



Neighbourhood Profile

OLD CITY OF HOMS

June 2014

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UN-Habitat Syria Office



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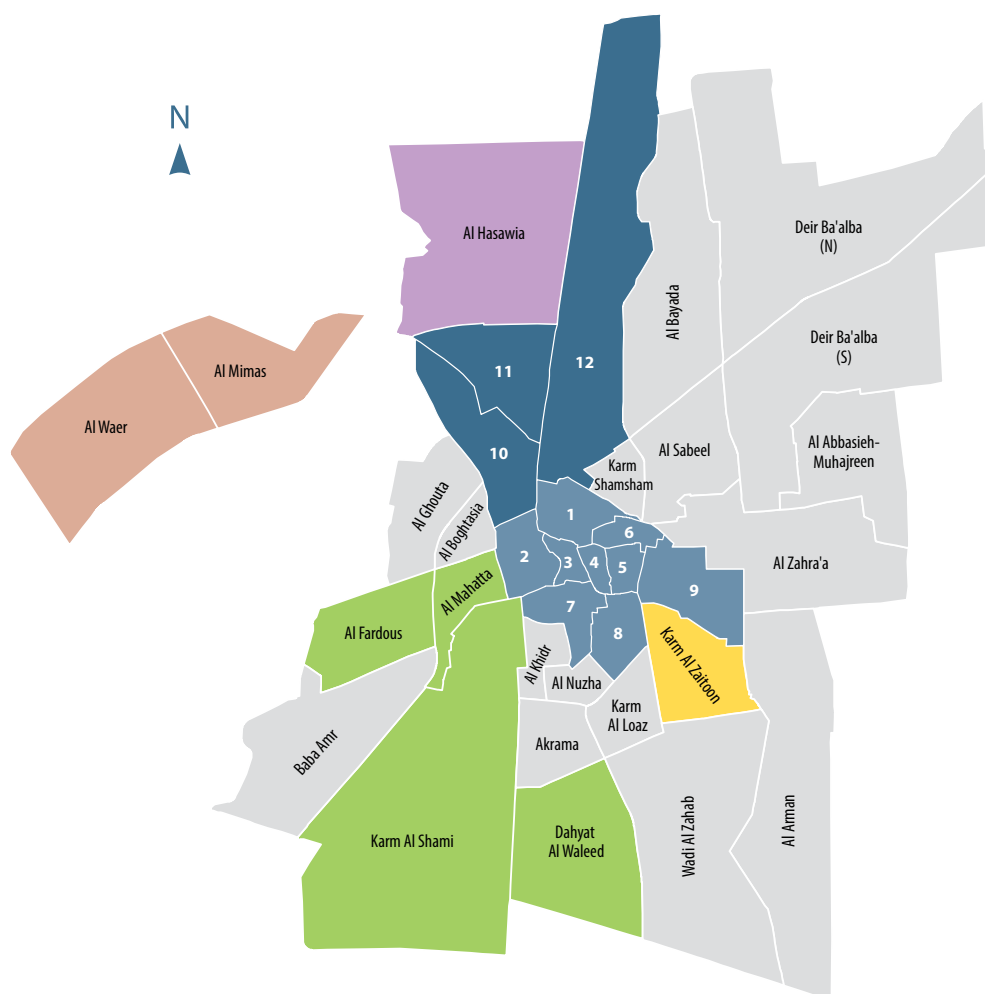
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This profile prepared by UN-Habitat provides a spotlight into 9 neighbourhoods of the Old City and 3 adjacent neighbourhoods. It builds on the Homs City Profile prepared in May 2014. The objective of this Profile is to provide a snapshot of the situation, emergency issues and future implications that the UN and humanitarian community can take into account. Issues emerging in the old city of Homs can also be anticipated in other affected cities and urban centres of Syria for humanitarian response.

Old City Profile Key Findings

1. The Old City is comprised of 9 neighbourhoods, in addition to 3 adjacent neighbourhoods (referred to hereafter as *the area*). The long siege and large scale damage in the area had a huge impact on the city's urban system. The city is highly damaged and remains inhabitable. Old city was composed of high dense urban buildings, both residential and commercial.
2. Pre- crisis population was 156,000 (2004 census), all of which has been displaced since the clashes in the area in 2012. Since the ceasefire, 150 individuals have returned to area's of origin. **whereas since ceasefire, 300 inhabitants have returned as of today, majority of them in Al-Hamediah, Bani Al-Siba'i and Bab Houd neighbourhoods.**
3. A massive project in the city center which was initiated in 1985 have demolished the most antique part of the Old City by replacing it with a modern city center, that included high rise commercial and administrative buildings. Remaining urban fabric is dominated by multi-storey apartment buildings with commercial shops on the ground floors.
4. Out of the area's total 151,000 residential and commercial units, UN-Habitat estimates that 37,700 units have been heavily damaged, while another 66,500 units have been partially damaged.
5. Dominant tenure type in Homs and in the Old City is ownership, where out of the area's 151,000 housing and commercial properties, 130,000 are officially recognized at the Cadastral Record.
6. Most of the habitants have either been displaced to Wadi Al Nasara Area (The Christian Valley), this group of IDPs were mostly upper-middle income people, or have been displaced to surrounding neighborhoods in City of Homs. They were hosted in collective centres, residential buildings and apartment and host accommodation. apartments and hosting communities.
7. Most of the area neighbourhoods are totally inaccessible even for pedestrians due to the accumulated rubble and debris.
8. Electricity, water, sanitation and sewage networks are widely damaged, thus returnees are unable to stay in areas of origin even if their houses are less damaged or structurally habitable.
9. Risk of unexploded items are extremely alarming; many death casualties have been reported over the few days following the ceasefire.
10. Over 70% of Homs specialized professionals and business class were working in the Old City and its markets including retailers, business and «souk» owners, engineers, doctors, pharmacists, and private health professionals.
11. The Old City was a hub for most of city's business and private sector activities, including professional trade, clinics, hospitals, shops and markets, whereas new formal or informal city expansions did not develop new markets and were fully dependent on these central neighbourhoods. Loss of significant professional and private sector capacity will impact the current and future rehabilitation process in the city. As compared to Aleppo, Latakia and Damascus, little to no professional capacity remains in the city today.

Map I: The Old City and the traditional neighbourhoods of Homs (*the area*), and the prevailing conditions citywide



■ *The area:* The Old City and the three adjacent neighbourhoods (Neighbourhood Profile Focus Area)

- | | |
|------------------|---------------------|
| 1. Al Hamidia | 7. Bab Al Siba'a |
| 2. Bab Houd | 8. Karm Al Loaz |
| 3. Bani Sibae | 9. Jub Al Jandali |
| 4. Jamal Al Deen | 10. Joret Al Shayah |
| 5. Bab Al Draib | 11. Al Qusour |
| 6. Bab Tadmor | 12. Al Khalidia |

■ Area hosting the majority of intra-city IDPs, but currently under siege. Serious health, water and food shortages are reported

■ Neighbourhoods hosting a major proportion of intra-city IDPs, and experiencing pressure on services

■ Neighbourhood abandoned by its original population, with secondary occupation of houses

■ City Industrial Area, the hub for construction and building materials industries and commerce. Currently not functional despite minor level of damage

