. Damascus and Rural Damascus. (Fabrice Balanche, 2005)

According to the national statistics published in 2011, Damascus reached a population of around 3.6 million, with around 1.78 million people living in Damascus and around 1.88 million living in the governorate Rural Damascus ("Rif Dimashq") (CBS, 2011). However, the estimated numbers are around 2,836,000 for Rural Damascus (CBS, 2011).

Although Damascus and Rural Damascus are differentiated in administration and statistic, the plan for the metropolitan area considers the sphere of influence for Damascus City based on population growth within a 30 km radius from the city centre. It includes areas of Damascus City as well as of Rural Damascus, with a total area of approximately 4,700 km². The population of the Damascus metropolitan area (DMA) in 2004 was estimated to be 3.64 million, consisting of 1.55 million in Damascus Governorate and 2.09 million in the parts of Rural Damascus Governorate that are considered part of the DMA (JICA et al., 2008, p. 21).

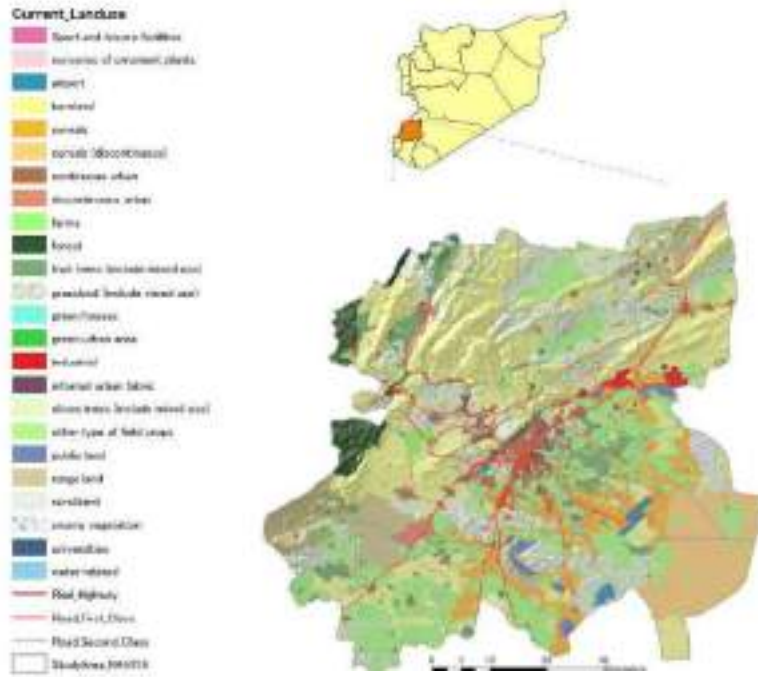


Figure 2. The Current Land Use Plan of DMA (JICA et al., 2008, p. 28)

Uncontrolled population increase and the absence of effective spatial and urban policies allow for informal urban development and encroachment of the green fields and vacant land on the fringe of the city.

In the next sections the informal land development and the effects of urban sprawl on the green spaces around the city will be explored and analyzed.

2.1 Informal Land Development

Migration from rural to urban areas started in the fifties of the last century, and reversed in the eighties onward through the counter migration from the city to peri-urban areas in the governorate “Rural Damascus”. This can be seen in the increasing urban population in Rural Damascus and the decreasing growth rates in the city, as the following table illustrates.

Growth Rate in Thousand in Governorate	1981 - 1994	1995 – 2000	2000 – 2010
Damascus	18	14,7	13,3
Rural Damascus	45.9	37.6	34.1
Syria	33	27	24,5

Table 1. Annual Growth Rates (CBS, 2011)

The public sector failed to manage assimilating the increasing urban population by not supplying enough land for housing and eventually could not impede the urban sprawl into open space (SPC, 2006; GCES³, 2008, pp. 96-99). However, most of these vacant open spaces and green areas were not intended for residential use, neither by the city master plan, nor by building regulations.

