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ARAZİ YENİDEN DÜZENLEME PROJESİNİN YEREL HALKIN BEKLENTİLERİ AÇISINDAN ANALİZİ, ŞAR-ARA BÖLGESİ, KABİL ŞEHRİ ÖRNEĞİ

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YÜKSEK LİSANS TEZİ

Mimarlık Anabilim Dalı

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INSTITUTE OF NATURAL AND APPLIED SCIENCE

AN ANALYSIS ON LAND REORGANIZATION PROJECT WITH RESPECT TO EXPECTATION OF LOCAL PEOPLE, THE CASE OF ŞAR-ARA DISTRICT, KABIL CITY

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MASTERS'S THESIS

Department of Architecture

December-2017

KONYA

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ÖZET

YÜKSEK LİSANS TEZİ

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Afganistan'da, (1971-2001) otuz yıldan uzun süren iç çatışma ve savaş altyapılara hasar vermiş, yerel halkın ülke içinde başka şehirlere ve yurt dışına göçlerine sebep olmuştur. Taliban döneminin 2001'de sonlandırılmasından sonra geri dönen mültecilerle birlikte kırsaldan kentlere göç süreci de başlamıştır, komşu ülkelerden Afganistan'a geri dönen mülteciler çoğu kentsel alanlara, özellikle de başkent Kabil'e yerleşmiştir. Böyle olunca Kabil'de nüfus artmıştır, normal koşullarda 1 milyon kişiyi barındırabilecek olan kent 7 milyon nüfusu bünyesinde hazırlıksız olarak barındırmak zorunda kalmıştır. Kabil'de son dönemlerde bu çarpık kentleşmenin üstesinden gelinebilmesi için yerel yönetimlerce kent içinde sağlıklaştırma çalışmaları yapılmaktadır. Yöntemsel açıdan bunlardan bir tanesi de arazi yeniden düzenleme yaklaşımıdır.

Çalışmada arazi yeniden düzenleme yaklaşımının tanımı ve uygulamaları, arazi yeniden düzenlemenin Afganistan'da uygulanabilirliği ele alınmıştır ve bunu takiben Kabil şehrinde gerçekleştirilen bir alan çalışmasında mevcut altyapı, arazi kullanımı ve kentsel hizmetlere erişim ile ilgili gerekli veriler analiz edilmiştir, son olarak projenin gelişmesi için düzenlenecek arazideki olması gereken halkın ihtiyaçlarının karşılanması amaçlı bir anket düzenlenmiştir.

Anahtar Kelimeler: *Arazi yeniden düzenleme, kentsel gelişim, altyapı, Kabil, Afganistan.*

ABSTRACT

MS THESIS

AN ANALYSIS ON LAND REORGANIZATION PROJECT WITH RESPECT TO EXPECTATION OF LOCAL PEOPLE, ŞAR-ARA DISTRICT, KABUL CITY

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THE GRADUATE SCHOOL OF NATURAL AND APPLIED SCIENCE OF SELÇUK UNIVERSITY
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In Afghanistan, the internal conflict and war that continued for thirty years (1971-2001) led the entire damages of the infrastructures, made the migrations of residents inside the country and its outside. After Taliban period in 2001, most of the refugees returned back to their homeland and settled in the capital Kabul, normally for one million resident Kabul now struggling with seven million people, this directly influenced the insufficiency of infrastructure and urban services and increased the rapid growth of unplanned (informal) settlements, the spaces used by a family at the past have grown horizontally and vertically and currently use by several families, the areas conserved for recreation is being filled with unplanned settlements, assisted in degradation of the living environments and negatively influenced on social relationships and the quality of the residential environments. The government has been working with some methods over these settlement problems to be solved; one of them is land reorganization method.

The study summarizes the definition and implementation of land reorganization and in a field study in Kabul city the necessary data have been analyzed, and finally for the betterment of the project a survey to realize and understand the needs of the residents which are forgotten at the current project has been done.

Keywords: *Land reorganization, urban development, infrastructure, Kabul, Afghanistan.*

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LIST OF ABBREVIATIONS

LR	Land Reorganization
KM	Kabul Municipality
MUDA	Ministry of Urban Development Affair
ŞA	Şar-Ara
NGOS	Non-Governmental Organizations
GOIRA	Government of Islamic Republic Afghanistan
USAID	US Agency for International Development
AKTC	Agha Khan Trust for Culture
NHP	National Housing Program

1. INTRODUCTION

Although Asia is the largest continent in the world, it is the world's second least developed continent after Africa in 2010. While the world has become predominantly urban in 2008, Asia is not expected to reach 50 percent of that before 2028 (UN Habitat, 2010).

According to the World Bank (2013), more poor people live in Asia than in Africa. Everybody seems to be writing on about the Asian countries these days and Asian development has been miraculous. But about 67% of Indians live on less than three US dollar per day: 855 million Indians. Almost 25% of Chinese, 399 million people, remain similarly poor despite the country's amazing success in reducing poverty. Together those two countries contain more poor people than there are Africans (World Bank, 2013).

One of the main reasons for the Asia's least urbanization and poor condition of living, especially for the least urbanization of southern Asia is the acceleration of higher urban growth that is taking place much more in developing countries higher than in developed ones (UN Habitat, 2010).

Afghanistan is one of those South Asian countries, which is dealing with settlement problems especially informal settlements and urban growth problems as well. It's the homeland of more than 35 million Afghans and according to sources has suffered more than three decades of conflict and civil war (Turkstra, 2010).

After the finishing of Taliban period in 2001, more than 5 million refugees from neighboring countries especially Pakistan and Iran returned to their country. Most of the returnees settled in urban areas and especially in the capital, Kabul (Stefan, 2009). Returning of this much refugees made the process of rural and urban migration rate much faster and the general effects of this urbanization are increasing, affecting urban areas and making them a catapult that pressures urban areas in health, education, employment, poor urban dwellers, ecology, housing, settlement and infrastructure.

Among all those problems, the settlement of the residents and urban infrastructures is the priority of the government of the country because these urban areas have informally developed. According to reports, which has been posting by The Ministry of Urban Development 65% to 75% of Afghanistan's cities has developed informally (Turkstra, 2010).

In Afghanistan, where most of the land has developed informally, there is an important need for a good land reform process. This process must have the ability to solve both current and future problems of both planned and unplanned settlements. The involvement and contribution of people and communities in this process should be critical to overcome these difficulties and problems because now the government of Afghanistan does not have enough financial resources to force land for developing and invest to build infrastructure so there is an important need for regular land reform.

Group or section progress by sharing resources, resolving conflicts and mutual working is a part of Afghanistan's traditional culture (Turkstra, 2010).

1.1. Statement of the Problem

The development and management of urban land and creating low costing and healthy living spaces is the most important and critical challenge facing the governments of third world countries at the current time. In case of Afghanistan it's completely the same.

The problem is to design and develop infrastructures and to response for the current situation of infrastructure of the country and settlements of the country especially settlements at the capital Kabul in a very short time.

To response for the current situation of the infrastructure and settlements demands the government of Afghanistan to quickly make large amounts of land and money, and even more importantly, to price land at a timely and sophisticated price for households and to allocate them in a short time.

However, The local or central government does not have the capacity to do any of these tasks quickly, the government does not have sufficient infrastructure to source land for development and invests in building infrastructure in a very short time.

In addition, the current land development method in Afghanistan, which is the expropriation of land by the government, does not value the rights of landowners and destroys the existing community as well.

For solving of these problems, or for making a solution way, a situation to solve these problems at the country some member of some private sectors have been working with the help of country's municipalities especially at the capital Kabul, through land reorganization projects as stated "There is going to be the first land reorganization project, which is going to be happening soon at the tenth district of Kabul city." and this research

have tried on the project, which will have been happening at the tenth district of Kabul city as well.

The project have some negative points and through a questionnaire with the people this research have worked and found some issues which are forgotten and this research have tried to recommend these issues which are really in needs of people to be considered at the new upcoming project.

1.2. Objectives of the Research

The main objective of the research is to examine and to suggest that land reorganization can be a solution way for creating low costing and healthy living spaces in Kabul, and also to find out and suggest those needs of the people of the residential area which are forgotten at the land reorganization project which is going to happen soon at the tenth district of the city to city's municipality and project implementers.

And in order to achieve the main object of the research some important objectives were analyzed as follow:

1. Land Reorganization and responses of landowners have been analyzed.

2. To find out the need and function of the land reorganization as a solution for the current situation of urban development problems some projects have been analyzed whether land reorganization will be the solution for the current situation of the country or not.

Qualitative analysis and literature review reveals that land reorganization, which is a cooperative land development method, can be an important method and step toward creating low costing and healthy urban spaces, developing new urban areas in third world countries especially in Afghanistan.

In this method of land development, landowners leave the land collectively for land and other collective facilities, participate in the construction of the necessary infrastructure in whole or in part by allocating a percentage of the land, and put new limits on the new plan, the new plot parcels are redistributed to their owners equally (Schrock, 2012).

Analyzing interviews with public institutions in Afghanistan, who deals with urban problems and analyzing the survey with people as well, reveals that it is possible to implement this system in Afghanistan.

1.3. Significance of the Research

The scope of this research includes a systematic approach to promote a cooperative land development method, which is land reorganization and it also analyzes the reactions and feedbacks of landowners toward the land reorganization technique.

The entire scope of the research is structured as follow:

1. Identifying the problem, which is already going on in Afghanistan especially at the capital Kabul.
2. Typology of houses and settlements in Afghanistan, Urbanization in Afghanistan.
3. Land Reorganization projects in Kabul city and finding the responses of landowners toward land reorganization.
4. Introducing land reorganization as a cooperative land development method and a good solution for the current settlements and urban problems of Afghanistan.

