Summary: Hundreds of thousands of Iraqis live in ‘Informal Housing,’ the residential settlements in violation of city planning and official property rights, popularly referred to as ‘slums.’ Informal settlements suffer from sub-standard housing. In addition they are deprived of a wide range of services tied to legal residency: schooling, sewage disposal, electricity, water. The problem of informal housing overlaps with the greater housing crisis in Iraq. The latter represents a looming deficit of approximately 1.5 million housing units in Iraq and rising. It also overlaps with the question of IDPs, but is in no way synonymous with either. Clearing up a number of persistent myths about the reasons for the migration of informal settlers (for example, acknowledging the prioritization of job-seeking over house-seeking) and obstacles to building appropriate legal housing (such as zoning of unused land rather than lack of land), is a critical first step to the creation of durable solutions.
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Introduction

Hundreds of thousands of Iraqis live in ‘Informal Housing,’ the residential settlements in violation of city planning and official property rights, popularly referred to as ‘slums.’ Informal settlements suffer from sub-standard housing. In addition they are deprived of a wide range of services tied to legal residency: schooling, sewage disposal, electricity, water. The problem of informal housing overlaps with the greater housing crisis in Iraq. The latter represents a looming deficit of approximately 1.5 million housing units in Iraq and rising. It also overlaps with the question of IDPs, but is in no way synonymous with either. Clearing up a number of persistent myths about the reasons for the migration of informal settlers (for example, acknowledging the prioritization of job-seeking over house-seeking) and obstacles to building appropriate legal housing (such as zoning of unused land rather than lack of land), is a critical first step to the creation of durable solutions.

Myth 1: There Isn’t Enough Land
Reality: Zoning is a Key Block

Land supply is central to any discussion of either the question of informal housing, and/or the housing shortage in Iraq. It is often said that there simply is not enough land to allow for the building of sufficient quantities of new housing. In fact, in both urban and rural areas of Iraq there are considerable amounts of land that lie unused. The employ of this land for housing is often blocked not by the population density or high prices, but rather by zoning.

In rural areas sometimes more land is zoned for agriculture than water can make arable. In urban areas, vast quantities are zoned as army and government property but not used for any purpose. Given this fact, it should not be surprising that the overwhelming majority of informal housing in urban areas of Iraq takes place on unused government property. For example, in Baghdad, the city-province accounting for 1/3 of all informal housing in Iraq (125 of 380 settlements or some 483,148 persons), 53% of the land upon which informal housing is built belongs to the Ministry of Finance, 26% to the Ministry of Defense, 7% to the Baghdad Municipality, 4% to the Ministry of Labor and Society Affairs, and 2% respectively to each of the Ministries of Agriculture, Transportation, and Education.

Myth 2: Persons Living in Informal Housing are Largely IDPs
Reality: Often Settlers are Job Seekers

Informal Housing is by no means synonymous with the question of IDPs, (‘internally displaced persons’ i.e. persons forcibly obliged to flee their places of origin within a country). After 2003, the weak rule of law facilitated rural-urban migration and internal displacement to informal occupation of land. Especially since the abatement of the civil war however, economic migration has overwhelmingly taken precedence. Door-to-door surveys of populations living in the informal housing confirms this. Door-to-door surveys of informal housing settlements of the province home to nearly 1/3 of all informal housing in Iraq, show that only around 5-10% of the populations of informal housing are actually IDPs. The requirements and priorities of the two populations differ considerably making generalization dangerous.

Myth 3: Housing is the First Priority of Persons Deciding to Move to Informal Settlements
Reality: Jobs are Usually Settlers’ First Priority

Employment, not housing, is the first priority of most informal settlers. After employment follows services. This goes a long way to explaining why, despite the fact that much of informal housing is sub-
standard, and the vast majority totally unlinked from government services such as water, sewage and schools, surveys suggest that 68% of informal settlers across Iraq and 80% in Baghdad, say they do not want to be returned to their places of origin.