Old City Homs: Pre Crisis Situation

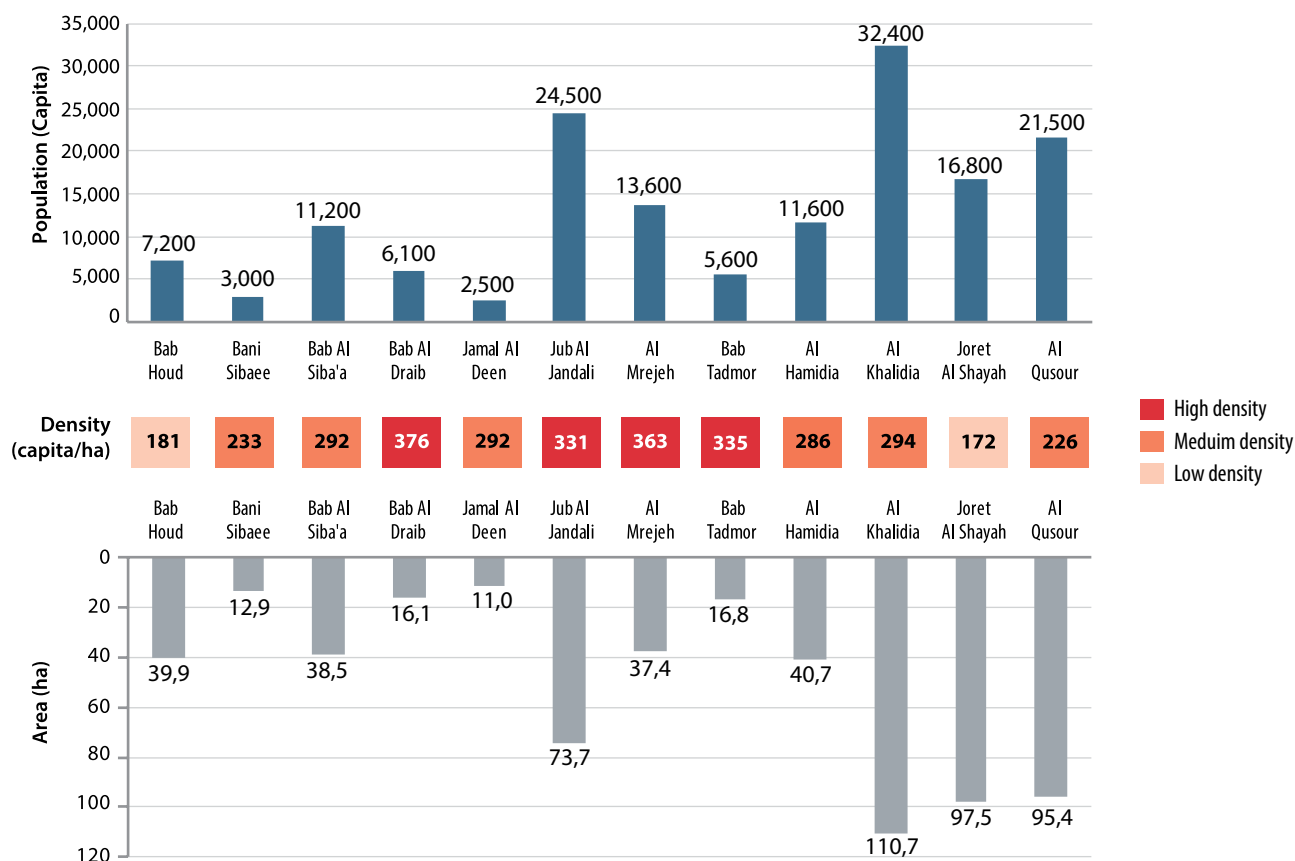
POPULATION:

Pre crisis population of Old city neighbourhoods and three adjacent areas was 156,000 (CBS, 2004). Despite the city which was high population growth rate (2.36% per year), population of these neighbourhoods is not expected to have increased significantly over the past decade. In fact,

the population decreased due to the growing commercial demand in *the area* and the market pressure to change the residential uses into commercial¹ (the doughnut effect), leading gradual, yet noticeable decrease in population. (Figure I)

¹ Excluding Al Kahlidia and Al Qusoor neighbourhoods which remained mostly residential.

Figure I: Population, area, and density per neighbourhood of Old City and 2 traditional neighbourhoods



SOCIALLY INTEGRATED CITY:

The Old City was the place of residence of what is locally defined as «Original Hom's People» (in distinction from rural migrants that settled in the city eastern informal areas in the 70s and the 80s). Both Christians and Muslims formed the dominant area population; Christians mainly occupied Al Hamidia neighbourhood, but also mixed with the rest of *the area* population elsewhere (Bab Al Siba'a). The «Original Homs

People» group mainly expanded westward since the 50s, but Christians again grouped in Al Mahatta neighbourhood. *The area* was defined by its multi-cultural diversity, where mosques and churches would exist side by side, signaling an integration and co-existence of the two communities that also co-led most of the city capital and private sector economics.

ECONOMY:

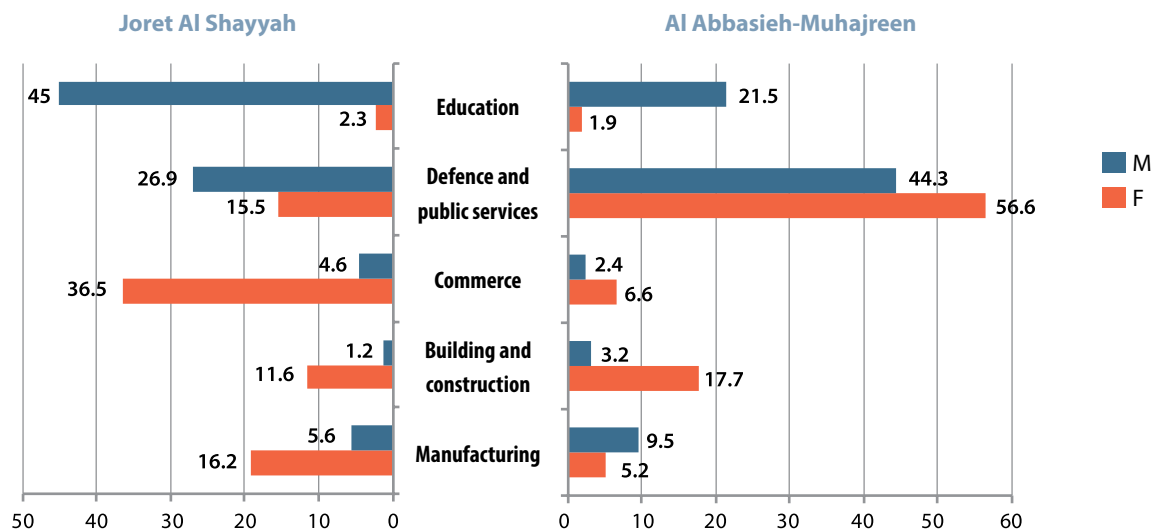
The three most significant economic aspects defining these neighbourhoods are:

1. The core role of these neighbourhoods in the city transportation system; as they dominate central position in a radius urban city form, and;
2. *The area's* economic role as a hub for **the city's private sector activities**, including professional trades, clinics, hospitals, shops and markets, whereas new formal or informal city expansions did not develop new markets and were fully dependent on these central neighbourhoods, and;
3. *The area's* economic facilities are not exclusively owned by its residents, as many of the western neighbourhoods residents (originally come from the Old City) also had their private investments in *the area's* vibrant markets.