1.4. Research Methodology

The analysis, which have been made in this research were designed to make more facilities and to make a constructive contribution to the implementation of a democratic land development method, which is land reorganization in Kabul.

The research was primarily made on the use of qualified data collection from some experienced Afghan students, interviews and doing questionnaires with some landowners. Throughout the course of this research some questionnaires and some interviews were conducted with the landowners.

1.5. Thesis Structure

Chapter 1: Introduction

This section consists the background & context, statement of the problem, the object of this study, the scope of this study and methodology of the study.

Chapter 2: Administration division and Typology of Settlements and Houses in Afghanistan and problems

This section consists the administration division and settlement problems in Afghanistan especially in the capital Kabul.

Chapter 3: Literature Review of Land Reorganization

This section consists the literature review of land reorganization, its definition, concept and characteristics followed by applicability of land reorganization in Afghanistan and proposal for an Afghan model of land reorganization.

Chapter 4: Case Study Area

This section consist of case study area and consists of a questionnaire, which has been done for the betterment of the project at the residential area to realize and understand those needs of the residents, which have been forgotten at the current project.

Chapter 5: Results

This chapter includes the research summery and results.

Chapter 6: Conclusion & Recommendations

This chapter sum up with the main findings, conclusions and recommendations.

2. TYPOLOGY OF SETTLEMENTS AND HOUSES IN AFGHANISTAN

Afghanistan is located in central Asia, which is a landlocked and mountainous country covering an area of 662,000 square kilometers, making it the 41st largest country in the world. Afghanistan has borders with Pakistan, Iran, Central Asian countries such as Tajikistan, Uzbekistan, Turkmenistan and small border with China as well. Kabul is the capital of the country and Afghanistan has thirty-six provinces, each is managed by an elected governor, each province is further divided into cities, towns, districts and villages, and a district governor represents each district (GoIRA, 2015).



Figure 2.1. Political map of Afghanistan (UN Habitat, 2015)

The provincial governor is appointed by the head of the state on the recommendation of the Ministry of Interior and the district governor is selected by the provincial governor. The provisional governors are representatives of the central government who are responsible for all administrative and formal issues in their provinces. Each province has provincial council, which is elected four years through direct and general elections and its function is to take part in the provincial development planning and participate in monitoring and appraisal of other provincial governance institutions (GoIRA, 2015).

2.1. Urbanization in Afghanistan

The rate of population growth in the major cities of Afghanistan has improved since the collapse of the Taliban period in 2001, and since 2001 the security situation has finally recovered much better than before. Estimated populations are different in Afghanistan because of the lack of a standard system in Afghanistan since 1979. According to the government's population estimate in the middle of 2005, the population of the country was 27.6 million, which is 34% higher than 1990 levels. The current population of Afghanistan is 34.419.928, the population density is 43.5 km and the rate of population growth is estimated to be 2.22% per year (GoIRA, 2015).

The most urbanized and populated region of the country is the capital Kabul. There are also other major cities in Afghanistan, such as Kandahar, Balkh, Herat, Nangarhar and Ghazni, which have a high population density, which are rapidly growing cities in the country. In addition, the major cities mentioned, including Kabul city, are roughly home to a quarter of the total population of the country (GoIRA, 2015).

The population density in the major cities of Afghanistan is due to the limited employment opportunities in the provinces as well as the concentration of urban facilities such as administrative offices, trade, education, industry and communication in large urban centers. Population concentration in the big cities is a challenge to many urban problems such as increasing informal development, inadequate urban facilities, less developed networks in streets, informally developed areas, traffic congestion, air pollution, ecological problems, and waste management issues. All of this causes additional pressure on urban energy and mobility resources in large cities (Calogero, 2011).

In the major cities of Afghanistan, housing constrains, limited access to urban land and high land prices are limited, this is due to strict building standards and the regulation of the old master plan and the existence of tough assets administrative procedures (MoUD, 2008). As a result, informal development continues to spread rapidly throughout the country. In addition, the lack of effective urban land development methods in the rapidly growing of Afghan cities have provided opportunities for illegal land markets governed by government officials, warlords, private land developers and landowners.



Figure 2.2. Population densities in major cities of Afghanistan (UN Habitat, 2015)

The absence of community involvement in planning and urban development is another weakness of Afghanistan's urban planning. Cooperation between citizens, municipal planning agencies and government and other factors, however, It is necessary not only for urban community development but for national development strategies as well.

2.2. Urban Land Development in Kabul City

Kabul city is divided into 24 districts covering an area of 465 square kilometers. According to reports provided by the Afghanistan Evaluation and Research Unit, the metropolitan population of Kabul in 2012 was 3.7 million, based on the World Bank's Kabul Urban Development report, the current population of the Kabul city is almost seven million people.

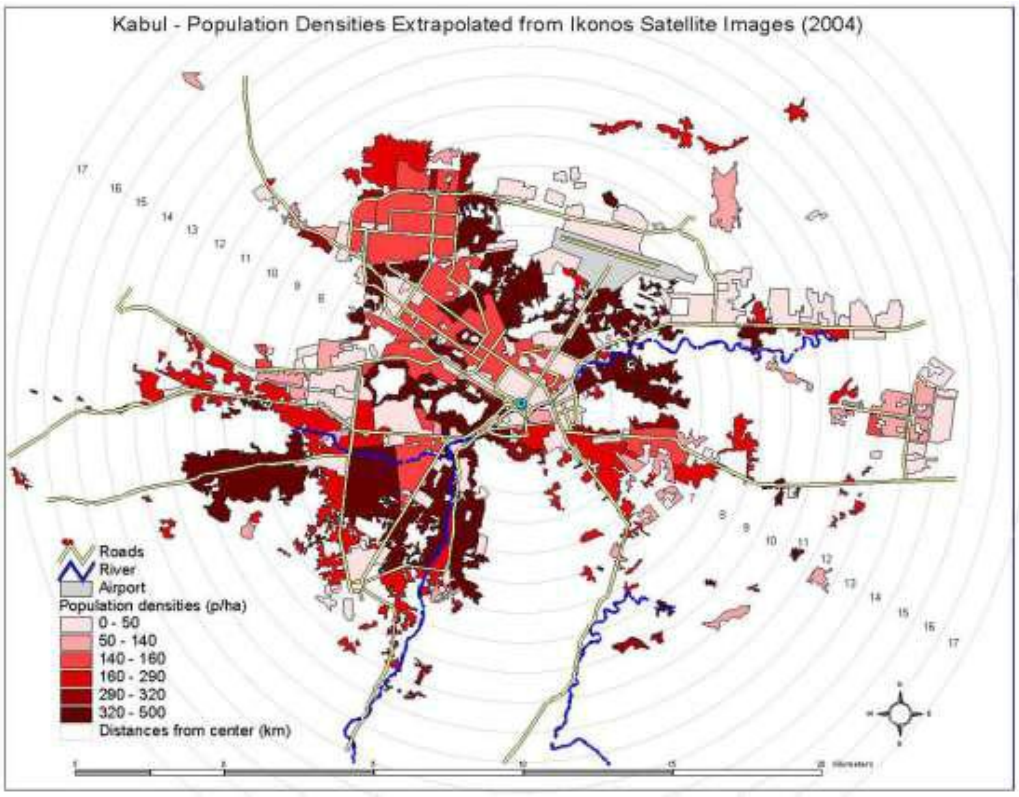


Figure 2.3. Population densities in Kabul city (The World Bank, 2010)

Kabul Municipality manages urban land development issues within the city's metropolitan area. The role and authority of the Kabul municipality is different from the role and authority of the provincial municipalities. It is clearly stated in the municipal law that municipality of Kabul is part of the national government (MoUD, 2008).

The Kabul municipality has more autonomy and capacity than the provincial municipalities, and the mayor has ministerial status. The mayor and other senior staff are appointed by the order of the head of state without the participation of the ministry of interior.

Table 2.1. Sample responsibilities of municipalities (GoIRA, 2015)

Services delivery	- Public health and environmental protection - Street lighting and greening - Providing and maintaining parks and others
Planning activities	- Master plan implementation - Distribution of land for neighborhood residents and for commercial purposes. - Expropriation of land for development - Land and buildings management - Prevention of unregistered buildings
Income generation and governance	- Set and check prices - Collection of income from the municipality goods from markets, goods and taxes from markets and housing - Complaints and compensation - Licensing - Data collection - Providing legal support
Governance	- Encouraging public participation in urban services - Strengthening the capacity of society

There are many problems and difficulties that municipality and Afghan government have to come up with, such as the high rate of urbanization, limited access to planned urban land, housing difficulties, informal settlements, inadequate urban services, inadequately developed areas, traffic congestion, air pollution and waste management issues. Unplanned developed land in 2004 represented about 70% of all residential areas in Kabul.