The rate of informal development in recent years has been estimated to be between 40% and 50% (Fernandez, 2008, p. 7). The number of people within Damascus' administrative boundaries, who live in informal settlements, is estimated to be 583,200 in 2004; which constitutes about 38% of Damascus' population (GCES, 2008, pp. 96-99). Because the informal settlements typically lack open space, parks or green areas, the population density is usually very high; according to estimates for 2004 between 380 and 800 people per hectare (JICA et al., 2008, p. 7-69) compared to 131.52 people per hectare in residential areas within the city (CBS, 2005).

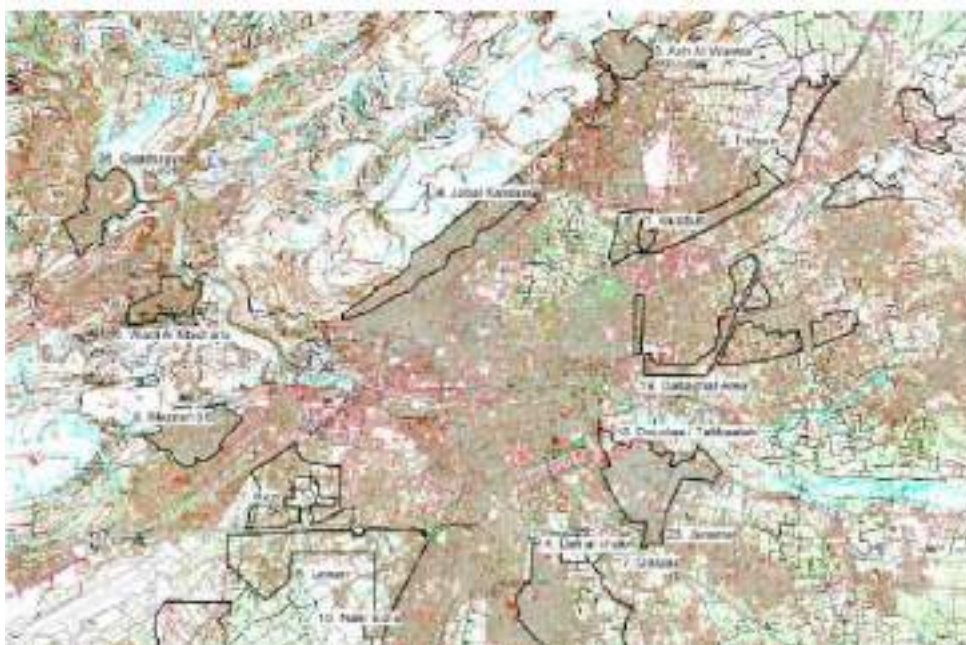


Figure 3. Informal Settlements on the City Fringe (JICA et al., 2007, pp. 1-3)

Legal Framework

With the urban expansion witnessed in the fifties of the last century, the amount of land for housing construction was getting less. That prompted the government to take several legislative measures. For Example:

- The Rent Act of 1952, which allowed rental contracts to be renewed automatically. This act led to the withdrawal of investments from the formal rental market.
- Law No. 3, “Prevention of Land Transaction”, of 1976, which restricted the selling of unbuilt land, that is determined by any master plan as land “for building”, to public or governmental institutions.

³ Government-owned company that subcontracts with governmental bodies, mainly on the national level.

- The Urban Expansion Act No. 60 of 1979 which tried to freeze the urban expansion of the city. The law stipulates, that the government will appropriate all developed land outside of the city that is not included in the master plan and that anyone buying the land from the government may not sell it unbuilt. As a result, a lot of land was taken off the land market, leading to high land prices and the housing crisis in the eighties.

These legal measures escalated the problem and made it more difficult to own land or possess or rent a house formally (SPC, 2006; GCES, 2008, pp. 96-99).

With scarcity of formal land within the city boundaries, urban growth headed to the agricultural land surrounding the city. This land was normally of lower cost than the urban land and owned mostly by private owners, making transactions easier. As a result, since the eighties many informal settlements have been developed on the city fringe at the cost of agricultural land.

2.2 Urban Sprawl and Decline of Open Space around the City

The extensive urban sprawl has affected the open space in and around the city of Damascus. One result is the high decline of green and agricultural areas in the Ghouta fields. The Ghouta is known for its fertile land and urban agricultural villages, which surround the city. As mentioned in the previous section, in recent decades the open spaces and agricultural fields of Al-Ghouta have been illegally developed to informal residential areas to satisfy the high demand for land for housing.