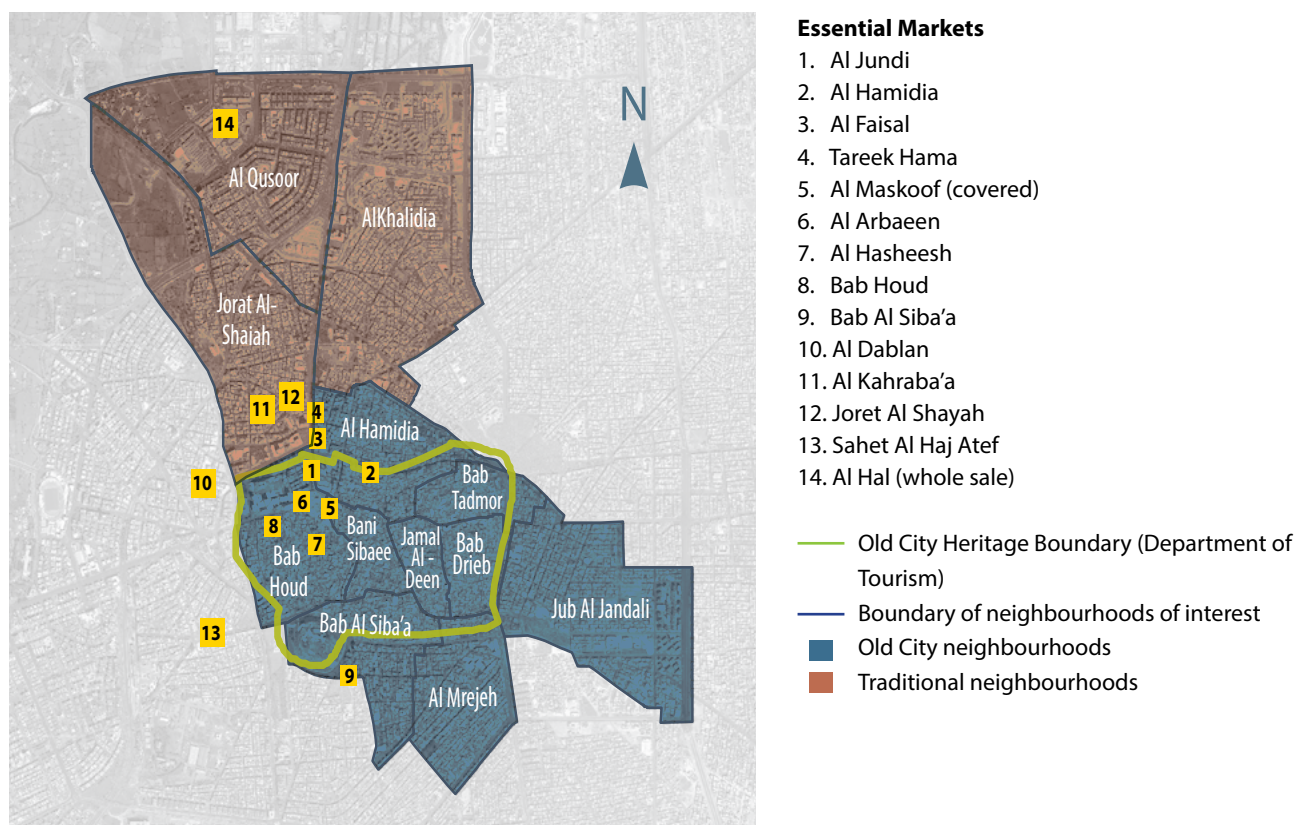
Map II shows the pre-crisis markets locations in *the area*.

Main sectors of economy in these neighbourhoods are best identified by distribution of population per economic sectors; trades, professional services and tourism were the leading sectors in *the area* economy. This however completely differs from the situation in eastern neighbourhoods mostly dominated by public sector employment. (Figure II)

Figure II: Distribution of Joret Al Shayah employment per sectors of economy as compared to Al Abbasieh-Muhajreen eastern neighbourhood (% , CBS, 2008)



Map II: Names and locations of key city markets

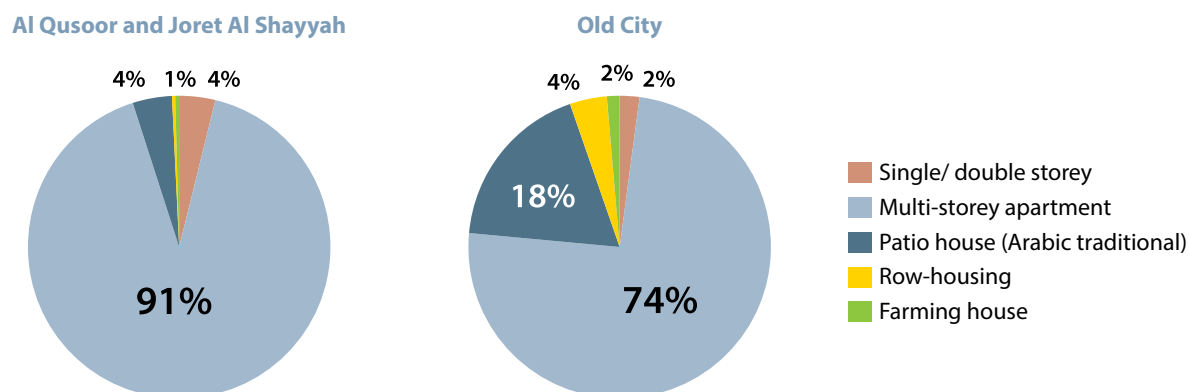


BUILDING TYPOLOGIES:

Despite the traditional nature of the buildings in Old City neighbourhoods, most of its housing blocks have been renewed since the 1980s. A massive project at the city center that started in 1985 demolished the most antique part of the Old City, and replaced it with a modern city center that included high rise commercial and administrative buildings. Remaining urban fabric is dominated by multi-storey apartment buildings with commercial shops in the ground

floor (with a commercial basement, but in total not exceeding 5 storeys in main streets and 3 storeys in the internal ones). The situation differs in Joret Al Shayah, southern part of Bab Houd and in Bani Al Sibae, as most of their buildings are commercial office buildings (7 storeys). Al Qusoor and Al Khalidia neighbourhoods however are predominantly residential, formed of 4 to 6 storeys of modern de-attached buildings. (Figure III)

Figure III: Building typologies in the Old City, and in Joret Al Shayyah, Al Qusour and Al Khalidia neighbourhoods
(Source: Topographic survey and Municipality cadastral database)



HOUSING MARKET PRICE:

Average housing unit price significantly varied in *the area*; while the prevailing unit price in most of the Old City neighbourhoods was around 80,000 USD (for 100 sqm apartment unit), Al Hamidia neighbourhood was an exception, as it was one of the most expensive locations in the real estate market in the city, where the average unit price was approximately 150,000 USD. Market price of traditional patio houses can also vary depending on different spatial factors; larger units that have a commercial potential for

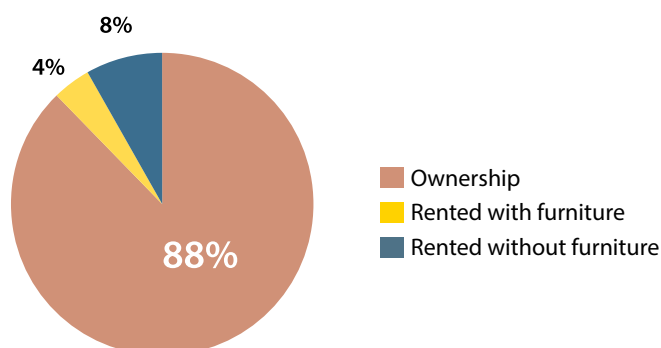
tourism re-uses are significantly higher in prices than smaller properties located in non-commercial routes. However, cost of rehabilitating traditional houses was extremely high due to scarcity of necessary traditional materials, and the skilled labour inputs required in the rehabilitation work. It is also important to note that the cost of construction of 1 sqm in the old city was on average 450 USD; but this may have significantly increased in the current market due to lack of building materials and workforce.

TENURE TYPES:

Two types of tenure existed in *the area* before the crisis, most of the occupants were owners, smaller proportion were tenants (Figure IV). However, tenancy is not only divided between furnished and unfurnished, but the tenancy contract type is signatory; majority of the tenancy contracts in *the area* are subject to laws that were sequentially passed since 1949. These laws permit infinite residence rights to the tenants, a right that can also extend to family members by demise². However, a referendum to these laws was passed in 2001³, dissolving the tenancy relationship into a form of ownership⁴,

but granting landlords a 40% market share of their property, while the tenant gets the 60% share. A modern version of the tenancy law was passed in 2001 Law 6, identifying contract-based agreements and allowing for materials placed by the freewill of the parties. The controversial status of what is locally defined as «the old rentals» will have greater implications on the tenure and stability of *the area*, as it will also impact commercial property agreements.