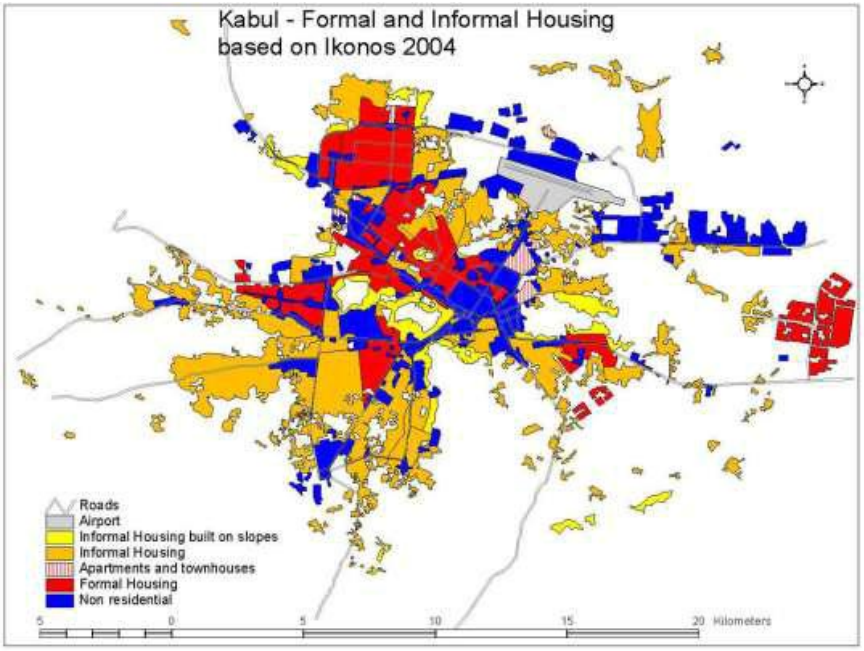


Figure 2.4. Kabul city's formal and informal development situation 2004 (The World Bank, 2009)

Rapid informal development of Kabul came up with lots of issues such as infringement of property rights, illegal land market, closure of public land and more. There are numbers of serious problems that did not allow, roads for the street network, infrastructure and public facilities. On the other hand, the Kabul municipality and Afghanistan government have not enough staff capacity, resources and financial support to deliver the planned urban area and necessary urban services in a short time.

2.3. Typology of Settlements in Afghanistan

It has been proven over the years that land be its rural or be its urban is much more than an economic object, throughout the ages, it has been a symbol of power, social recognition, security and independence, the relation of a human being with land is fundamental, multi dimensional and complicated (UN Habitat, 2003).

In case of Afghanistan land use at the city level is divided into two parts: Built up areas and non-build up areas. Then built up areas subdivided into housing, commercial, agriculture and so on. The residential group is further subdivided into formal settlement (planned areas) and informal settlements (GoIRA, 2015).

The main objective of this work is for informal settlements in Afghanistan. Unplanned settlement in Afghanistan has grown mostly during thirty years of war and internal conflicts. As an example, Kabul could be a clear model for defining informal settlements (UN Habitat, 2003).

According to the form of land acquisition, people settled in different areas of Kabul, which are; squatter settlements, settlements in privately owned land, settlements on grabbed land and settlements with a murky legal situation (UN Habitat, 2007).

These four types of land acquisition modes are briefly explained below:

2.3.1. Squatter settlement

This settlements are any collection of buildings where the people have no legal right to the land they are built, people are living there illegally and do not own the land or squatter settlements covers the public lands that intruded by displaced people during the war (UN Habitat, 2003).

The clear examples of this settlement are hundreds of residential houses built on hillsides and plane lands in Kabul city. While previously these hillsides and plane lands were non-residential areas and were part of public lands. According to the land law, public lands mean those areas that are controlled by the government and they can be used for public use only (GoIRA, 2015).

2.3.2. Unplanned settlements on grabbed lands

Whether it is public or private, or anything else, grabbing land is one of the unpleasant effects of wars and conflicts in society. Land grabbing has direct effects to make social, legal and political problems. The problem of grabbing land areas by powerful and armed people in Afghanistan started just after the fall of the communist government in 1991 (USAID, 2005). From that time till now, much land areas have been grabbed, and after grabbing, they distributed in the open market those areas as residential or commercial lands or etc.

2.3.3. Informal houses built on private property

This type of settlement includes unplanned houses built on private properties, this settlement also includes a significant portion of unplanned settlements in Kabul, According to land law, private land is a land that has been legally proven to be owned (GoIRA, 2015).

2.3.4. Occupants with murky legal situation

This type of settlement is divided into two categories, landowners or legal owners, but has not completed the legal steps and formalities necessary to formalize ownership. This does not mean that the transaction is not legal, but the legal ownership processing formalities are not completed. People prefer not to follow these procedures because of management corruption, lengthy time and too costly, that's why you choose not to apply these procedures to people, therefore, it is common for a buyer and seller to make customary sales agreements to avoid lengthy time waste, the cost of taxes and charges and finally the involvement of corrupt management.

The second category of residents with a sudden legal situation consists of traditional landowners. These are individuals who receive land or fields mainly from their ancestors in the villages. These lands were previously part of agricultural land, but now they are included in urban areas due to rapid urbanization. In Afghanistan, the main causes for the growth of informal settlements are the rapid growth of population, major regression of refugees, rural-urban migration and above all the war and its impacts. As the phenomenon of war has negative effects on different dimensions of human life. Controlling settlements and providing them with basic infrastructure and urban services is part of government's responsibilities. During the thirty year conflict, the Afghan government could not do its job in providing and controlling the formal and informal housing areas. In the housing section, the Ministry of Urban Development (MUDA) and government's municipalities are weak. These weak spots gave the opportunity to grow informal settlements in the country and especially in the capital Kabul and also caused people to move to urbanized areas, to have security, better job opportunities, better access to urban life and urban services.

As stated in UN Habitat 2014 report: "The results show that more than 50 percent of the sewerage channels are nonfunctional and waste water is usually carried on the roads, only 10 percent of the dwellings have the right to piped water, less than 5 percent of the households have sewerage network and only 50 percent of solid waste is collected and transported to garbage fields" (UN Habitat, 2010).

The population of Kabul grew was at a rate of 15 percent per year between 1992 and 2001, then jumped up to 19 percent for the last few years, and the city became one of

the world's fastest growing places (UN Habitat, 2014). At the present time, it is suffering from having almost 40% of the total urban population in the country (GoIRA, 2015).

2.4. Strategies Undertaken to Alleviate the Informal Settlements in Afghanistan

Until now, neither the ministry of urban development nor the Kabul municipality has announced any official strategy regarding the informal settlement in the country. However, the new reports has claimed "Raising the Illegal Settlement Policy", prepared by The Government of the Islamic Republic of Afghanistan (GoIRA, 2015), Kabul Municipality and The Urban Development Ministry stated that the informal settlements upgrading policy has been under preparation for over six years, led by Ministry of Urban Development Affairs in conjunction with GDMA/IDLG. Writing and technical approvals of the principle have been completed in 2014 but are still not submitted to The Council of Ministers for approval due to various reasons.

In Afghanistan everything has to pass by cabinet according to the structure of the country after the approval of the cabinet the budget will come for the project. The Policy states the intent to upgrade informal areas in the major cities where technically feasible through a combination of infrastructure upgrading, urban planning regularization and improving tenure security (GoIRA, 2015).

Talks about the informal settlement at the Ministry of Urban Development and in The Kabul Municipality started several years ago. For example, as reported by USAID, various interviews were conducted with the Ministry of Urban Development in 2005 on informal settlements (USAID, 2006).

In a debate about informal settlement in The Ministry of Urban Development, the general discussion proposed the community-based improvement of infrastructure and services in informal settlements, but the problem that made the discussion abortive was displacement of current resident. On the other hand, Kabul municipality was considering the removal of informal settlements completely and to redevelopment them entirely (USAID, 2005).

In any case, NGO'S have played an active role in helping them with the poor performance of the Ministry of Urban Development and the Municipality of Kabul in solving their responsibilities and urban problems. For example, from the active NGOS in Afghanistan, USAID, UN Habitat, JICA, World Bank and GIZ can be some of them.

Each has conducted some valuable and important projects to help and assist the Afghan government and its people in the capital and all over the country. Most of these projects involve environmental, urban, social, political and infrastructure problems in Afghanistan.

2.5. The Current Eminent Domain System and Its Shortcomings

Before starting to use the existing eminent domain system in Afghanistan, it is necessary to know what the eminent domain system is. The Americans call it eminent domain, the British people say compulsory purchase, and internationally are often called expropriation. The eminent domain is the government's power to receive property for public use only with compensation (Urban and Planning Design Standards, 2006).

In many countries of the world, there is the expropriation authority of the land. However, there are differences in legal conditions and restrictions. The eminent domain is one of the main forces of a functioning government. Although eminent domain has traditionally referred to government action that directly appreciates private property, through a condemnation process (Urban and Planning Design Standards, 2006).

It has been a long time since the eminent domain system has been using in Afghanistan and if looking at the constitution of the country according to that or according to the ministry of justice Kabul municipality has a great and strong power, Kabul municipality has a clear mandate and can expropriate private areas for road extension and public services. This means that the municipality of Kabul is the only government agency that is assigned to repay persons whose possessions is take over or moved to alternative areas in such cases (GoIRA, 2015).

Most of the urban projects, usually from municipalities, have no room for participation by residents or communities and it can be said that the municipal staffs do not want to have resident’s feedback or ideas about urban projects, the municipalities themselves make their own decisions on urban project (GoIRA, 2015). This attitude of the municipalities has increased negative effects of people's satisfaction, and sensitivity to the work and performance of their projects. Legal passengers of legally constructed commodities (mostly in planned areas) receive a full package of compensation (equivalent to the estimated market rate of land and construction). Compensation may be cash or the same, subject to negotiations with the person concerned (AKTC, 2011).

In addition, the main task of the municipality is providing people things they need, whether they have access to urban services and infrastructure or not. However, there is a gap in Afghanistan especially in Kabul between people and municipality. As the municipality plans the project area according to the hand-delivered documents, it decides on its own distribution of road alignment, schools, places of shopping centers, parks and land. The municipality doesn't receive opinions and feedback from the residents about any project by filling out a survey or by interviewing or at least informing the people of their plans.