The master plan of 1968 tries to direct urbanization toward north-northwest into the Anti-Lebanon Mountains, to protect the Ghouta fields in the east, and south-east. The goal was to maintain the ecological balance and to ameliorate the city's dry hot weather (Governorate of Damascus, 1972, p. 27). Most of the open spaces and green areas of Al-Ghouta are therefore categorized in the master plan of 1968 as open space zones (GCES, 2008, p. 96).

Buildings and industrial constructions encroached a vast area of the Orchards of Damascus, which used to cover over 3,000 hectares; today Al-Ghouta covers a few hundred hectares (MSEA, WB & UNDP, 2003, p. 42; MSEA & UNDP, 2002, p. 104). The arbitrary and unpredictable informal expansion is still continuing, and Al-Ghouta is expected to be completely urbanized by 2020 (Lavinal, 2008). The aerial photos below show the gradual decline of the green space because of the urban sprawl in recent decades.

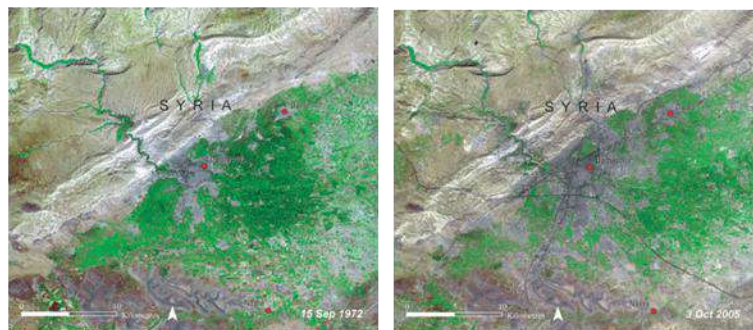


Figure 4. Aerial Photos of Damascus from 1972 (left) and 2005 (right) (UNEP, 2005)

