

Recovery from COVID-19 in informal settlements in the UNECE region

Report on the Assessment of Informal Settlements in Bishkek - General Conclusions and Recommendations

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The purpose of the study is a situational analysis of informal settlements of Bishkek city and the identification of existing barriers and gaps in the formalization of occupied land plots and structures in order to:

- Improve the lives of vulnerable groups living in these areas
- Social and economic recovery from the COVID19 pandemic
- Sustainable development of Bishkek city and its informal settlements

The research methodology consists of the following components:

- ❑ Data collection from open sources: electronic media resources, websites of state and municipal authorities, legal database of the Ministry of Justice of the Kyrgyz Republic;
- ❑ Requests for information, reports and other information from municipal authorities;
- ❑ Request for information, reports and other documents from NGOs, such as Public Association "Arysh", Kyrgyz Family Planning Alliance, Eurasia Foundation of Central Asia, etc;
- ❑ Interviews with a representative of the Capital Construction Department of the Bishkek City Mayor's Office, representatives of the MTU, representatives of NGOs;
- ❑ Desk review and development of recommendations.

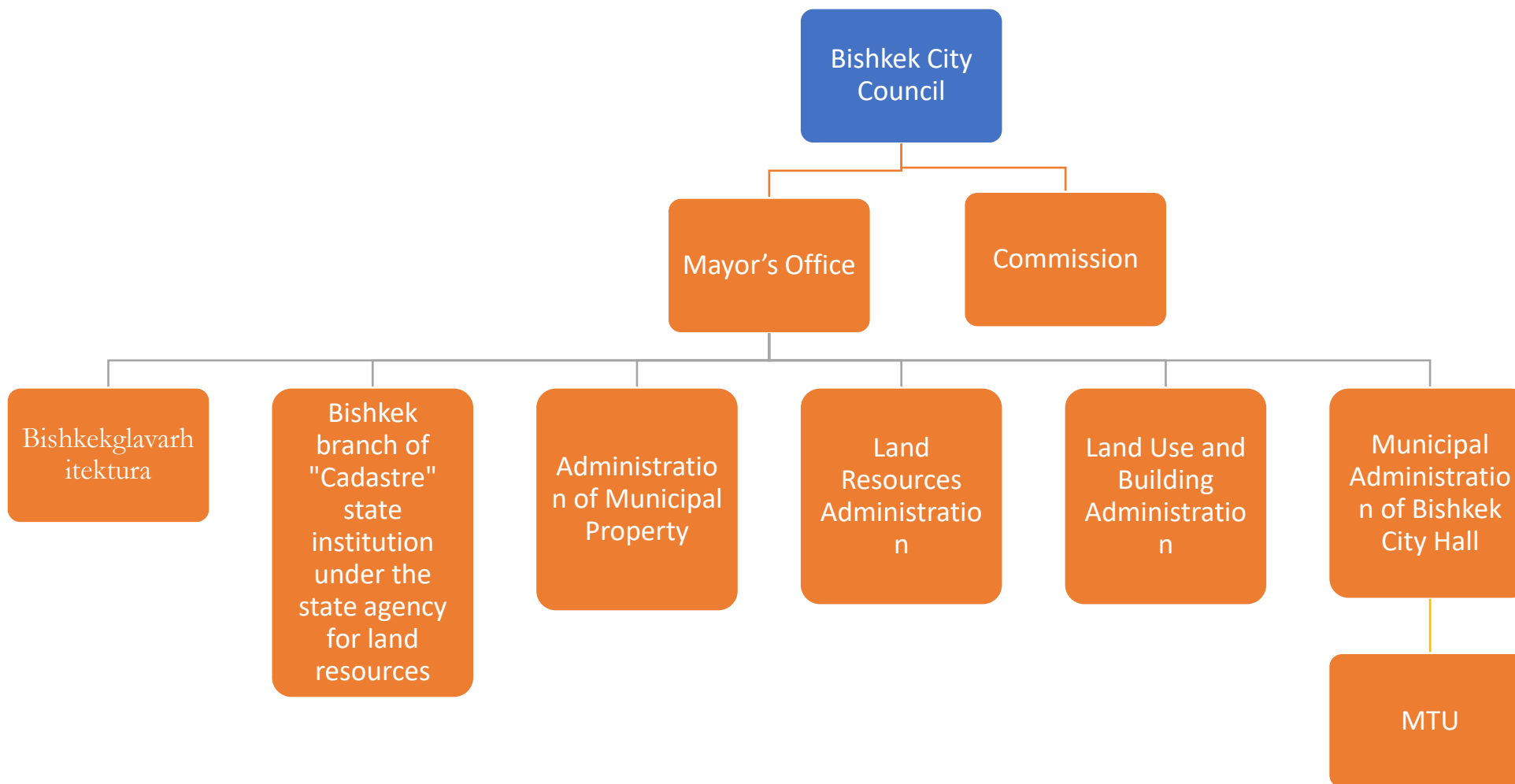
- ❑ According to Bishkek Mayor's Office, 47 informal settlements were formed on the outskirts of the city, where about 223 thousand people live (about 30% of the Bishkek population)
- ❑ The formation of all these new settlements around Bishkek can be divided into three main waves:
 - During the first years of independence from 1989-1993;
 - During the 2005 riots;
 - During 2010 riots and ethnic conflict.
- ❑ This was provoked by the socio-economic instability in the country and the uncertain position of the state on this issue
- ❑ The process of formation of informal settlements continues, and according to some data their number is approaching 53