To summarize this chapter, As a result, the level of capacity of government and private institutions was insufficient to control the expansion of the city and to provide basic infrastructure and urban services to people, these were the main factors that led to all the damage of the infrastructures, at the same time, the conflict period has made the system more complicated by allowing commanders and warlords to grab public and leisure areas.

Now a solution to solve the problem of informal settlement in Afghanistan may be the destruction of houses and the evacuation of the occupiers. This approach seems illogical because it will only compensate the innocent and it will demand so much funds, which the government of the country does not have at the moment. Moreover, with this approach, important investments up to now in the informal settlement will be wasted, which will in turn cause private investments to be extirpated. Then, the only approach that will work as well as its competence is to raise these informal settlements through land reorganization method.

2.6. Typology of Houses in Afghanistan

Before giving information about typology of houses in Afghanistan, it would be useful to look at urbanization, housing situation, housing development and housing costs in Afghanistan.

Political crisis and war in Afghanistan has made it impossible to pursue a stable course over the years. Afghanistan has not been able to make any significant progress in urbanization, although it has been trying to repair the wounds of past years. Related stakeholders and governments, including municipalities, have been inadequate in urban planning and implementation. The prepared urban plans have not been updated. Because updating urban plans is costly and requires a technical team (The State of Afghan Cities,

2015). Therefore, the inadequacy of financial resources can be considered to have influenced Afghanistan's urbanization in the desired level.

The level of urbanization of a country is usually learned from its official data. But it is not possible to obtain reliable information from Afghanistan related urban data.

The main distresses in Afghanistan are urban disturbances (Farid, 2014).

• Some data have been timed out and lost their update,

• The fact that the data are scattered in the ministries and in various centers, that there is not a center where data are kept and collected consistently,

• Urban data are not routinely updated or assessed while urban policies are being developed.

According to the researches carried out, although improvements have been made in terms of infrastructure in the cities but problems about water system, housing supply and infrastructure are still continuing (Rout, 2008).

Table 2.2. Status of housing and infrastructure in Afghanistan 2002 (May, 2008)

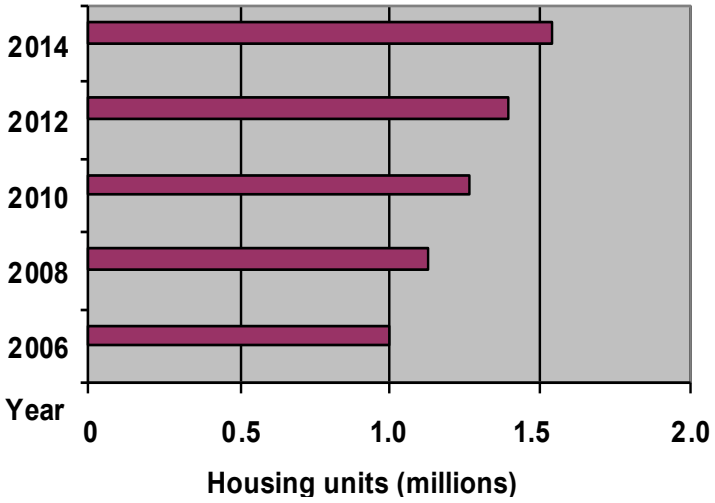
Housing • Approximately 50% of all dwellings are unplanned areas. • 26% were severely destroyed.	Water Supply • 75-80% of the population does not have water network. • If temporary solution have been applied through shallow wells.
Roads and Sewers • 42% of roads have been destroyed or damaged. • 50% of the sewerage is broken or dysfunctional.	Cleaning and solid waste management • 84% do not have a (sanitary) toilet • Not solid waste collection at the 52% • Hygienic waste storage areas are not available.

Another problem in front of urban renewal in Afghanistan is illegal constructions. Because those living areas in illegal dwellings are not warming up the regulations to be done without fully securing them. This situation causes the extension of the urban renewal process. In this context, it is necessary to secure property owners in order to be able to make urban renewal. This requires local and national actors to do encouraging work. In economic terms, investments in cities and strengthening local employment are only one of them. Thus, citizens will be able to participate in urban renewal work by positively responding (The State of Afghan Cities, 2015).

The decision to make an arrangement with respect to the rights of the residents is important in terms of urban development. The shifts from top to bottom without the support of the public and local operators are unfortunately not positive (The State of Afghan Cities, 2015).

2.6.1. Need of housing

During the conflict in Afghanistan, five up to six million people have been forced to migrate to Pakistan, to Islamic Republic of Iran and other countries as refugees. Many of those returning to their homeland and have found their homes damaged due to war and earthquakes. They found their lands in the hand of others. As a result, there was a serious housing problem in Afghanistan (Boyer, 2006). The Ministry of Urban Development stated that the new housing requirement in Afghanistan is more than one million, and 70 percent of this is done in urban areas. As the number of those returning to Afghanistan increased (May, 2008). In order to get away from the housing shortage, the World Bank noted that there is a need to invest $ 2.44 billion in rehabilitation and new construction in Kabul alone. The cities in which the main housing needs are experienced are Jalalabad, Balkh and Kandahar (World Bank 2005). Since the return of about 3700,000 people from 2001 to Kabul, the population of Kabul has increased by 25 percent between 1999 and 2012. This increase will continue to grow at a rate of 5 per cent per year according to World Bank data



(World Bank, 2005).

Figure 2.5. Housing needs Increase in Afghanistan by years (World Bank, 2005)

As of 2017, Afghanistan's urban housing needs are estimated to be around 41,704, and this figure is expected to rise to 43,956 between 2020 and 2025. The difference between housing demand and supply is considerable, and it is thought that the annual rate will increase. According to UNHCR, in 2016, only 244,125 unregistered and 370,102 registered refugees from Pakistan returned to Afghanistan. Half of Afghan refugees are made up of children, and about a quarter of them are young people between the ages of 16-25 (UN Habitat, 2017).

As a result, rapid urbanization and population growth and housing demand in Afghanistan have been increasing more than usual. In terms of housing supply, both the state and the private sector are inadequate. As a matter of fact, according to the researches, 94 percent of the residents of important cities like Herat, Jalalabad, Kabul, Kandahar, and Balkh need new dwellings (Bertaud 2005).

2.6.2. Housing costs

According to the 2008 data, the cost of a simple building or an apartment for middle class housing is $ 41,000. It is stated that the cost of a two-room residence for a low-income family varies between $ 5,000 and $ 10,000. According to microfinance institutions, the cost of renewing a two-room house is around $ 500-600. According to the estimates of the construction companies, the cost of the house renovation is between $ 100 and $ 5000 in relation to the material to be used and the activities to be carried out (adding an additional room, building the kitchen, fixing the ceiling and more (May, 2008).

Monthly rent is approximately 2USD/m² (Kabul 2.8 USD / m²) for legal housing, and 0.6-1 USD/m² for monthly rent in illegal housing. A legal resale value is 700-900 USD / m² (Kabul 700-1,500 USD / m²) while an unregistered house can be purchased at a price of 150-300 USD / m². (The State of Afghan Cities, 2015).

2.6.3. Housing development

Housing development in Afghanistan has been good in recent years, but not enough. Afghanistan has undertaken various studies, especially for new housing plans for returning refugees, municipalities work on housing problems for refugees, the Ministry of Refugees

and the Ministry of Urban Development as well. However, due to lack of land suitable for new housing projects every work is progressing very slowly (Rout, 2008).

Both Kabul and Jalalabad municipalities are organizing programs to provide land for the needy families so that they can become housing owners. In this context, the municipality of Kabul has distributed 22,000 parcels. The municipality of Jalalabad has distributed 4,400 parcels for widows and disabled people, amounting to 5,000 US dollars, while Malang Jan Municipality aims to distribute parcels between 3,000 and 30,000 (Bertaud, 2005).

As of 2017, Afghanistan's urban housing needs are estimated to be around 41,704, and this figure is expected to rise to 43,956 between 2020 and 2025. The difference between housing demand and supply is considerable, and it is thought that the annual rate will increase. According to UNHCR, in 2016, only 244,125 unregistered and 370,102 registered refugees from Pakistan returned to Afghanistan. Half of Afghan refugees are made up of children, and about a quarter of them are young people between the ages of 16-25 (UN Habitat, 2017).

The Ministry of Urban Development, which draws attention in the housing sector, has proposed a plan to encourage investors to meet their housing needs. In this context, it is thought that a construction plan will be realized to include 250,000 houses in the vicinity of Kabul. It was decided to donate government funds to investors for promotional purposes (The State of Afghan Cities, 2015).

In addition, the Urban Development Department plans to sign an agreement with a US-based housing company to build 10,000 units of houses for middle and lower-middle-class residents of Kabul, according to this plan, the land would be free and the sale price of the houses would be $ 20,000. Efforts by the Ministry to promote such housing projects have continued in recent years (May, 2008).

2.7. Typology of Houses in Afghanistan

In Afghanistan it is possible to classify residential buildings as legal or illegal, legal dwellings are buildings built on officially acquired land and built in accordance with official plans. In the context of legal housing, apartments, detached and semi-detached houses usually come (Samizay, 2006). The municipality is responsible for the suitability of these dwellings. Illegal houses, also known as informal houses, are constructed in a way

that does not comply with official process and legislation. These are spontaneously constructed irregularly, usually on slopes, without official land documents. Informal settlement typically involves irregular street and plan layout, inadequate basic infrastructure and services (water supply, health, electricity, roads) and poor quality (UN Habitat, 2017).

The dominant housing typology consists of individual houses and high-walled courtyards. The apartments types are mostly located in Kabul and some big city centers. The apartments account for only four percent of the existing housing units (World Bank, 2005).