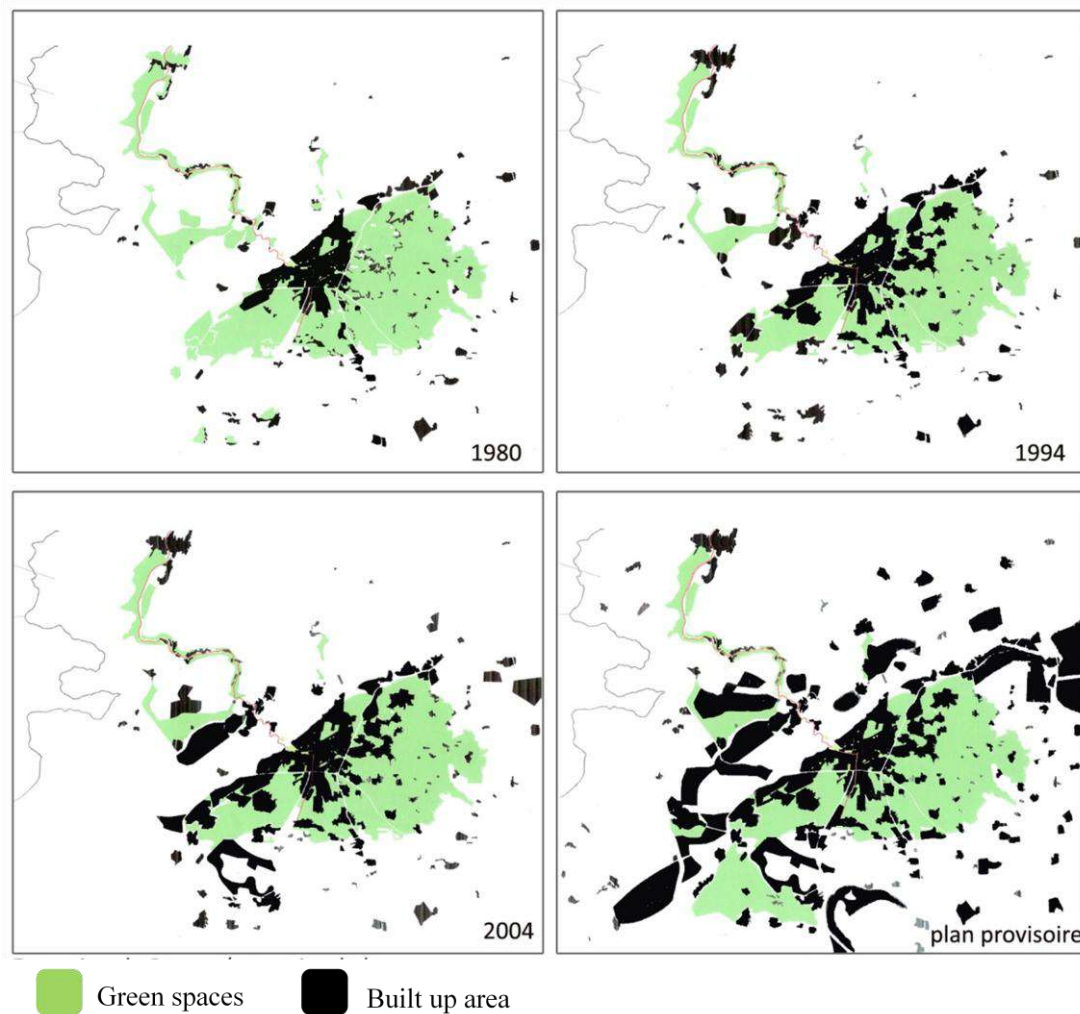


Figure 5. Urban Growth of Damascus 1980-2004 (Ali, 2008, p. 14, based on Balanche, 2006)

The loss of green space around Damascus till 2004 is mainly the result of informal housing which has claimed around 1070 ha. The table below shows a comparison between the planned expansion and the informal expansion.

Area of the master plan in hectares	10625 (within the administrative boundaries)
Area of planned expansion areas (suburbs) in hectares	1450 (suburb Qudsayya expropriated by the Public Housing Foundation) plus 450 (Artoz suburb)
Area of informal housing in Damascus City in hectares (including adjacent areas of Rural	about 1300

Table 2. Suburb and Illegal Housing Area from the Master Plan Area (MLAE, 2005, cited by the source: SPC, 2006, p. 590; JICA et al., 2008, pp. 7-69)

Despite the existence of a legal and planning framework for environmental protection, lack of effectiveness and rule of law led to the loss and degradation of the open space in Al-Ghouta. Some of these environmental measures in this context are: the National Action Plan to Combat Desertification in 2002, the Strategy and National Environmental Action Plan in

2003 to fulfil commitments to the Agenda 21 and sustainability, and the Environment Law No. 50 in 2002 to preserve natural resources and to prevent pollution.

3 Legal and Institutional Factors in the Planning Context

Most sustainable urban development challenges in Damascus result from failed urban governance. This includes: inadequate legal and regulatory frameworks for urban planning, improper enforcement of existing laws, lack of participation and absence of sound institutional structures and technical support; including shortage of qualified staff for urban planning and management (JICA et al., 2007).

The land administration system in Syria dates back to the French mandate times. It is based on the traditional land registry and cadastral maps in paper formats. On the one hand this helps to protect the land property rights from that time, but on the other hand, it is not reliable enough to meet the functional needs for today's development activities.

Another challenge in the legal and institutional system is the lack of coordination and the fragmentation of responsibilities between institutions, which makes land registration and transactions a long and elaborate process. In addition to that, the fragmentation and lack of coordination create an ideal environment for corruption; in the World Bank ranking for control of corruption Syria ranked 167th of 203 countries in 2011 (World Bank, 2011).

The lack of a reliable land management – land use and land administration system – contributes to problems, such as disputes on ownership and access to land, limited land transactions, restrained investments in land and low local economic development (GCES, 2008).

Another major challenge is the legal framework for land acquisition and compensation. The implemented laws regarding land ownership⁴, for example, led to a situation where land stays undeveloped and abandoned for years in the city, especially where conflicts on land property rights exist and the legal framework could not provide proper solutions.