Figure IV: Distribution of housing occupants per type of tenure (the old rentals are part of the ownership rate)



² Explanation of Tenancy Law: Al Malki, Khalid Izza't, Published by courtesy of Al Nouri Printing House, 2001, Pages 5 to 14.

³ Previous source, Page 36.

⁴ The dominant tenure type in most of the Syrian cities is ownership. This is true for «informal» housing areas as well as in the «formal» neighbourhoods. Since Law 464 was passed in 1949 (also Laws 36 year 1950 and 111 year 1952), and despite its claimed bias to tenants by giving them protection from eviction or raised rents, it has deprived future generations from an active tenancy market; private sector and landlords refrained from investing in rental estates, which caused a drop in the tenancy tenure type from 25% in the 50s to 3% in the 80s. Syrian laws always supported ownership as the ultimate form of tenure. Even when Law 6 (2001) intended to resolve the issue of long term rentals, it has transformed it into a form of ownership by dividing the property ownership between the landlord and the tenant.

OWNERSHIP:

Ownership in *the area* is mainly formal; out of *the area's* 151.000 housing properties, 130.000 are officially recognized in the Cadastral Record. The remaining housing properties are either agricultural or only supported with a notary office deed (Figure V, also see snapshot). Although most of the house occupants in *the area* are owners, the census did

not include information on the exact type of ownership, especially that occupants of the old rental usually introduce themselves as legitimate owners (see Figure IV). Another major information gap in the census results from the absence of data on commercial properties, **which are predominantly representing longer term leases and agreements.**

Figure V: Ownership types in *the area* (CBS, National Survey of Housing, 2004)

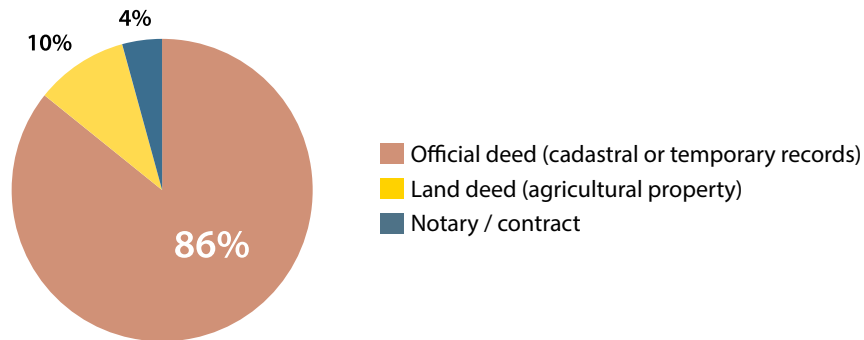


Photo I: View of the Old City before the crisis, Bab Houd, the city's commercial and administrative centre created in a major urban renewal project in the 80s



TYPES OF HOUSING AND LAND OWNERSHIP IN SYRIA

Housing ownership in Syria is divided into many forms, the most dominant forms in central cities are as follows:

1. CADASTRAL RECORD:

Regulated by laws 188 and 189 in year 1926. All city formal properties are recorded in the cadastral record, which also included accurate information on mortgages, claims, shares and ownership transactions.

2. TEMPORARY RECORD:

Regulated by Law no. 14 year 1974⁵, created another record for housing at central municipalities (in the 13 central cities of governorates). The goal of this record was to prompt the registration operations of new housing units, and this ownership type is legally equal to the Cadastral Record registration.

3. UTILIZATION AGREEMENT:

A form of ownership stemming from the long term tenancy laws (see margin 5). Owners who were not willing to rent their properties due to the limitations of tenancy laws that were in place for 5 decades came up with a utilization form of agreement, through which agreements; tenants had to pay a huge amount of money as a guarantee for their eviction (estimated as 60% of the property market price⁶). Although this tenure right is not enforced by law, but its widespread in all major cities, especially in the traditional markets commercial properties that emerged in the 70s and 80s.

4. AGRICULTURAL PROPERTY HOUSING:

A widespread tenure type in and around central cities, especially in the informal housing areas. Houses and apartment buildings that were built informally on private lands are not registered as a «housing property» at the Cadastral Record, but occupants of these buildings have invented a form of weak ownership with the land owners, and have become shareholders of the cadastral land (legally defined as agricultural land).

5. NOTARY DEED:

Many informal housing occupants (especially occupants of houses built on state lands) only acquire a form of documentation that proves their tenure and physical possessions approved by the official notary office. Housing rights can be registered at the notary office after a single «physical observation report» by a municipal committee, and such properties can also be sold and demised. This gap in the Syrian tenure regulations has always been considered as an official window for continuation of informal housing expansion, although it's not legally supported⁷, especially that municipalities were legally entitled to provide these areas with basic services and infrastructure⁸.



⁵ This law also prohibited the speculations of land properties, which has forced land owners to build these lands in the form of apartment buildings to avoid penalties and taxes, and thus flooded the market with plus- offer. This however has transformed speculations from land to real estates, causing significant inflation in real estate's prices in the early 80s. Another Law was passed in 1976 (Law no. 3), identifying land speculations as a criminal act.

⁶ See « Civil Syrian Laws», To'ama, Shafiqu, Page 8581.

⁷ In 1985, President Hafez Al Assad mentioned in a meeting that no Syrian should be evicted from what he or she calls home. No consequent law has been passed to identify such rights, but the «order» that gave space to massive rural-urban migration and settling became the prevailing practice for years. The first law that was passed to address the issue of massive informal housing expansion (20 to 40 % of the housing stock in the major urban centers) was Law no. 1 year 2003. (Barout, Jamal: Dialectics of Change and Stagnation In Syria, Beirut, ACSPP, 2012, Page 32).

⁸ Residential Policies and Urbanization; Syrian Arab Republic: Massouh, Zafer (UN Publications, 2000).

City's Humanitarian Situation

Current Physical Conditions

- Most of *the area* neighbourhoods are totally inaccessible (even for pedestrians) due to accumulated rubble and debris; (Photo II)
- Electricity, water and sanitation networks are widely damaged, thus probable returnees don't have the choice to stay even if they find their own residence habitable;
- Debris and rubble have piled in considerable large scale amounts. This condition is currently pausing a multi-faceted challenge for local authorities, due to lack of necessary equipment, technical complications attributed to the uncertain structural condition of hundreds of buildings, and the **absence of available dumping locations**. It is also important to note that some of the remains could be recycled and used during rehabilitation, especially the building elements of archeological buildings which were very scarce and expensive before the crisis, still; the critical process of debris separation have not been considered.
- Street blocks surrounding *the area* entry points have not been removed, in fact, government forces are installing new barriers and installing fortifications at some entry point, mainly those separating the Old City from the eastern neighbourhoods;
- Unexploded items are extremely alarming; many death casualties have been reported over the past week;
- UN and SARC have emergency plans to install basic services in *the area*⁹, awaiting for a more global reaction by local authorities to restore basic services.