In Kabul there has been a step in the development of residential housing in metropolitan areas, grid type arrangement is preferred in spatial planning, but in terms of water and sewerage services, there are still difficult places in Kabul. Illegal houses in Kabul are usually built on slopes, and the land they cover is equivalent to 18 percent (Rasuli, 2015).



Figure 2.6. Example of legal housing typology
1st picture shows detached houses, 2nd picture shows apartments (Pictures Assembled by Author)

Judging from the typologies of houses, it is seen that the design of courtyards is dominant in illegal houses and the independent design is preferred in legal houses. Apartments and detached houses, which constitute a little more than 3% of the population, constitute a very small part of the housing stock (Bertaud, 2005). Traditional courtyard houses constitute 67 percent of the existing housing. It can be seen in the following simple drawing, a courtyard house occupies an area of 250 square meters on average, while an average single house occupies an area of 165 square meters (UN Habitat, 2017).

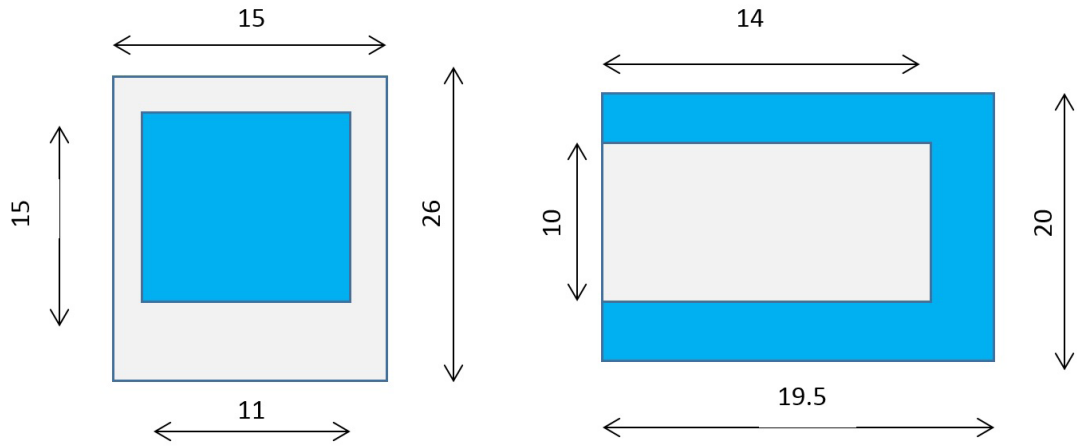


Figure 2.7. Comparison of detached house and courtyard house in terms of land use (Pictures Designed and Assembled by Author)

The advantage of the traditional courtyards of Afghan houses is that they have the possibility to accommodate more than one family, and over time these types of houses are suitable for making additions or departures to the divisions (Kazimee, 2002). Construction materials used in courtyard houses and construction techniques are suitable for efficient use of energy, such houses have the property of isolation from cold in summer and hot in winter. For this reason, it can be said that courtyard houses are more economical and environmentally friendly in terms of energy consumption (Bertaud, 2005).

The courtyard house designs cover a large area while being more comfortable in terms of livability and lighting (Kazimee, 2002). In fact, the land plots of houses all over the world are quite small in illegal settlements. So that the density of housing in the informal structuring areas is between 20 and 28 houses per hectare.

The intensity measured as a person per hectare is higher in informal areas. The reason for this is the coexistence of a large number of people in courtyards (UN Habitat, 2017). As a result, if looking at the house typologies in Afghanistan, it can be seen that they are composed of apartments, detached houses, courtyards, camp type settlements and informal settlements which are spontaneous. However, one of the settlements not mentioned here is the tent settlements of the refugees. It is difficult to spot these settlements correctly via satellite imagery. The fact that tent settlements are not a social issue should not be the only reason that the housing typologies are not generally mentioned (Bertaud, 2005).

Most of the houses in the illegal settlements of Kabul were built on government lands. They are cautious about urban renewal since the squatter residents do not have rights in the land. The Afghanistan Research and Evaluation Unit has also said that the slums owners may be prevented from improving their housing situation with fear of losing their homes. The World Bank study in Kabul decided that the informal settlements had to be replaced rather than destroyed, and the houses in these settlements began to be renovated (Schütte, 2006).

In the illegal settlements of Kabul, it is estimated that more than one third of the houses have more than one family. In a survey conducted by the Aga Khan Cultural Foundation, about 9 out of 10 families living in informal housing reported that they lived in only one or two rooms of residences (May, 2008).

While many condemned the city to be out of the legal framework and order, this illegal development gave various advantages to the people of Kabul and provided benefits to the sultans (World Bank, 2005). First, informal development is seen as a means of reducing poverty. Indeed, illegal settlements have prevented the catastrophe of many homeless families who can not find their place in the refugee camps. Refugee camps were inadequate when considering the large number of immigration to Kabul, and only 0.5% of the population had the opportunity to live in these camps. On the other hand, despite the political turmoil and wars of the past twenty years, many of the illegal residential builders have built well-designed, solid houses to be permanent in the field (Rasuli, 2015). Though the designs of these houses are inadequate. Secondly, informal settlements represent a tremendous private sector investment in housing. The value of Kabul's 2004 formal housing stock (not including land value) is $ 2.5 billion; a fixed capital is likewise assessed by many world cities in a similar way to informal settlements (The state of Afghan cities, 2015).



Figure 2.8. Illegal houses built in the Yamasa (Picture adapted from The state of Afghan cities, 2015)

According to the Afghanistan research and evaluation unit survey conducted in Kabul and Jalalabad, 60 percent of the people have built their own houses, 20 percent live in rented houses, and the rest are sheltered through charitable institutions. Those who migrate to cities that are generally poor also build their own homes. UNICEF notes that during 1990 about 80 percent of the new houses built in Kabul were built by individuals (Schütte, 2006).

While legal regulations generally permit certain types of housing, land regulations must be of a quality that will meet consumer preferences. In other words, according to the people who want to live in a cuddly house type, it is also necessary to arrange housing according to the people who want to live in houses of independent or apartment type. In addition, housing regulations should be inclusive of all income groups. Due to the limited resources of staff and capital, the government should concentrate its action on nine areas:

• Assurance of property rights in official and informal settlements

• Developing a legal framework that will allow the private sector to develop land in a legal and efficient way

• Investing in infrastructure and social services to serve the current population. If further deterioration can be made, the following suggestions can be made about housing and urban renewal

• The main problem of Afghanistan is not shelter, lack of infrastructure and legally regulated access to land

• Current informal housing that provides adequate housing for 80% of the population should be regulated, infrastructure deficiencies should be eliminated as much as possible. Because the government does not have the means to reconstruct all illegal settlements with the available financial resources

• Housing types and standards should reflect market demand. Traditional courtyard house design should also be supported. The courtyard should permit extensive construction of the houses

• Capacities can be improved by adding additional existing residences and serving more populations

• Road works to provide access to illegal settlements should be carried out with minimum demolition and displacement. So there will be no more financial spending

• The government should focus its limited resources on providing basic infrastructure and social services to the existing population and make new legal arrangements and plans to adapt to population growth.

3. DEFINITION AND IMPLEMENTATION OF LAND REORGANIZATION

Land Reorganization is one of techniques and procedure of urban development. It is also known as land collection or land reassembly in different countries. However, in the literature there is no specific definition of land reorganization covering all aspects of this phrase.

Larsson, G. gave the following definition of land reorganization: "The Land Reorganization is an important tool for the progress or improvement of new land or for the reorganization of urban areas. The land owners totally contribute to the streets and other public services, and build the necessary infrastructure entirely or partly by adapting the existing boundaries to the new plan" (Schrock, 2014).

Archer, R. W. gave the following definition of land reorganization, land reorganization (LR) is a technique for managing the planned development of urban-fringe, where a government agency consolidate a selected group of land parcels and then designs, services, and subdivides them into a layout of streets and serviced building plots and with the redistribution of remaining land to landowners and to sell part of the land for financial improvement and land development (Archer, 1992).

3.1. Land Reorganization Concept

Land Reorganization is an effective tool that can provide or improve basic infrastructure (roads, parks, primary education, clinics, water supply and sewerage systems...) and can improve the use of land parcels by reshaping and reorganizing irregular land parcels. In land reconstruction projects, property owners and landowners contribute a certain percentage of their land to provide basic infrastructure and contribute to the reserve / financial land to be sold during or after the project to fund the project (Jokel, 2004). After the completion of any land reorganization project, land values rise and land use is much improved, but usually the land area owned will be smaller than before. For example, as shown in Figure 9, before the implementation of the land reorganization project, the landowner A has large plot with poor infrastructure, after finishing of the land reorganization project, his plot will be reduced in area but with higher value and development of basic infrastructure.