Appropriation of land for public interest as stated in Article No. 15 of the constitution always results in conflicts, because of the laws according to which the land is evaluated and the owners are compensated (e.g. the Legislative Decree No. 20 of 1983 for appropriation, along with other legislative measures⁵).

⁴ The property rights section in the Syrian constitution (Chapter II economic principles, Article No. 14/3d) underlines the right to own land as a protected right according to the law. Nevertheless, in the same section, the article No. 15 stipulates: "Individual ownership may not be expropriated except for public interest and in return for a just compensation in accordance with the law" (The Syrian Constitution, 1973).

⁵ Law No. 9 for cities urbanization/reconstruction from 1974 grants municipalities the authority of forced redistribution of land in order to implement urban projects.

- Act No. 60 of 1979, which froze the expansion of cities, the acquisition of unbuilt land, and distribution of these expropriated lands on the public-and Cooperative sectors at cost price, who showed later low capabilities fulfilling the housing demands in the city.

- Planning decree No. 5 dated 1982 states, that land must be included in the master plans.

3.1 The Planning system

The planning process has traditionally been guided by central planning authorities reinforcing hierarchical procedures for reporting and approval for projects, as indicated in the framework of the Local Administration Law No. 15 of 11/5/1971 (SPC, 2006).

The national government is guiding growth and organizing service delivery at a macro-scale with the Five Years Plan⁶ (FYP). Therefore, municipalities are not allowed to decide on a wide range of functions, not to mention that most municipalities lack the capacity to fulfil some of their duties (ESCWA, 2001 cited by the source SPC, 2006). For that reason, any action or decision made by the local authorities or other actors concerning urban development cannot be legalized without the approval of the national government.

Regional planning in Syria has been in discourse on the national level in the past few years. Yet, this hadn't resulted in action plans towards legal and institutional framework for regional planning until 2008. In 2008 a regional planning law was presented to the Council of Ministers⁷, followed by founding the regional planning commission, which is responsible for the regional plans on the national level (MAM, 2008). Although this is a first step towards decentralization, regional decisions still have to be legitimized by the central government.

Land use administration and planning in Syria are based on master plans created by a regional committee, in accordance to criteria set by the central government. Delays in creating these plans and failure to enforce existing regulations have led to the emergence of illegal housing, illegal industrial areas and decline of green spaces (MSEA, World Bank & UNDP, 2003; p. 29).

There is no comprehensive and efficient land use planning system implemented for the city of Damascus. But there is a zoning system based on the master plan of 1968.

Preparation of a master plan in Syria is a process that is going through many stages⁸. After the master plan has been approved on governorate and the subordinated levels, the master plan has to be approved on the national level by the Minister of Housing and Utilities. However, governorates play the key role in preparing and adopting plans for each individual municipality regardless of the administrative hierarchy⁹. A lack in technical knowledge, coordination mechanisms, shortage of comprehensive information systems and lack of public participation in all stages add more barriers to the implementation of an urban master plan (Asfour, 2007; SPC, 2006).

In the recent years two major studies have been conducted to develop a new master plan: one by the GCESC and one by JICA, the Japanese International Cooperation Agency.

⁶ The National Five Years Plan (FYP) in Syria sets goals, policies, programs and projects for priority areas in development on social, economic and environmental levels. The current five years plan FYP is the 11th FYP (2011 - 2015).

⁷ The council consists of the Higher Council for Regional Planning, the Chairman of the State Planning Commission and the Chairman of the Regional Planning Commission.

⁸ Legislative Decree No. 5/1982, for the preparation of general master plans and urban regulations for governorates, is the main regulatory instrument that identifies the procedures of preparing such plans

⁹ According to the decree No. 5/1982 the master plans are issued by the Minister of Housing and Utilities depending on the proposal of the Executive Bureau of the governorate's council (MELA, 2004)

The GCESC study, conducted in the nineties, considers the expected growth from 1994-2020. The study had problems dealing with land ownership and the constraints of the cadastral system. Furthermore, it didn't consider water supply and transportation, and the upgrading of informal areas

The second study has been conducted by the JICA (see JICA et al., 2007, 2008). JICA defines a vital surrounding area of 30 km radius from the city centre. This study considers the development until 2025. JICA's strategy is based on the analysis of water availability, the urbanization pattern and potentials for the spatial development of the Damascus Metropolitan Area (DMA).