- ❑ According to the Land Code of the Kyrgyz Republic, every citizen has the right to receive a land plot free of charge if he or she does not already have a land plot elsewhere within Kyrgyzstan:
 - ❑ for the construction of a residential building;
 - ❑ for the construction of a summer house; and
 - ❑ For use in agriculture.
- ❑ However, to qualify for a land plot, a household must meet strict criteria
- ❑ Some choose to misappropriate state land ("squatting") rather than going through the rigid and lengthy procedures to obtain land

Legislation and bylaws can be divided into two groups:

- Creating a legal framework for land plots and individual residential structures (the Land Code, the Civil Code, the Law "On Urban Planning and Architecture", the Law "On LSG", the Law "On MTU")
- Directly related to issues regulating registration of land plots and buildings on them
 - Law # 689-XII, On Individual Residential Construction in the Kyrgyz Republic dated December 21, 1991;
 - Law of the Kyrgyz Republic "On transfer (transformation) of land plots" No. 145 dated July 15, 2013;
 - Law of the Kyrgyz Republic "On State Registration of Rights to Immovable Property and Transactions Therewith" No. 153 of December 22, 1998;
 - By-laws (Government Resolutions and Orders of the City Council)

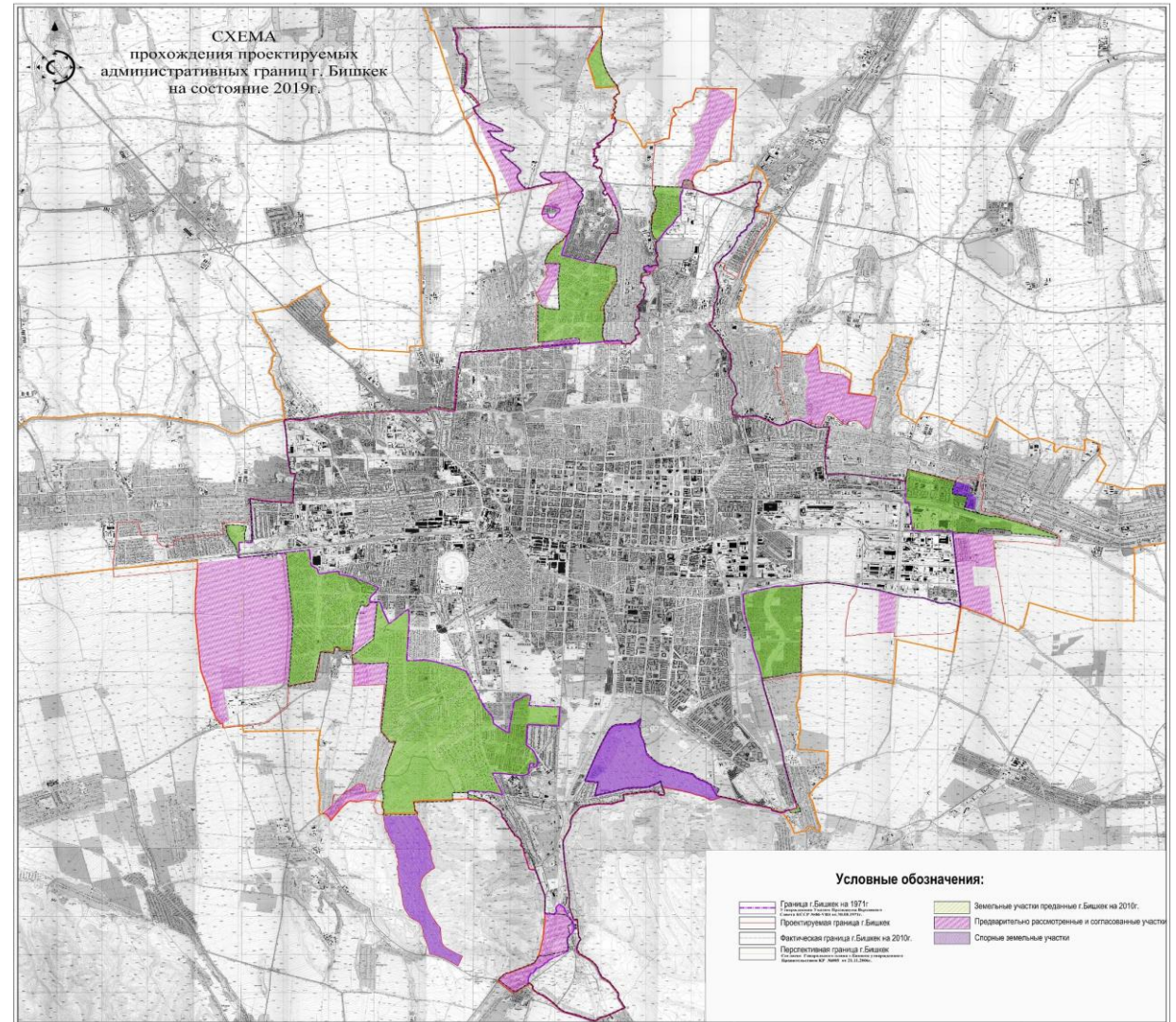
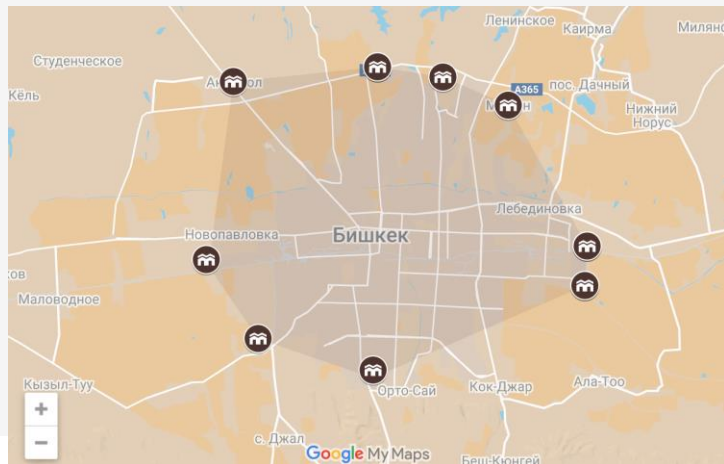
Institutes



Pilot Informal Settlements

□ The study covered five pilot informal settlements of Bishkek city:

1. Archa-Beshik,
2. Ak-Bosogo,
3. Kalys-Ordo,
4. Bakay-Ata,
5. Ruhiy-Muras



Pilot Informal Settlements

- ❑ There is a large number of unregistered land plots and buildings on them. Moreover, a "secondary market" of unregistered property on the basis of "private receipts" has emerged.
- ❑ Low legal and financial literacy of tenants, further aggravates their vulnerability