Photo II: May 16, returnees unable to access due to accumulation of rubble



⁹ UN and SARC are acting as a team in the city, and have proposed in their May 13 meeting an emergency plan to anticipate returning trends based on three scenario: 1) situation remains as the status quo, 2) up to 500 families return, and 3) up to 1000 families return. (Minutes of meeting, May 13)

Damage Analysis

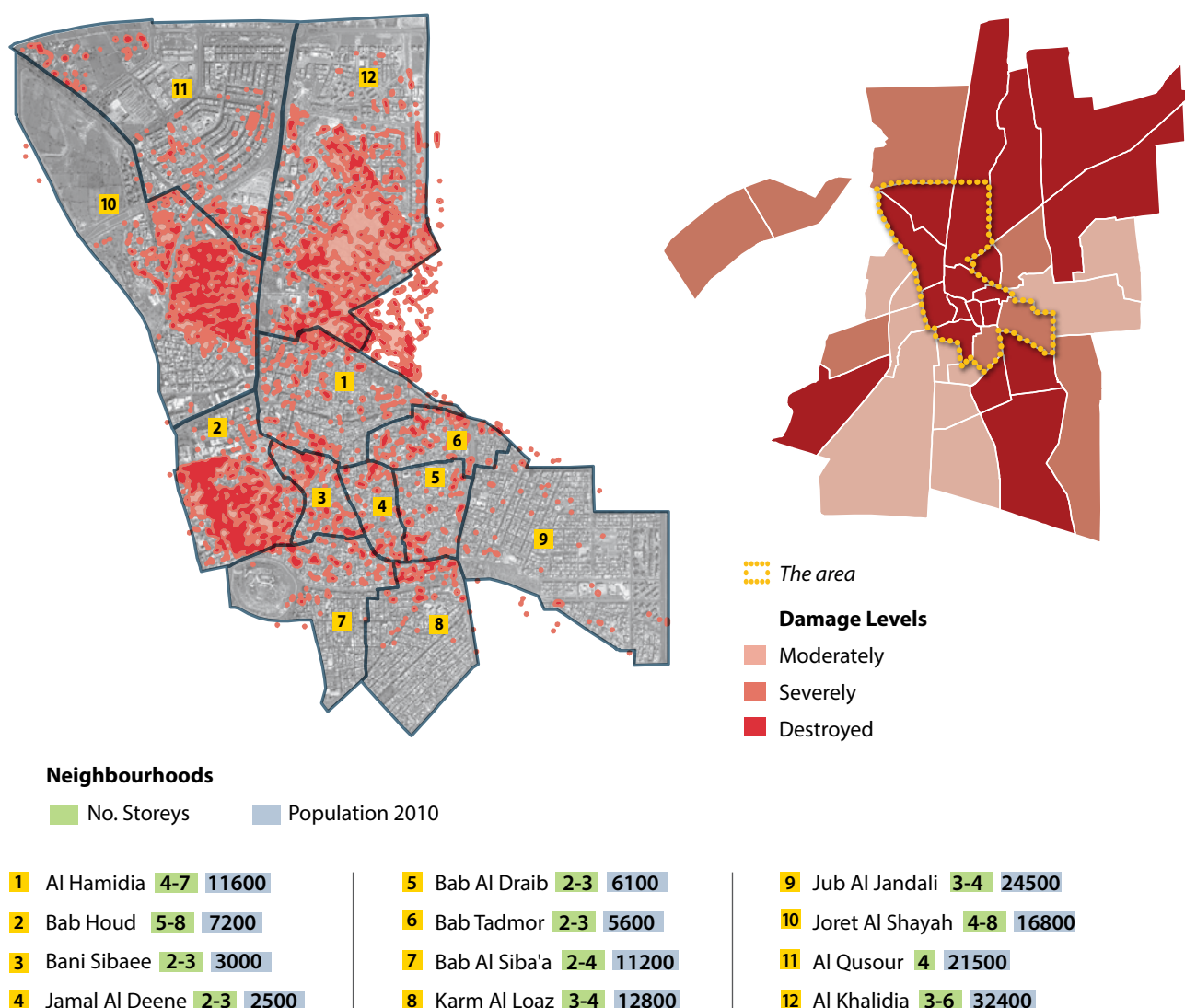
UN-Habitat has recently produced and issued a Homs City Profile, analyzing an updated humanitarian situation, and identifying key emerging issues and priorities. The Profile also included analysis of housing damage, shelter needs and assessing urban functionality in the essential sectors. A zoom-in the area shows the following results:

- **Destruction of properties in the Old City in specific stems from three factors:** 1) voluntary damage as a result of conflict, mainly through bombardment and airdromes, or 2) wear and tear resulting from the building typology itself, especially in the traditional urban fabrics where buildings are attached and focal destruction will affect a range of blocks, or 3) post-agreement destruction of properties (mainly through burning) motivated by personal revenge.
- Al Mrejah and Jub Al Jandali neighbourhoods are partially damaged (at least 25 to 50% of the housing stock is inhabitable, while the rest is either affected or can be repaired without major operations required).
- All of the area's remaining neighbourhoods are heavily damaged. In fact, through the analysis of Homs City Profile, damage in the city can be concluded in three main zones: the Old City and the Traditional Neighbourhoods (the

area), the north eastern informal housing areas, and Baba Amr area in the south west. However, the damage in the area and specifically in the Old City is the heaviest, and its accompanied by the highest level of degradation of services and infrastructure.

- **Out of the area 151,000 residential and commercial units, UN-Habitat estimates that 37,700 units have been heavily damaged or totally destroyed, while another 66,500 units have been partially damaged (severely or moderately damaged).** (Figure VI)
- Analysis based on VHR Satellite Imagery that was conducted by UNOSAT showed similar results to those estimated by UN-Habitat field team. (Map IV, Figure VII)
- Recent field observations collated by UN-Habitat and other documentary photos shows types and scale of damage in these neighbourhoods. (Photos III, IV)

Map III: Distribution and intensity of damage in the area (UNOSAT, UN-Habitat, Sep, 2013)



¹⁰ Analysis with WorldView-2 Data Acquired 26 September 2013, 29 June 2010 and 15 June 2010 (UNOSAT, UNITAR).

Figure VI: Distribution of *the area* residential and commercial stock as per damage levels (UN-Habitat estimates)

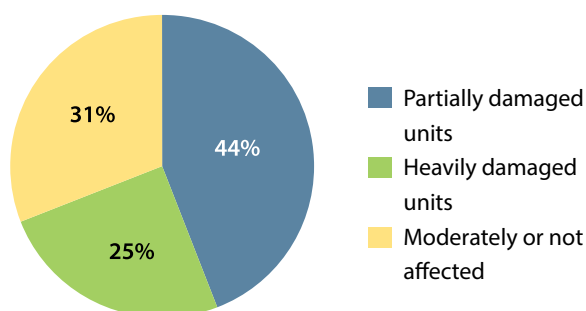


Photo III: Damaged buildings in Joret Al Shayah



Figure VII: Mostly affected neighbourhoods in *the area* (# of buildings), UNOSAT, Sep. 2013

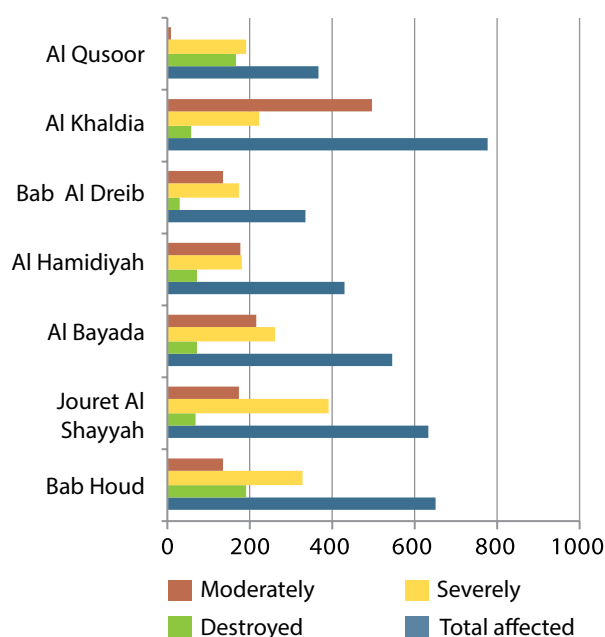


Photo IV: Damaged ancient area in Bab Houd (Al Khudra market)



Urban functionality¹¹

- All the neighbourhoods in this Profile are found non-functional as per the findings of the City Profile. However, parts of Bab Al Siba'a and Jub Al Jandali neighbourhoods are functional, as damage in these two neighbourhoods is excluding certain areas and clearly dividing them into functional and non-functional areas.
- Almost all services in the area including Water Supply, garbage collection, electricity and markets are reported non-functional, while the sewage networks are partially functional¹².
- Public and **Private Clinics and Schools** infrastructure are severely damaged, and will either need reconstruction or rehabilitation before restoring their functionality. Breakdown of **hospitals infrastructure** includes the only public hospital in the city (**Al Watani**), which is totally destroyed. Private hospitals in the area are also heavily damaged, but many of

the hospitals in Al Boughtasia are lightly damaged, but are also non-functional as most of the city doctors and health sector professionals have completely fled the city during the past three years. Police service is the only operational public service inside the area.