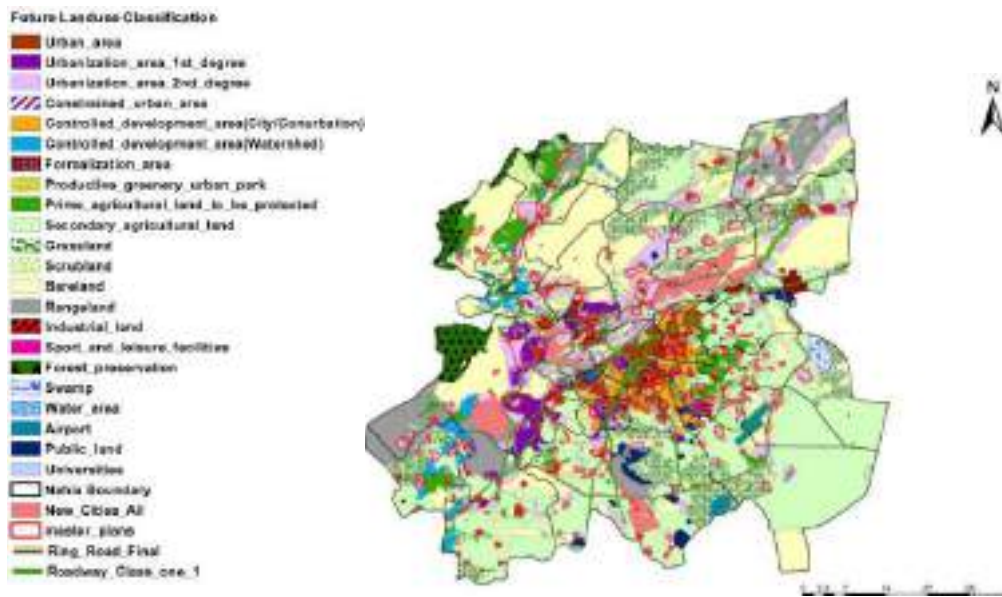


Figure. 6. Directional Land Use Plan for the DMA (JICA et al., 2008, p. 29)

Still, it is not clear when this plan, which is ready since 2008, is going to be implemented, because some legal and administrative issues have still to be discussed on the national level.

With the issuance of the 10th FYP (2006-2010) an improvement of the planning system and the urban governance has been initiated. For example, the following programs and projects have been launched by international development agencies:

- The Study on Urban Planning for Sustainable Development of Damascus Metropolitan Area by the Japan International Cooperation Agency (JICA) together with the government and the governorates of Damascus and Rural Damascus (2006-end of 2007) (see above).
- The MAM (Municipal Administration Modernisation) program by the EU (2007-2010 and 2010-2013): The program aims at developing regional planning and improving the effectiveness of local governance. In addition, pilot projects for urban development and management have been initiated which support the role of NGOs.

However, these projects didn't unfold tangible outcomes. This can be mainly attributed to the short term nature of these endeavours, the limited focus, as well as the lack of implementation of the resulting plans.

Such initiatives have the potential to achieve improvement in urban development but there are risks that institutions get dependent on such initiatives. Moreover, continuity is not assured due to lack of technical and financial support, and, above all, the lack of political support.

3.2 The Role of Civil Society and NGOs

The civil society and NGOs play an important role in creating a channel for communication between the local government and the people. One of the biggest challenges in Damascus is achieving cooperation between the local government and local communities. This is challenging because of the absence of public participation and the restrictions in the legal framework for civil society organizations. As a result initiatives and activities of local communities are not supported, and many people are not motivated to get involved in activities to improve their built environment.

However, the 10th Syrian FYP (2006-2010) states the need to involve the civil society (third sector) and the private sector in the development process. However, the FYP argues based on the definition and terms of a so called "Civil Society Organization". The terms of civil society organizations are defined by the law No. 93 of 1958.