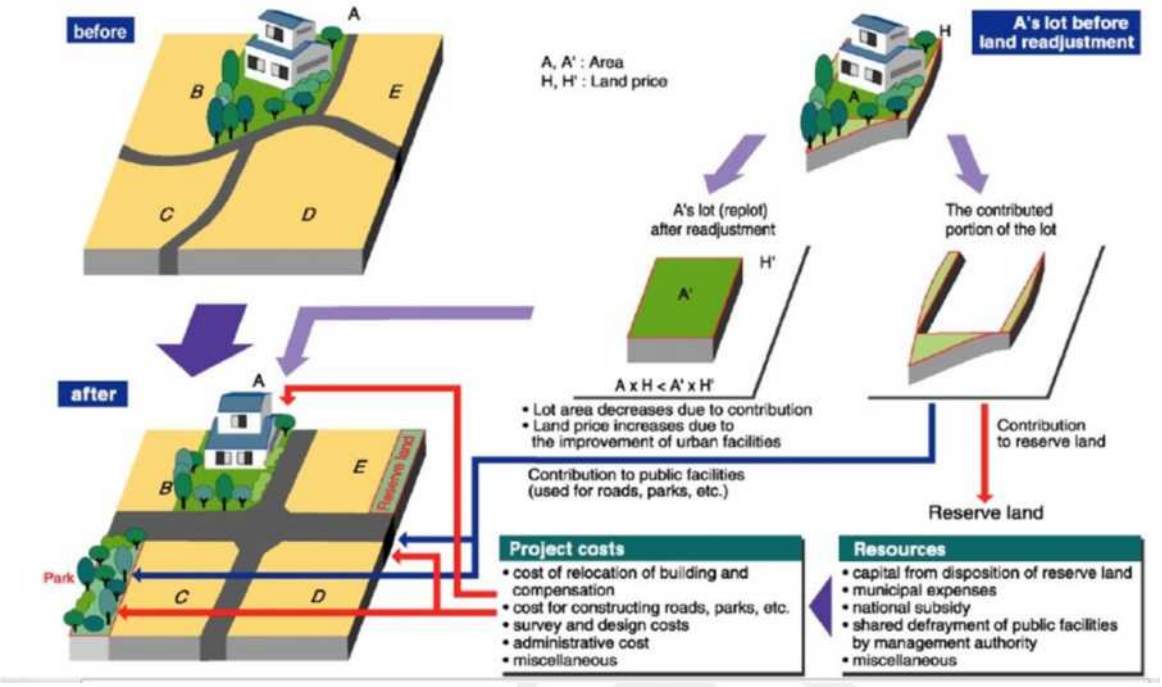


Figure 3.1. The concept of land reorganization (JICA, 2016)

The land change technique is used in the process of land reorganization project. Land reduction means that part of the land is considered for public facilities (infrastructure) and financial facilities. Previously, every landowner had to pay the cost of the project in cash. Poor landowner could not pay. For this reason, a financing system has been developed whereby instead of cash, each landowner contributes a percentage of his land. In the land reduction technique, planners have to estimate and determine the required land area for public facilities (road, school, park), plus required the land area for financial land to be sold in the open market to fund the project. The estimation also determines the contribution rate of each landowner.

The contribution theory is important in land reorganization because it is one of the basic organizations in land reconstruction projects. The contribution rate is calculated by evaluating the land values of each landowner before and after the project (Agrawal, 2001).

Table 3.1. The overall procedure of land reorganization (Home, 2007)

Starting	Generally by petition from most of the residential area people to the local government and the opponent ones or the ones who don't want to be at the project they will have to leave the area.
Announcement	Some private sectors or from municipality some staff comes to make clear the boundary of the scheme.
Planning	Preparation of the redevelopment plan, determination of the future use and re-planning of the streets and other parcels for example building for demolition and buildings for protections, street closures, public area have been proposed and some areas will leave for the municipality or any other implementer to finance the infrastructure of the project.
Calculation	Calculation of parcels fields before and after the land reorganization or restructure. Land sizes can be reduced up to 20% in streets and roads and up to 50% in public spaces and facilities.
Estimation	The costing of future market cost of or value of the reorganization parcels and the costing and estimation of the infrastructure.
Distribution or allocation	Completely or fully serviced land will be returned to the landowners and it is usually as closer as it was before like its original place.
Execution or fulfillment or implementation	The municipality or the private sector or any agency who is the responsible for the project funds the infrastructure through selling some parcels which were for the finance of the infrastructure

One of the most important features of the land reorganization project is the activation of land values after completion of the project. Moreover, it is also one of the main reasons that landowners share their contributions. In principle, when the basic infrastructure is built for redesigned land, legally the title of the old party is transferred to the redrawn parties.

As a result of this change and turnover, the land will be fully served and ready for further development. However, if some landowners do not want to improve their land, they can easily sell their land in open markets with higher values and earn their own benefits (Yırtıcı, 2005).

3.2. Benefits and Constraints of Land Reorganization

The great advantage of land reorganization is the mandatory partnership mechanism between the landowners of the urban area. In this arrangement, landowners contribute to a certain percentage of the land for the benefit of infrastructure provisions and financial land to cover the cost of the project.

The core of the land reorganization project is the provision of infrastructure and urban services. The land required for infrastructure and municipal services will be provided through the land contribution of the landowners during the project.

The advantage of land restructuring is the equal sharing of costs and benefits among landowners, as compared to other urban land development projects where project cost and benefits are distributed very unevenly among the landowners. Every landowner must share the contribution he made to the land (Şişman, 2009). Another important benefit of land reorganization is its self-financing capability. With this feature, residents alone can provide the majority of project costs, this feature offers a strong potential for implementing land reorganization as a method of alternative land development in developing countries where investment funds for urban infrastructure are a major constraint (Türk, 2009).

Another benefit of land restructuring is the nature of the landowners, because of the opportunity to cooperate between the government and the private sector.

During the land reconstruction process, landowners, residential owners, private sector and other community members can easily participate in all phases of the land reorganization project, not just government officials and planners, but other project stakeholders as well (Shisher, 2012).

Public participation can also provide potential for the projects of land reorganization because the acceptability of the project, the purchase of compulsory land or other urban development projects called elite areas (Uyan, 2011).

In other urban land development projects where there are selective areas or compulsory purchases, the relocation of some landowners will cause different problems not only for the moving resident but also for the project sponsor as well. In the land reorganization, relocation is easier and it is not possible to evacuate landowners who are often in the vicinity of the project area and keep them in the project area.

In addition to the potential benefits of land reorganizations, there are also some weaknesses. One apparent result of the land reorganization project is the increase in land prices. It's a significant problem for the low-income group, as it will restrict the affordability of these housing for them. However, if the project implementer is the government, then, there is a possibility to give them some areas inside the project and let them stay in the project area as civil minimum housing or social housing (Uzun, 2009). Sometimes, LR projects are time-consuming. It happens when more of residents in the project area are not agree to the project. In such cases, longer time is needed for discussion and persuasion of residents. Self-financing is a promise of land reorganization projects. Sometimes there can be financing constraints and budgets in land restructuring projects. Alternatively, it is possible for some landowners to get benefits earlier than others. For these reasons, some problems may arise during the implementation period and after the implantation period in the land reorganization projects.

3.3. The Characteristics of Land Reorganization

Land Reorganization has some potential features not only for the project organizer but also for all project stakeholders. The basic features and characteristics of the Land Reorganization are listed in the Table 4. Based on a comprehensive project plan on effective land use, different parts of the land infrastructure can be developed, such as primary education, kindergarten, park / open space, road network compatibility, water, gas and sewerage systems and drainage systems.

Table. 3.2. The Characteristics of Land Reorganization (Adapted from JICA, 1987)

No	The properties or the characteristic of Land Reorganization
1	The infrastructure of the urban area can be developed in a truly comprehensive manner.
2	Residents of the project can continue their normal life.
3	Land registry, street names and numbers books, cadastral maps, can be organized regularly by clarifying the boundaries of ownership.
4	Land rights are transferred after redrawing.
5	Owners pay fairly and equally the cost of development and they are equally receive benefits.
6	There will not be wasted land again.
7	The participation of all landowners is a necessary condition for a Land Reorganization project.
8	Project methodologies are difficult and complicated and it takes time for landowners and tenants to understand them.
9	The cost of developing a Land Reorganization project is lower than any other land development project

During the implementation of the land reorganization project, residents can remain on the project track and continue their normal daily lives. This means it does not create any discomfort for their daily life. In most of the development and redevelopment projects, the claims and comments of affected residents are the inequality of benefit and cost of the project. For example, someone will lose everything as his land was in front previously now there is a road network in the project plan, and someone else whose land was before in backside will come in front of roadside. It is unfair to the person who lost his land. In land reorganization, all the project costs and its benefits are shared equally by all residents through contribution and re-plotting disposition (Yıldız, 2008).

Another issue is about proper land utilization. Even in some completed development or redevelopment projects, we can find some barren areas that are a failure. However, there is no waste in land use in land reorganization, as in the land reorganization the use of shapes, sizes and even lots can be changed and there will be excessively small or useless

areas. As a requirement of land reconstruction projects, we need to investigate the project area in order to have complete knowledge of land boundaries, boundaries and uses. Then, according to the project plan, street names and numbers, registry books and cadastral maps can easily be arranged, this means that government registries and registration processes, as well as the land reorganization project, can easily be upgraded. In land reorganization projects, project supporter and practitioner never work in buildings and improvements. However, landowners and property owners can rebuild their own buildings on their own or work on their own (Jokel, 2000).

Professional knowledge is necessary to understand the concepts and procedures of the land reorganization. It takes time for landowners and property owners to fully understand the terms and procedures of the land reorganization project. The main point to be understood by the residents is the contribution logic and participation in the project (Çete, 2010). The contribution is one of the cornerstones of the Land Reorganization. The theory is to contribute equally to all landowners and landowners in order to provide land for infrastructure development and financial land in their fields.

3.4. The Applicability of Land Reorganization in Afghanistan

At the present time, in Afghanistan, according to the legislation of the Ministry of Justice, municipalities have significant power. For example, the Kabul municipality can expropriate private areas for road extension and public services.

Kabul municipality can take lands of anyone and place them to another place. Beside this legal authority another method or another process legal process can be Land Reorganization through this process there is a change for urban facilities or urban facilities can be made. As mentioned earlier, the Land Reorganization itself has the potential to respond to the environmental, cultural and economic needs of the Afghan people.