Identified Problems In The Pilot Informal Settlements



- ❑ In most cases, structures in residential areas are built without construction documentation approved by Bishkekglavarhitektura. Therefore, many of these structures are still not registered
- ❑ Another important problem is related to the re-profiling, alteration of existing buildings and/or the addition of additional buildings with a functional difference from residential use
- ❑ There was a legal limitation to legalize land plots that were occupied after 1999

Identified Problems In The Pilot Informal Settlements



- ❑ Due to the lack of a Master Plan and Detailed Planning Plan, most of the land has been allocated for residential construction and in some cases there is not enough land for the construction of social infrastructure (kindergartens, schools, medical facilities).
- ❑ Access to educational, health and cultural institutions is a common problem for informal settlements.
- ❑ Many developed land plots are located in unsafe areas (close to landfills, power lines, etc.) and are therefore under threat of forced relocation.

Identified Problems In The Pilot Informal Settlements



- ❑ Many people in informal settlements, due to the lack of legal documents (passport, birth certificate), are "invisible" to state and municipal bodies. This creates problems in accessing basic public and municipal services: education, health care, social protection.
- ❑ Infrastructure in informal settlements is underdeveloped and in need of development of: roads, sidewalks, lighting, water supply and sewage, landscaping.

COVID-19 Impact

- Internal migrants living in informal settlements proved to be the most vulnerable group of citizens, who during the pandemic were left without state support due to the lack of either legal documents or legal registration.



The state of emergency and quarantine disproportionately affected the vulnerable population:

- No daily wage and faced the real threat of starvation
- Unable to get free medical care and the cost of life-saving medicines rose tenfold
- Psychological and family burden increased; aggravated by the stress of uncertainty and the need to teach children online (lacking necessary skills and knowledge or the most basic technical tools used for online education)
- Close attention to fight against COVID, and patients with other acute diseases have been neglected

Conclusions



- ❑ Informal Settlements of Bishkek city are densely populated areas inhabited by internal migrants with low income
- ❑ The formation of informal settlements took place from 1989 to 2012, the process of "squatting" of land was not given a clear political assessment, which led to their rapid growth, forming a dense belt of residential areas around Bishkek
- ❑ Lack of legal registration makes them even more vulnerable and "invisible" to the state system
- ❑ Due to low legal and financial literacy, purchase of land plots may be done on a "private receipt" basis

Conclusions



- Many of the buildings in informal settlements
 - were built without proper approvals and permits;
 - were repurposed for business purposes without proper permits;
 - were built in unsafe places.
- The infrastructure of the informal settlements needs the development of roads, sidewalks, lighting, electricity, gas, water and sewage, as well as landscaping.
- Informal settlements need kindergartens, schools, and medical facilities

Recommendations



- ❑ As part of Mayor's Office's ongoing efforts to inventory land plots and create a unified registry of informal settlements, it is necessary to:
 - ❑ Identify residential houses in informal settlements that are located in unsafe areas and begin the procedure of forced relocation with the provision of other land plots or compensation to citizens;
 - ❑ Identify citizens living without identity documents (passports, birth certificates) and assist them (the social security service of the Bishkek Mayor's Office together with the MTU) in obtaining the necessary documents.

Recommendations



- ❑ In accordance with the new legislative amendments it is necessary to amend paragraph 32 of the Regulations "On the procedure for granting land plots for individual housing construction in Bishkek" to remove the restriction on registration of land that appeared after 1999.
- ❑ Structures for the organization of labor activities and family small businesses, other than the functional purpose of housing, should be registered in accordance with the Regulations "On the procedure for issuing documents for the design, construction and other changes in real estate and assessment in accordance with the commissioned objects completed construction in the Kyrgyz Republic", which was adopted in early 2020.

Recommendations



- ❑ To provide municipal social infrastructure (educational, medical and cultural institutions, green areas) in residential areas it is necessary to implement a set of measures, starting with the revision of urban planning documentation (develop a master plan, a detailed planning plan) and
- ❑ acquiring the necessary land plots (if not in municipal ownership) for the construction of social infrastructure facilities.

Questions?



Thank you for your attention!

We look forward to working with you in the future!!!