- Break down of markets, workers and laborers in the area, as its highly damaged and mostly inaccessible. The severe damage to the traditional and modern markets is a major factor contributing to longer term challenges of restoring functionality. (Photo V)
- This situation of services is affecting the decision to returning back. Eventually, most of them will prefer to wait until having the minimum standards of services and security restored. This is also applicable for the commercial and economic sectors, where most of owners wouldn't return back while the area is empty and commercial activities will be challenging.

¹¹ Homs city profile has analyzed urban systems functionality in the city based on key 4 factors, these factors are: 1) Housing and buildings damage; 2) Condition and operational status of infrastructure; 3) Delivery and operational status of services; and 4) Markets and 5) Access (UN-Habitat)

¹² Minutes of meeting, SARC and UN Team, May 13.

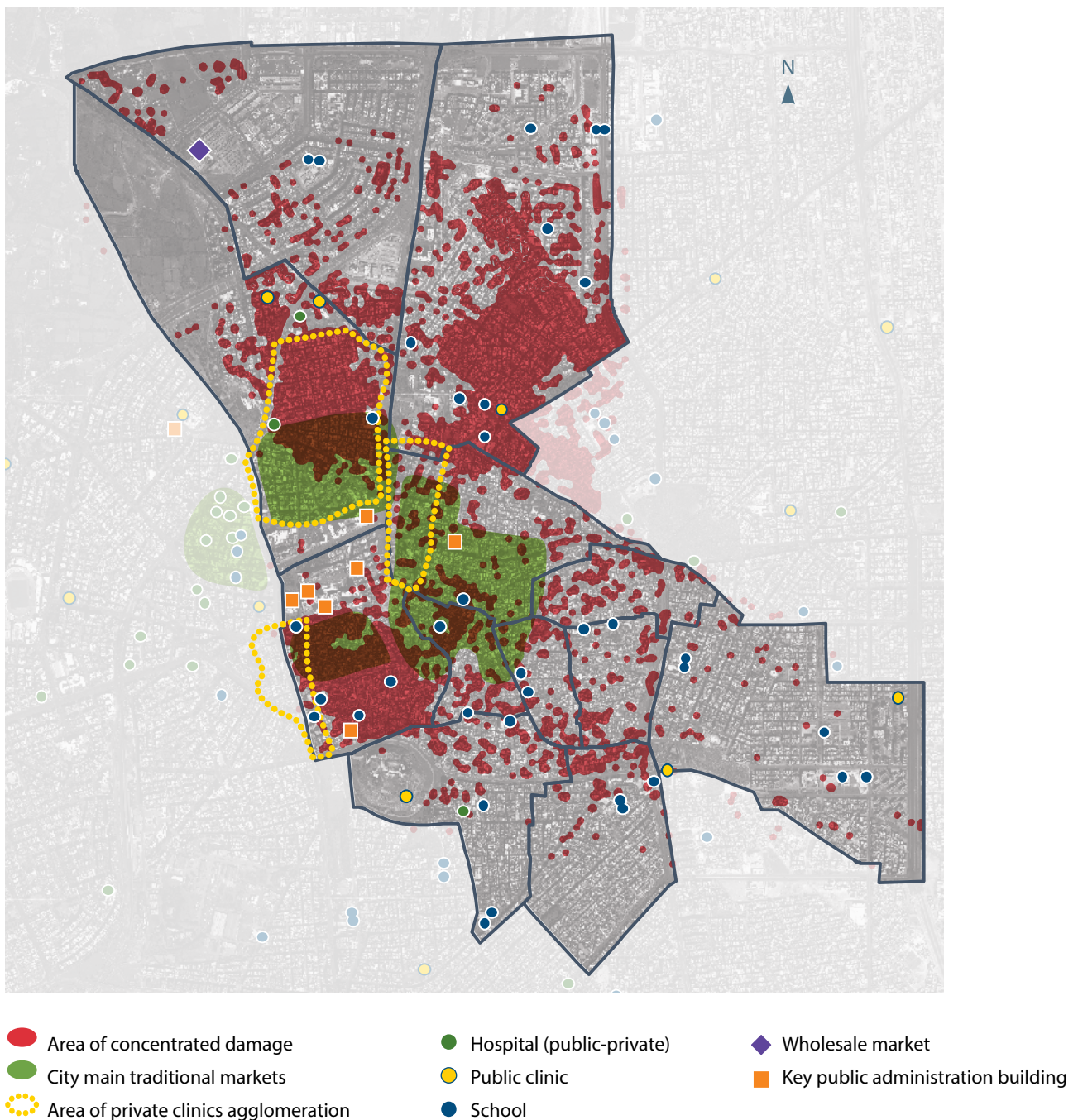
Photo V: Damage in the southern part of the Covered Market

Large scale debris and high risk of explosive remnants further impact the decision of inhabitants.

- The non-functional status of the area should not be realized in isolation from the impact on rest of the city. Almost all city strategic infrastructure and services are located in the area, and sectors such as health, public administration, markets as well as internal mobility in the city were mostly dependent on the area infrastructure and location. **Recovery of Homs economy, restitution of population and restoration of social coherence cannot be achieved without the efficient restoration of the Old City, together with key neighbourhoods such as Joret Al Shayah and Al Hasawia.**



Map III: Distribution of severe damage vs. the essential services in *the area* (as of Sep, 2013)



Returnees and Emerging Issues

Since the ceasefire agreement came into effect, a noticeable trend of «returning» has been observed in most Old City neighbourhoods (also applies for the rest of the neighbourhoods incorporated in the agreement). However, this trend should be understood and analyzed, especially from the following view points:

- «Returnees» to the Old City and to Joret Al Shayyah have grouped at the entry routes one day after the agreement. They were allowed to enter for a couple of hours every day since then (Photo VI).
- The vast majority of the so called returnees (except for few Christian families at Al Hamidia) leave *the area* after initial 1 or 2 visits. Majority of the IDPs are returning to check the status of their properties as the old city was besieged for nearly 15 months. Most are collecting personal belongings and items and leaving *the area* as shown in the photo below. (Photo VII).
- People are generally reluctant to keep their personal belongings inside *the area* for many reasons, and thus not planning to actually return, at least in the medium term. They prefer to protect their properties by moving what they find outside their temporary and alternative neighbourhoods and houses.(Photo IX)
- Rows of trucks loaded with furniture are exiting the Old City every day through the accessible routes, after getting an official approval from the Central Police Department located

in *the area*, which could also include any commercial stock that survived in the warehouses or basements. (Photo X)

- Although inhabitants have free access to *the area*, but removal of goods and furniture is dependent by a police clearance ticket which is only being granted to people with property documents. Those who have lost their property documents or have left behind and can no longer find them are unable to collect their belongings.
- There is no verification of the properties whether they actually belong to the persons who are clearing them. However, the issued police tickets clearly declare that the owners are not allowed to re-entre *the area* for the purpose of clearing more of their belongings.
- Wide scale (and probably protected) looting has been reported by the UN, SARC and by the inhabitants themselves. After looting, the properties are often burnt using materials that store the heat for a long period, **This will make the houses become inhabitable and structurally hazardous.** Smoke over certain neighbourhoods can be easily observed in neighbourhoods such as in Bab Houd, Bab Tadmor, and Bani Al Sibae (see photo XI).
- No returnees have been observed in Al Qusour neighbourhood. This can be justified by its relative isolation from the rest of the recently re-opened neighbourhoods, or by the extent of damage which has completely **blocked the eastern entry streets.**

Photo VI: May 8, Group of People at the access point to the Old City – The Old Clock roundabout