How informal settlers prioritize their own needs has important consequences on what solutions may actually work. Status quo proposed solutions are founded on the principle of forced eviction, more recently eviction accompanied by compensation with land in informal settlers’ provinces of origin. Such proposals work on the logic that housing is the primary need and desire of the informal settlers. However as the examples of such plans in other parts of the Middle East and the world have indicated, when the primary need of settlers is employment rather than housing, then the informal settlers tend to leave their new housing plots, and return to where the work is (their previous location/city of informal settlement) after eviction therefrom. Thus the process of eviction, even when accompanied by land compensation in a province of origin, may merely serves to create more informal settlements in the same or nearby areas rather than a durable solution.

**Myth 4: The Cheapest and Easiest Solution is Eviction**

**Reality: Eviction is Extremely Costly, if not Logistically Improbable**

The status quo view of many concerned politicians, such as the current Minister of Housing, is that mandatory eviction is the only genuine solution. They say that the involvement of residents in discussions of the conditions of their housing or any concessions thereto (providing services, or formalizing informal settlements) will only encourage further violations of the law. Given their view that concessions and discussion with residents encourages further violation, they consequently link concessions and discussion with the extension of the problem.

A number of experts in the field and some other members of government working closely with informal housing populations see eviction not only as a reprehensible way of dealing with some of the weakest layers of society, given economic and social desire to stay as revealed by surveys, but also as so logistically problematic as to be a moot point. On the logistical level, the eviction of tens of thousands of persons from a single settlement is no small task. They point out that the political and physical ability of such settlers to resist eviction should not be underestimated. In the words of one legal advisor working on the question in Mosul, “after a simple calculation of the logistics of evicting the residents from the various informal settlements in the city in question, the local police chief estimated that such an eviction would require the devotion of the manpower of his entire force for a period of years to complete, a clearly impossible prospect.” This is one reason why not one of the three Iraqi laws passed since 2003 on informal housing, all of which mandate the eviction of violators, has practically been implemented.

**Myth 5: The Government Alone Can Fill the Housing Deficit**

**Reality: Incentives to Move the Private Sector to Do More are Needed**

Traditionally housing in Iraq has often been delivered via a centralized process, in some cases it had been directed to the people or groups that the previous regime wanted to favor. Today the housing unit deficit is such that the state does not have the capacity to deliver housing to meet the scale of Iraq’s needs. There is already a deficit of approximately 1.5 million housing units in Iraq. Accounting for population growth in the next 5 years, this is predicted to increase to a need for 2 million houses in Iraq. Yet reconstruction Minister Mohammed al-Daraji recently said that there is only enough in the public budget to build 3,000 annually. Therefore a clear strategy which also includes facilitation of private sector work is required.
Solutions: Traditional and Alternative

There is no single comprehensive solution for all informal housing settlements in Iraq. However taking into consideration the above points on the nature of and reason for the settlements can help point out the strengths and weaknesses of some proposed solutions.

Eviction with Compensation

The above-noted decisions taken by the Iraqi Parliament on Informal Housing (No. 154 of 2011, No. 440 of 2008, and No. 157 of 2009), seek to make forcible eviction more equitable by mandating compensation in the form of land plots in the evicted settlers’ provinces of origin. However the main reason people move to the slums is not for the purposes of finding housing, but rather for the purposes of economic opportunity or security. This is why most, do not actually want to return to their places of origin. Therefore some experts and members of government closely working with informal settler groups have noted that this policy is more likely to encourage the resale of compensation land (located in the job-less area from whence the settler originally fled), return to and recreation of the slums again in a new area of the same city from which the settler was evicted. This is particularly true if eviction is done without consultation with the residents of the informal settlements.

