

Is Informal Housing Outside the Remit of the Real Estate Development and Investment Commission?

05-05-2021

The Syrian Parliament has recently called for more scrutiny of a proposed draft law that aims to replace the existing [Real Estate Development and Investment Law No. 15 of 2008](#). It has sent the bill to the constitutional and legal committees for further study.

Law No. 15 of 2008 regulates the development of designated residential development projects by private investors. Its formal objectives also include addressing informal housing areas and securing the housing needs of low-income Syrians. The Law also establishes the [Real Estate Development and Investment Commission](#) (REDIC) to oversee the application of the law, including designating real estate areas and licensing investors allowed to operate within these areas.

However, several administrative complications have hindered the law's application, and since 2011 there has been talk of amending or replacing it. To date, not a single project has been completed under Law No. 15 and the new draft text is an attempt to address the 2008 law's problems. The most important new additions focus on increasing the powers granted to REDIC, reducing the overlap between the commission and the local administrative units where the projects are located, and granting real estate developers more facilities and benefits.

Real estate developers licensed by REDIC take on a direct relationship with the residents of real estate development zones, rather than relying on the state, as is the rule for other projects. While being financially and administratively independent REDIC remains affiliated with the Minister of Public Works and Housing.

The new draft law, which consists of 72 articles, broadened the goals and duties of REDIC. The updated goals are as follows: regulating real estate development activities; participating in carrying out urban development policies and regional planning directives; encouraging local, regional and foreign investment; providing and establishing lands for creating integrated cities and suburbs; and providing for the housing needs of low-income Syrians at affordable rates. Also included within REDIC's objectives are addressing informal housing areas according to the concept of sustainable urban development, rebuilding or rehabilitating existing residential areas and establishing special non-tourist zones.

Under the draft law, REDIC is meant to prepare general plans for real estate development and investment within the framework of the existing general plans; license real estate development companies; create real estate development zones with participation from the administrative authority; help prepare studies to address informal housing areas; and affirm the rights of owners and occupants in these areas.

In its criticism of the proposed legislation, Parliament stressed that [informal housing areas](#) require their own separate and specific law. Parliament explained that this is due to the complications surrounding the rights of owners, occupants and tenants in informal housing areas, and the difficulty of including them in one law alongside provisions for REDIC.

The head of the Local Administrations Committee in the Parliament said in April that the draft law would offer three potential solutions for informal settlements: demolition and rezoning of such areas, rehabilitation, or a combination of the two, based on the situation on the ground. He added that local administrative units would have the right to submit requests to create development zones for informal housing to a general commission created

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by the draft law and tasked with addressing such areas. A working group would then be formed to conduct a social survey of the area and prepare a [planning program](#) for it, provided the area is created by a decree based on a proposal from the board of directors of the general commission tasked with addressing informally built areas.

Parliament members also focused their criticism on the draft law granting a special committee the task of assessing the value of real estate properties with judicial powers, even though it is an administrative committee. Likewise, members also criticised the bill for exempting this special committee from adhering to the principles and deadlines stipulated in the due process law when solving disputes over ownership. The draft law was turned over to a joint committee made up of the constitutional and legislative affairs committees and the local administration and urban development committee, to study it again.

A rights source familiar with the mechanisms of the legislative process in Parliament expressed surprise that Syrian state media had focused on legislators' response to the draft law, as well as criticism of it and demands that there be separation between real estate development zones and informal housing areas. Media outlets appeared to portray the Parliament playing an active role in drafting the law -- something that requires more scrutiny, said the source to *The Syria Report*, who requested anonymity. He added that this supposed renewed role of the legislature comes as Syria prepares for the upcoming presidential election, and a desire to portray the Parliament as a neutral actor between different candidates.

There may also be a conflict between different branches of government, the source said, which are supported by big businesspeople and real estate developers, to share work between such development zones and informal housing areas, which may be financed from abroad as part of a possible reconstruction process. Finally, the source indicated there may be a conflict of interest between the [Ministry of Public Works and Housing](#) and the Ministry of Local Administration over the scope of authority to be allotted to REDIC on informal housing areas.