Photo IX: May 12, Trucks uploaded with furniture clearing out properties from the Old City (Al Hamidia main street)



Photo VII: May 16; Mass evacuation of luggage outside the Old City (through Al Dablan market street)



Photo X: May 12, Burning of shops after looting, Bab Houd Covered Market

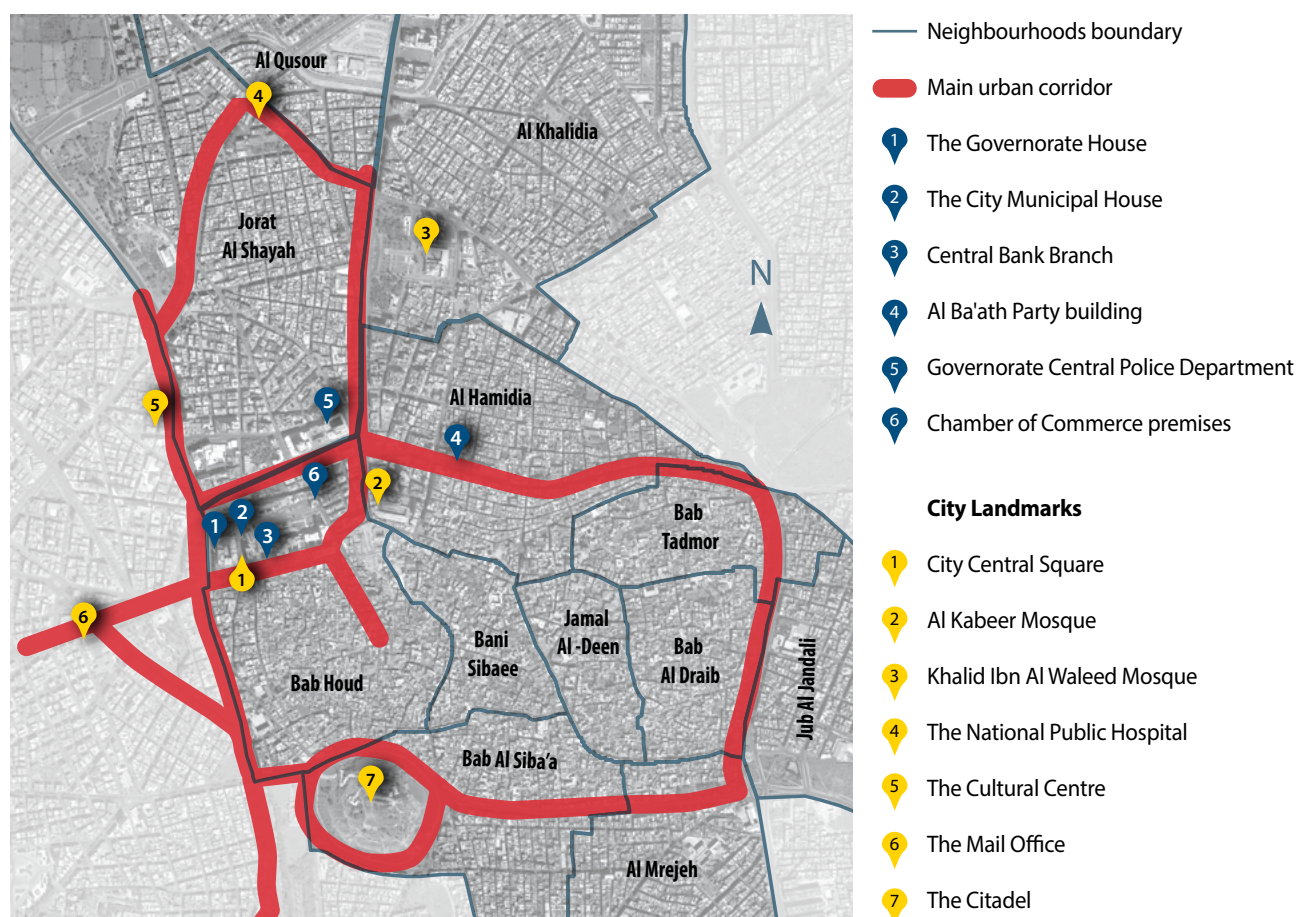


Government Reconstruction Plan

The recent agreement and the access that was given to people has been widely promoted on the government official media. In a recent visit by the Syrian Prime Minister accompanied by 8 other ministers (May 14, 2014), an emergency budget of S.P. 6.5 billion (approximately USD 38 million) was announced during the visit. The Governorate announced:

- Quick and efficient restoration of key administrative buildings, including the Central Bank Branch, the Governorate House, the city Municipal House, Al Ba'ath Party building, the Chamber of Commerce premises and the Governorate Central Police Department.
- Accessibility restoration to the main urban corridors, including the routes illustrated in Map V.
- Restoration of water reservoirs and pumping capacity, with basic water network maintenance, same for electricity network and street lighting.
- A compensation budget of SYP 3 billion¹³ for those who have been affected by property damage.
- There are no announcements regarding the restoration of the public hospital in *the area* (The National Public Hospital west of Joret Al Shayah neighbourhood), or the two public clinics (Al Omali Pharmacy at Joret Al Shayah and Al Mustawsaf at Bab Al Draib)¹⁴. SARC is planning for a quick installation of a medical point to serve the a small number of inhabitants who have returned.

Map III: Priority locations and routes in Government plan to restore functionality



¹³ Basic calculations done by UN-Habitat show that the share of this compensation budget per household will be nearly 620 USD when equally divided on all households, but when divided on the estimated number of households with affected properties in terms of damage, the share increases to 900 USD.

¹⁴ Almost ALL city private sector medical care infrastructure (including clinics, hospitals, charity clinics and pharmacies) is located in *the area*, mainly at Joret Al Shayah and Al Hamidia neighbourhoods. (UN-Habitat, Homs City Profile)

Damage level in Old city neighborhood



Housing, Land and Property: Emerging Issues Priorities, and Recommendations

Issues

Issues related to housing, tenure and property rights are extremely alarming in the context of the current condition in Homs. It's still premature to define current condition in Homs as post-conflict rehabilitation, as the crisis climate continues to develop in and around the city.

UN-Habitat anticipates that the issues arising in the Old City of Homs will also emerge in other cities, particularly old city quarters and urban centres with complex tenure and property dispute patterns even before the crisis.

The following issues should be prioritized in planning for future interventions by international entities in *the area* of housing land and property (HLP) rights' protection. Most of these issues remain unaddressed, and are specifically jeopardizing the narrow chances for peaceful, lawful, and efficient population restitution.

1. PREDOMINANT WEAK RETURNING TREND:

As of today, only 150 residents have reportedly returned, and those are added to the 100 residents who were not displaced during the siege. This weak returning trend is not only attributed to the lack of services and the housing damage, but also to social reasons that need to be addressed independently. However, the displaced residents' unwillingness to return can put jeopardy on any «reconstruction» or rehabilitation process, as private properties can't be managed in the absence of the beneficiaries.

2. STATE OF ART:

There is no comprehensive analysis of HLP issues in Homs to identify gaps and help address the challenges currently facing local authorities. In addition, an overview of the institutions involved in the management of HLP issues has not been made available, despite the fact that critical analysis shows deficiencies in these institutions and in the legal frameworks even before the conflict¹⁵.

3. PROPERTY RIGHTS PROTECTION STANDARDS:

Local and national authorities should be aware of a number of international standards that were designed to ensure the respect and protection of housing, tenure and property rights in conflict contexts, which should also bind conflicting sides in any peace agreement.

4. TECHNICAL AND OPERATIONAL GAPS:

The lack of technically reliable capacity both at local or central levels to address housing and tenure issues: the absence of electronic Cadastral Records, GIS database for verification of lost properties and lost documentations, an information management system for claims and compensation, or dispute resolution mechanism to record and address grievances are some of these major gaps.