Upgrading rather than Uprooting

In a number of international development circles there has been much excitement surrounding the concept of “Upgrading” rather than “Uprooting” of informal settlements as an alternative to the tradition eviction/eviction with compensation formula. The example of the upgrading of East Wahdat in neighboring Jordan, which won a number of international awards, among them the prestigious Agha Khan Award for socially conscious architecture, is one example. The East Wahdat settlement began as a camp receiving Palestinian refugees and quickly developed into slum style semi-permanent housing with no connection to government services. Once the government took the political decision to allow for a change in status of the settlement to a more permanent one, it provided deeds for the land upon which settlers had previously been living in an illegal manner. The government also agreed to provide services (a basic clinic and school). Inhabitants agreed to participate strongly in the financing over a period of time of the upgrade of their own houses. Moreover upgrading of housing units was done one by one, with the inhabitants staying in a corner of their previous plot while building went on, negating the need for a large, or indeed any, temporary re-housing while upgrading was undertaken.

Promoting upgrading, Prof. Hong of MIT University has indicated solutions to land rights problems don’t need to be seen as a zero-sum game between owners and violators/informal settlers. Even where property owners are private individuals, building up may provide solutions with reconfiguration of land use to make part residential, and part commercial.

Opponents of such plans fear encouraging more violations. In some cases, like the Zahraa informal settlement in Kut, the number of informal settlers families increased when the local government decided to compensate them with a piece of land in the same governorate, although proponents claim this is the exception, not the rule. An equally or more valid question is the vast amount of effort required to negotiate such land reallocation settlement by settlement. Likewise clearly not all informal settlements (for example those not zoned for residential building for safety reasons) can be upgraded. Others have indicated that in Iraq many would oppose “building up” on the basis of cultural preference for low-rise residential housing.
Incentives to the Private Housing Sector: Zoning, Expandable Homes and Loans

To encourage the private sector to take a more vigorous role, incentives might include, but are not limited to encouraging more housing loans, as now they are extremely difficult to acquire. Secondly, where housing is heavily subsidized it can be given in the form of a unit with room for privately financed expansion over time. This encourages buy-in by the new owners, and decreases upfront cost to the government. Finally the authorities can work on changing of zoning laws to allow greater access to develop property in desirable areas. The fact that such a high quantity of informal settlement in Iraq takes place on government property is seen by some as a positive factor. In theory, this should make reaching a compromise solution easier, since it would not be the government negotiating with a private investor and informal settlers, but rather directly with the informal settlers themselves. Even where government property cannot be ‘sold’ for legal reasons, it could be for example leased for a decade or two etc. with some re-zoning. Zoning and loans alone cannot make the private sector provide all the housing needed. The changes required to deal with the greater question of the needs of the housing market in general require a discussion all of their own. However zoning and loans are two critical elements of freeing the private sector’s hand to do more in the field of providing housing which extensively cross-cut with the question of solutions to informal housing.

A Role for Civil Society

Cost of land and construction, as well as the massive number of units required in a site like Iraq has traditionally been seen as being nearly entirely prohibitive to Civil Society work in the housing sector. In fact to the contrary, NGOs can play a critical role in terms of organizing and expressing the voice of informal settlement communities, which the state may have weak capacity at accessing. Bringing hard data on the actual needs and numbers of persons in such settlements is critical to providing durable solutions. The state is not prohibited from carrying out door-to-door surveys. The intrepid efforts of some politicians in this respect, such as Baghdad Provincial Council Member Mahdiya abed Hassan have been noted in the effort to muddle through community by community solutions to day to day problems of these citizen, thus building the connections and trust to do surveying as well. But such outstanding work is the exception not the rule, and as Ms. Hassan’s own example shows, carried out after-hours and through personal will. In more cases the state may face a lack of trust from settlers to provide valid data when asked to work with any arm of the law given the settlers’ fragile status on the fringe of legality. Second, Civil Society groups, NGOs can fill a critical gap in both in raising awareness about and advocating for the societal benefits of needed legal changes. In both cases Civil Society can play an active role in facilitating and encouraging government and private sector efforts in the complication question of providing durable solutions to the ongoing informal housing problem in Iraq.