Table 3.3. Comparison of current dominant system of Kabul municipality with the proposed land reorganization system (Adapted from AKTC, 2011, Kabul Municipality Law, 2007, & JICA, 1987)

Description	The current eminent domain system in Kabul	The proposed Land Reorganization system
Cooperative or participatory planning	No	Yes
Access to roads and access to primary school	No	Yes
Enough parking lands or enough parking area	No	Yes
Electrical lines or electrical systems	Not always	Yes
Locations of buildings	Not always	Yes
Alignment and location of the street and roads network	No	Yes
Historical building locations	Yes	Yes
Self-Financed project s	No	Yes
Reserve lands to make the price of the project	No	Yes

To understand the effectiveness of each process, current domain system and land reorganization process system, a comparison of both is shown in Table 3.3. It can be seen that land reorganization provides many benefits than the elite field method. Unlike the elite domain name method, land reorganization projects are self-financing and let the participant planning. It is clear that the proposed land reorganization will be more efficient when considering the many factors of urban planning, such as better accessibility to the basic infrastructure within a neighborhood, lower spatial coverage, lower compensation payments and closest neighborhood location within the neighborhood in Afghanistan.

4. THE ANALYSIS OF CASE STUDY

The analysis of research was drawn together with qualified interviews, questionnaires and colleting data with some engineers who had been working over this site, some landowners in selected case study area and some urban planning authorities as well.

In addition, the main factors of the cooperative land development method (LR) have been analyzed in Afghan society as well.

- Social and cultural background of an Afghan society
- General perception of landowners on collaborative development (LR)

4.1. Social and Cultural Background of Society

For the successful adoption of a cooperative land development method, such as Land Restructuring, Land Reorganization and more methods like these the presence of a community based on co-operation between community members, working together to achieve their common interests is recognized as one of the most important characteristics. For this reason, the social and cultural infrastructure of Afghan society has been analyzed to see if such a method is feasible or not.

In Afghanistan, there is a traditional community building session for urban centers and towns, as formal institutional arrangements to deal with the common problems of urban planning in urban areas. The social and capital networks of these peasants and the provinces have always played a strong role in dealing with some social issues among the communities. Often, traditional community sessions play a crucial role in the fulfillment of tasks by official institutions within a community. In some communities where the municipality cannot provide them with some basic urban facilities, people in the community are trying to solve these problems themselves, but they are usually small-scale urban issues. However, the community participation system for large urban planning decisions is incomplete in Afghanistan's urban planning system. As a result, citizens in these communities cannot initiate large-scale community-based projects on their own in collaboration with urban issues.

Tribal chiefs, elders and religious leaders in villages play an important role in making or implementing decisions based on consensus, and unilateral decisions can not be made. The main form of decision-making in the village structure is carried out through the

gathering of representatives of the JIRGA from different sections of the community council, tribes or community.

The main figures in community councils are mostly leaders of the area. Decisions of the community council are very valuable and respected, so they can be easily implemented. Community assembly meetings were organized to address all social issues within a village or to resolve issues between the villagers. On the other hand, the district director selected by the government and governs the districts within the city, all issues within a community are reported to the county governor and then the county director is in charge of them in accordance with the law.

4.2. Mutual Trust of People in the Society

Mutual trust between community members is a crucial factor in the cooperative land development method (LR), which facilitates the implementation of the method, this feature has been analyzed among the landowners and community members in the selected case study area of this study.

The mutual trust between community members in this area is much stronger than in city centers. There is usually a mosque in the area where the field researches do. Usually after a Friday prayer, the religious leader or the elderly notifies members of the community when there is a problem in the area. Almost one or two of every family in the community participate. Generally, street and community-level people come together to perform tasks such as clearing irrigation channels, rebuilding the mosque and helping each other through construction work.

4.3. Overall Perception of Landowners Regarding Collaborative Development

From almost 150 landowners in the selected case study area, 25 were interviewed by unstructured surveys and interviews to find the general perception of landowners' toward collaborative land development.

4.4. Analysis of Case Study Area

At the current time Şar-Ara region is one of the most valuable regions of the Kabul City, because it is close to the Kabul Central Business District. The selected part of Şar Ara measures an area of approximately 15 hectares, and contains a total of 160 parcels, 24 of which are commercial and 136 of which are houses, and include mosques and tombs.

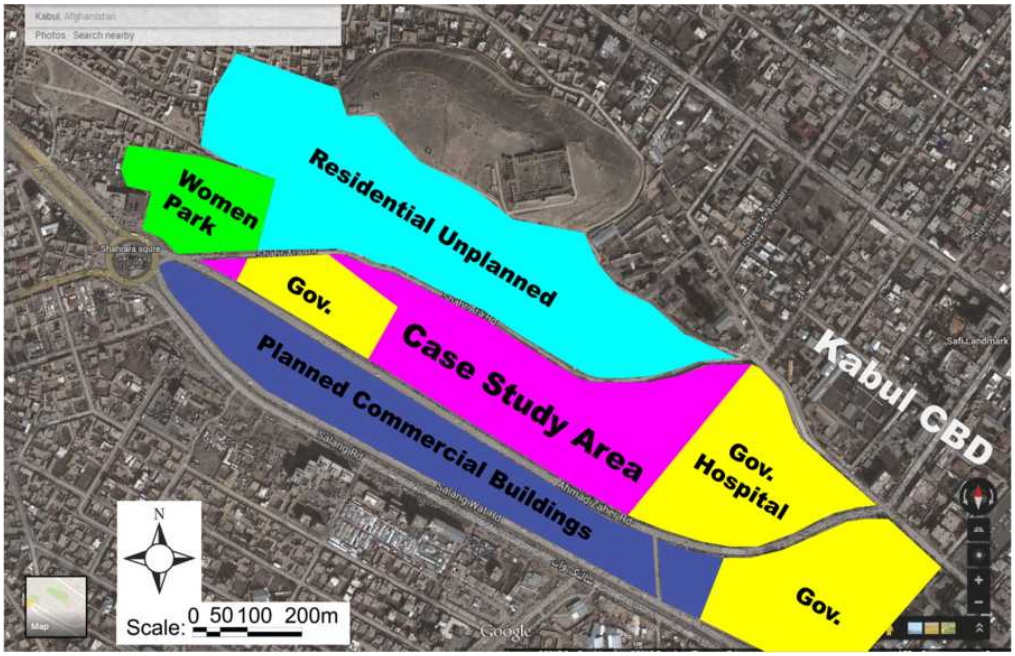


Figure 4.1. Normal plan of Şar-Ara Area (Designed by Sadiq, 2016, adapted from Google Maps, 2016)

The housing department is home to 150 families (about hundreds residents). Inadequate capacity within the government to provide affordable housing for the growing population has led to measurable steps taken to shape the habitats in which the population responds to housing needs in an increasing population. And as a result, living spaces become more dense and compact. Settlements used by a family in the past have grown horizontally / vertically and right now used by several families. Protected areas for recreation were filled with unplanned settlements.



Figure 4.2. Conditions of residential area (Photos taken from Sadiq, 2016)
A- The current conditions of residential area's sub road
B- The current condition of residential area's sewerage system
C- The current condition of residential area's parking
D- The current condition of a Mosque in the residential area



Figure 4.3. Conditions of residential area (Photos taken from Sadiq, 2016)
A- The current status of the partially little planned area
B- The current status of mosque in little planned area



Figure 4.4. Conditions of residential area (Photos taken from Sadiq, 2016)
C- The current state of the subway in a totally unofficial area.
D- The current state of sewerage conditions in a completely informal area.



Figure 4.5. The overall images of the residential area after rain (Photos by Author, 2017)
A- The condition of the subways after raining
B- The situation of sewerage system in little built up parts of the area



Figure 4.6. The overall images of the residential area after rain (Photos by Author, 2017)
C- The situation of the sewerage system in non built up area
D- The bad condition of living in the area after raining



Figure 4.7. The overall images of residential area after raining (Photos by Author, 2017)
A- The situation of a subway after raining at the residential area
B- The condition of little built up area after raining



Figure 4.8. The bad condition of common way (Photos by Author, 2017)
C- The bad condition of common way of the area
D- The condition of sewerage system in little built up areas

In order to ensure the applicability of the land reorganization some private sectors with the help of Kabul municipality have been working over some projects, some master and doctoral students from Japan and India invited as well for this project. And fortunately, most of the members of this project are from Afghanistan and have a general picture of the case study area.