5. COMPENSATION:

The compensation system will need to be developed with full instruments and attention to international standards applied in different countries, and to take into account the lessons learnt. Land and property issues are either neglected in the system or in fact can be a cause of dispute.

6. There are announcements by the authorities to affected population in *the area* to apply for compensation from the Government.

7. LOSS OF DOCUMENTATION:

Many of the inhabitants interviewed in the course of preparing this Profile have reported loss of property documentation. Local authorities neither have the needed set up (human and logical frameworks) to tackle this issue, yet nor they are planning to.

8. ADEQUATE ATTENTION MUST BE PAID TO EMERGING LAND, TENURE AND PROPERTY ISSUES:

- The absence of free access to information on current rehousing plans is a major protection gap, as it can deter people's plans to return and will minimize transparency and lead to disputes in future. A key step is to document arising questions and bring to the attention of relevant authorities.
- The absence of an area based registration system for the city IDPs/ refugees or possible returnees. International agencies can both support such registration system, in addition to systems dedicated for the claims of unlawful practices, and can assist in the advocacy of property and tenure rights with the relevant authorities
- Looting properties and offensive vandalism are continuing in the Old City and the surrounding traditional neighbourhoods with impunity. In fact, these practices have been noted in the city and elsewhere in other cities as well. In some of the city eastern neighbourhoods, many street markets have emerged, dedicated for offering looted goods, and impudently referring to the areas where they have been taken from.
- Secondary occupation of housing units does not exist in *the area*, but is widespread in the city. There are currently no means to identify the rights of owners in many of these occupation cases, although some of which are later mediated by local NGOs or community representatives¹⁶.
- Lack of communication between the authorities and the IDPs/ refugees, and between the displaced persons themselves. Institutionalized communications are instrumental to promote restitution, rehabilitation and compensation programmes.

¹⁵ Tenure and Housing Rights in Syria. Hallaj, Omar; 2009.

Recommendations

1. POPULATION RESTITUTION:

Should be the main focus of international entities and humanitarian assistance agencies working in the whole region. The wakeful monitoring of the «return trends» in Homs and authorities practices and motivations will provide an evident-based sample for future cases.

2. ENFORCEMENT OF HLP RIGHTS PROTECTION:

UN is strongly advised to insure the inclusion of an HLP component (as appropriate) in any future peace agreement; national or local, temporary or durable¹⁷.

3. HLP WITHIN THE REHABILITATION CONTEXT:

Assisting local authorities to draft strategies for the promotion of HLP rights protection should be prioritized, as well as conducting the needed «revisions» to local authorities rehabilitation plans to ensure that HLP issues are fully addressed in light of international standards and advice.

4. COMMUNICATIONS AND SYSTEM DEVELOPMENT GAPS:

Support must be provided to 1) improved information access, 2) efficient and transparent compensation model, 3) promoted and facilitated dialogue between the local authorities and the IDPs representatives.

5. MUNICIPAL EMERGENCY INFORMATION SYSTEM:

Already prepared by UN-Habitat, and implemented in the country in two different pilots. Such system will provide the basic dataset (including GIS mapping support) for decision making and taking processes, and will help integrate measures taken by the variety of local, national and international stakeholders in the same areas or sectors.

6. AREA BASED INTERVENTIONS:

Despite the ambiguity of the future circumstances in the city, and uncertainty of people actual will to return and to involve in an active rehabilitation process, technical assistance must be provided to local authorities currently planning for «the next step». Such urban planning technical support will facilitate the international community advocacy to rights' protection, ensure transparency and acceptable inclusivity of local population, link urban plans with development perspectives, and will provide a model for «what can be done» in similar cases with minimal disputes and accelerated implementation.

7. ANALYSIS OF REAL ESTATES JUDICIARY ISSUES AND CAPACITY:

The pre-crisis jurisdiction of three courts¹⁸ on the HLP related cases, and the current conflict emerging issues will create a major challenge to the national courts' system and capacity, and can seriously impact HLP restitution. The pre-crisis increasing number of HLP conflicts offered on these courts have been causing delays in reaching verdicts. This also extends to the Civil Registration Bureau, which was hardly coping with requests for service and was seriously under-developed. The increased number of human casualties (including unreported deaths and kidnaps) and the people's refrain of recording deaths of family members will further reveal capacity shortages, and will make inheritance cases harder to settle. Further analysis on the current courts system, including transparency and capacity indicators will facilitate the anticipation of challenges.

Photo: May 9, Municipality laborers cleaning Shukri Al Quwatli Street (Bab Houd), a street of symbolic importance



¹⁶ Secondary occupation generally comes in two types: IDPs moving in apartments that were evacuated by the owners (mostly in Al Waer and Al Fardous), or armed forces occupying emptied houses and claim it as security location (Karm Al Zaitoun and Jub Al Jandali). Commercial transactions of secondary occupied housing units may exist, but it's still underreported.

¹⁷ This is specifically referring to the guiding Principles on Housing and Property Restitution of Refugees and Displaced Persons (the «Pinheiro principles»), Principles No. 22 and 28.

¹⁸ Jurisdiction on HLP issues in Syria is shared between three different courts: the Real Estates Court (for tenure and property cases), the Magistrate Court (for rental and transaction cases), and the Criminal Court (for transaction cases that involve bad faith).

Recovery and Reconstruction Considerations

Despite the improvement in the security condition, the city economic recovery potentials that may contribute to a systematic restitution of the displaced population are limited by the following factors:

- The wide-scale physical destruction in the Old City which used to accommodate most of the commercial and economic activities in the city. Consequently, most of Homs City intellectual and professional capacities are displaced outside the city, and the remaining residents in the western areas (both displaced and non-displaced) are depending on marginal street trades as a main source of income. The inherent frustration of the de facto «brain-drain» will certainly be the most significant recovery challenge.
- The severe damage in Baba Amr industrial clusters (east of the neighbourhood); and the non-functional status of the industrial area in Al Hasawia, which used to be major employment sites, and the main suppliers of fabricated and raw building materials.
- The social division between eastern and western neighbourhoods' population, and despite the non-physical nature of this division, both communities hold a grudge against each other, which will continue to hinder economic interaction.
- The inaccessibility to northern rural areas, and to the intra-city large farming area on the Orontes River, as both areas are still contested, which is interrupting fresh food supply chains and depriving thousands of farmers from their source of income.

Within this perspective, the recovery of the urban and economic role of the Old City of Homs is subject to many factors, including:

- **Weakened centre:**
The protracted crisis, and the massive damage in the properties and infrastructure caused commerce and residents to abandon the city and move elsewhere, and many of them have started new investments and may not be willing to automatically come back, which irreversibly weaken or move the city centre. Currently, new markets have emerged in different residential locations in Homs, and those may compete with the old one.
- **«Trickle Down» is not guaranteed:**
The government rehabilitation plan is clearly concentrating on restoring public administrations and infrastructure in the Old City, but this may not be enough to accelerate the private sector participation. Trust-building initiatives including legal support and affordable finance will be needed.
- **Timeframe is not short:**
The quality reconstruction of the Old City will take time. It will be more important to reconstruct well than reconstruct fast. Ensuring consensus with the private and community representatives on the shape and identity of the reconstruction, conservation of the city urban tradition, and equality of assistance to all affected population are important factors to take into account.
- **External factors can't be undermined:**
Reconstruction of such huge city centre can't be realized without understanding the objective circumstances, including the security challenges, national economy, international economy, regional politics, levels of investors' confidence and institutional capacity.
- **Economic accountability:**
Realistic plans that are feasible, affordable and flexible are likely to materialize. Reconstruction which is biased towards large scale contractors from outside the city will not optimize the local benefit of investments, and will exacerbate economic regression impacts.
- **The Old City within the holistic city context:**
Any reconstruction plan in the Old City should take into account the recovery of the entire affected areas in the city. The long term vision that does not exclude areas, sectors or individuals will promote private initiative and will not result in winners and losers.

Neighbourhood Profile
OLD CITY OF **HOMS**

June 2014

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