However, Civil society organizations need approval by the General Security Service (article 6) and are subject to many restrictions (e.g., approval has to be requested for cooperation with international organizations (article 21)). Besides, the activities and funding of civil society associations require legal approval and supervision by the Ministry of Labor and Social Affairs (MOLSA, 2012).

Nevertheless, according to statistics of the Ministry of Labor and Social Affairs the number of associations in Syria was 4089 in 1994. This figure includes governmental as well as non-governmental associations; the number of NGOs in Syria was 625 in 1998. Depending on their purposes and activities, five types of NGOs can be differentiated, 240 charitable associations, 127 cultural associations, 26 Health associations, 29 cooperative associations, and 203 social unions (Abu Halawa, 2009).

In the field of sustainable urban development, there is, as of 2010, no organization registered, but there are about 30 registered organizations for environmental preservation and awareness raising (MOLSA, 2012). In addition, there's a number¹⁰ of associations for human development aid registered (Abu Halawa, 2009).

Environmental organizations along with human development organizations can play a crucial role in approaching sustainable urban development and management in Damascus. Yet, this role is challenged by the lacking autonomy of these organizations from governmental supervision. In most cases, gaining the trust of the local communities has been difficult, particularly with the poor and marginalized groups, who distrust the local institutions and consider them obsolete and lacking in vision. Another challenge is the lack of technical and financial support due to the legal restrictions mentioned above.

¹⁰ 18% of all organizations in Syria

4 Findings and Recommendations

Urban growth in Damascus led to an increasing number of informal settlements and an extensive decline of open space around the city. Important factors in this development are the lack of a solid legal and institutional framework for land development and environmental protection, and an inadequate planning system. Adequate laws are rendered ineffective because of the lack of enforcement of law.

The institutional framework is further weakened by high centralization with regard to decision making and a lack in capacity and modern technologies.

Other factors are outdated laws which show unfairness in terms of compensation according to the acquisition acts and lead to land use conflicts. In addition, urban governance issues like corruption, unaccountability and ineffectiveness escalate land use conflicts.

Finally, one major factor contributing to the problems dealing with urban growth is the absence of active civil society organizations that can take over responsibilities like the mediation between different stakeholders in urban planning and management processes.

Recommendations

In accordance with the national framework priorities of the 10th FYP, strategies need to be developed on national, regional and local levels to face urban development challenges. In the following, guidelines for these strategies are proposed:

On the national level:

- Ensure commitment of political actors and governmental authorities, especially, to decentralization and public participation.
- Get political support to realize a comprehensive planning system that ensures sustainable uses of scarce resources on the one hand, and economic and social development on the other hand.
- Emphasize implementing and monitoring of the national action plans like the action plan for combating desertification.
- Consider contributions of international organizations for technical assistance, especially with regard to modernization and strategic methodologies.

On the regional level:

- Empower regional institutions and implement regional plans to support rural development and to reduce the demographic pressure on limited resources like water and land of the city of Damascus.

On the local level:

- Build a coherent local institutional system, and ensure its autonomy.
- Improve urban local governance; eradicate corruption, increase accountability and capacity building of municipalities according to the good governance criteria.

- Ensure the implementation of land use plans as a tool for protecting the land function.
- Modernize the land administration system by providing new information systems, new plans and legal instruments instead of the old cadastre and registry system.
- Enhance coordination between different institutions. This action would provide a basis to resolve disputes on vacant land and lead to better use of neglected open spaces.
- Put the modernized master plan into action. The new master plan offers solutions mainly for housing problems and informal settlements.
- Involve local people in the urban management process, on different levels (e.g., city, district, neighbourhood, etc.).

5 Conclusion

The paper explored informal land development and urban sprawl as major challenges of urban growth in Damascus. The paper argued that the lack of a solid legal and institutional framework for land development and environmental protection, as well as the lack of a comprehensive planning system, are major causes of the problems in dealing with the urban growth in Damascus. Although these deficiencies are recognized and addressed (e.g. in the FYP and reform programs), the plans are yet to be implemented.

The next step is to explore ways to improve urban governance in Damascus, in particular by integrating participatory approaches in urban development and management processes.

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