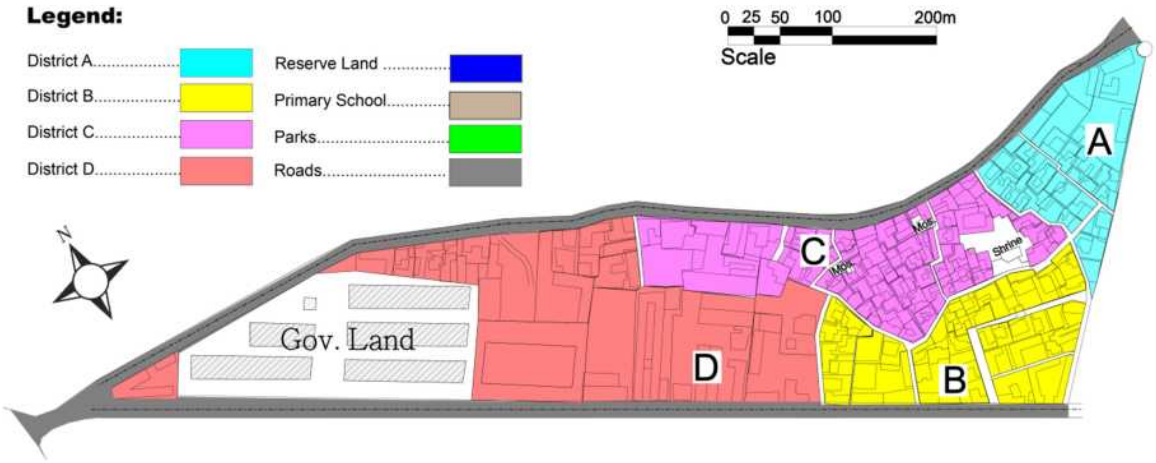


Figure 4.9. Şar-Ara's current drawn area (Taken from Sadiq, 2016)

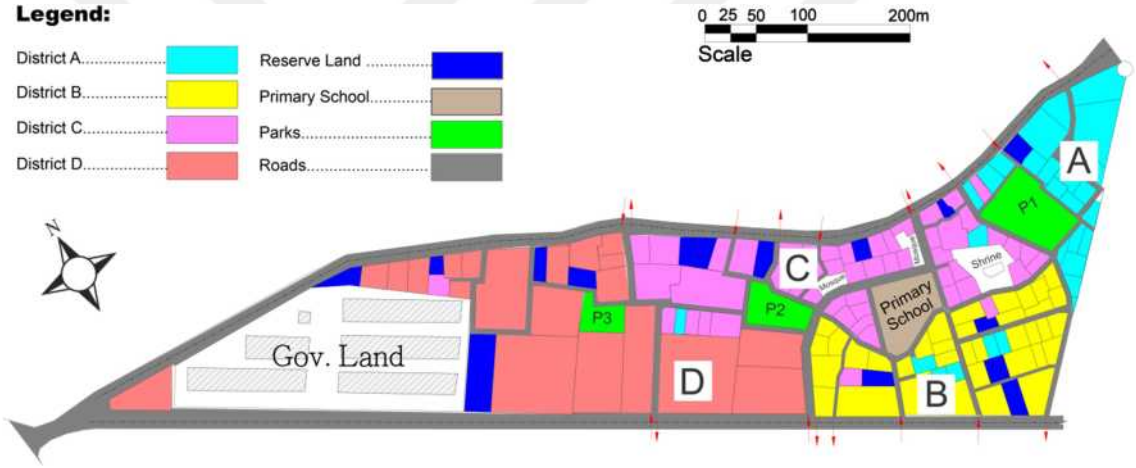


Figure 4.10. Şar-Ara's redesign model after gaming experiment (Taken from Sadiq, 2016)

They have been working on this land reorganization project since 2016 and will be the first land reorganization project in Afghanistan, until now, neither the Urban Development Ministry nor the Kabul Municipality have announced an official strategy for the launching of their work. Writing and technical approvals of the Principle have been completed in 2015, but for various reasons they have not yet been submitted to the parliament of the country for approval.



Figure 4.11. A picture of the experiment (Photos taken from Sadiq, 2016)
(A) A picture of the brainstorm during the experiment
(B) A Picture of staffs during working at the project



Figure 4.12. A picture of changing pattern (Photos taken from Sadiq, 2016)
(C) A picture of the modified game model
(D) A picture of the Land readjustment model of Şar Ara

The parliament of the country does the approval process after the approval of the parliament the budget through the ministry of finance will come for the project then they can start their work

4.5. Land Reorganization Project Analysis

To clearly understand the changes in the land use pattern during the project phases (Before the land reorganization project and after the land reorganization experiment), A list of land use pattern was prepared for each phase.

Table 4.1. Şar Ara's land use patterns (Table taken from Sadiq, 2016)

Classification	Before LR Project		Modified after LR project	
	Area (m^2)	Share (%)	Area (M2)	Share (%)
Residential Use	39595	26%	30720	20%
Mixed Use	12482	8%	20924	14%
Commercial Use	62440	41%	44097	29%
Governmental Land	28919	19%	28919	19%
Land for Public Facilities	10188	7%	28964	19%
Grand Total	153624	100%	153624	100%

It can be seen easily, for public facilities the land has increased three times more than before land reorganization project, this is a positive change. At the same time, the mixed area increased from 8% to 14% after land reorganization project than it was before the land reorganization project, which is again a positive change. The reason for the increase in mixed use is the addition of reserve assets as a mixed-use area, as well as the conversion of housing areas into mixed-use areas. Simultaneously, land areas for residential use and commercial use are significantly reduced after the land reorganization project than before the land reorganization project.

Infrastructure improvement is one of the main goals of any Land Reorganization project.

In the Table 4.2. Şar-Ara's infrastructure status along the project phases is shown. It can be seen that road network is significantly increased (from 8006 m2 to 16047 m2), and other facilities such as primary school and park area are newly provided for the area.

Table 4.2. Şar Ara residential area's infrastructure status (Table taken from Sadiq, 2016)

Infrastructure	Before LR Project		Modified after Gaming	
		Area (m^2)		Area (m2)
Mosques	V	462	V	881
Road Network	V	8006	V	16047
Parks/Open Space	X		V	8581
Primary School	X		V	3455
Grand Total		10188		28964

On the other hand, a brief survey at the end of the project, a discussion of 10 minutes and a survey with some residents and some officials, Who are working on the approaching project, to understand the feedback and understand the needs of the residents that should not be forgotten, It should be seen as a necessity to deal with the spatial characteristics of living spaces that will be newly formed together with the mentioned concerns in terms of physical, cultural, social and ecological aspects. A questionnaire has been done. They gave some valuable feedback. The overall images of the questionnaire which has been done at the residential area and with some staff of the new upcoming project, which will happen soon.

Table 4.3. The overall images of the questionnaire

Gander?	❒Male ❒Female		Marital Status	❒Married ❒Single
Age?	❒20-30	❒30-40	❒40-50	❒50-65
Education Level?	❒University	❒Master	❒PhD	❒Other
Education part?	(Explain): ……			
Your work experience?	❒5Year	❒5-10Year	❒10-15	❒15 Year and more
What are the most important needs of this area? (Explain): ……				

Could you give us your feedback about following questions, Choose one of these options? 1 = Yes 2 = No		
1. Will the people of the area pay for the project?	①	②
2. Will there be Mosque, School, and Clinic in the new project?	①	②
3. Will there be green areas and parks in the new upcoming project?	①	②
4. Will there be dues for housing in the new Project?	①	②
5. Will there be new shopping malls and business centers in the new project?	①	②
6. Will the rent be paid during the project?	①	②
7. Does urban transformation bring easiness for disable people?	①	②
8. Will it be able to get a good space than the current home?	①	②
9. Will it bring positive points to the high growth population of the area?	①	②

Could you give us your feedback about following questions, Choose one of these options? 1 = Will be finished 2 = Will not be finished 3 = Some will and some will not			
1.What will happen to the illegal properties?	①	②	③
2. What will happen to the illegal houses?	①	②	③

Could you give us your feedback about following questions, Choose one of these options? 1 = Kabul Municipality 2 = Private sectors		
With who people of the area will make agreements?	①	②

The overall images of the questionnaire which have been done with the residents of the residential area.

Table 4.4. The overall images of questionnaire

Gander?	❒Male ❒Female Marital Status	❒Married ❒Single
Age?	❒20-30 ❒30-40 ❒40-50 ❒50-65	
Education Level?	❒High school ❒University ❒Master ❒PhD	
Education part?	(Explain): ……	
How long it has been since your living in Kabul?	❒1-3Year ❒3-5Year ❒5-10Year ❒10-15 ❒15 Year and more	
How long it has been from your living at the Area?	❒1-3Year ❒3-5Year ❒5-10Year ❒10-15 ❒15 Year and more	

As a point of yours, which one can be the biggest problem of the area?	❒Poor road network ❒Sewerage Problems ❒Health Care Center ❒Parking ❒Other (explain):
As a point of yours, which one can be the biggest problem of the area?	❒Not existence of a Primary School ❒Transport Problems ❒Green Areas and Parks ❒Resting Places and Cafes ❒Sportive Areas

The questionnaire has been done in Şar Ara region in the center of Kabul city in Afghanistan. The area selected for the survey is about 15 hectares, with 136 houses, several commercial buildings as well.

The people living in this region are far away from the living conditions of today and the most important problems of the region are, the absence of a primary school, sewerage problems, poor road network problems and more.

The questionnaire was used as a data collection tool in the Şar Ara district. The questionnaire conducted with almost 25 people who are living in this region.

A special sampling group has not been chose, but after trying so much no one came for interview, the majority of the 150 families who are living in 136 houses in this residential area didn't came. We tried to go to houses one by one, the majority of the residents did not want to participate in the survey, some of the responses were like this:

- We live in this area as a tenant we will go to better places nearby.
- We are not concerned with the current problems here and their solutions.
- I do not know how to read or write, I do not understand anything from the questionnaire; I do not want to participate, I do not say why I dont participate in the survey. And some more like this.

In the end, only 25 people agreed to participate in the survey and answer the questions. The results of the research can be seen at the following tables and figures.

Table 4.5. The overall result of the questionnaire (Gender Part)

Gender			
Gender	Frequency	Percent	Valid Percent
Male	21	84%	84%
Female	4	21%	21%
Total	25	100%	100%

As shown in Table 4.5. 84.0% of the 25 participants are men and 16.0% are women. This difference between the participants is not an extraordinary situation. It is not possible for women to read and write more than men, to be closed to the outside world, and most importantly, for a woman to exchange ideas with a foreign man.

Table 4.6. The overall result of the questionnaire (Marital Status Part)

Marital Status			
Marital Status	Frequency	Percent	Valid Percent
Married	15	60%	60%
Single	10	40%	40%
Total	25	100%	100%

When looking at the data in Table 4.6., 60.0% of the participants are married and 40.0% are single. According to the marital status of the people participating in the survey, it can be said that the participants have normal distribution.

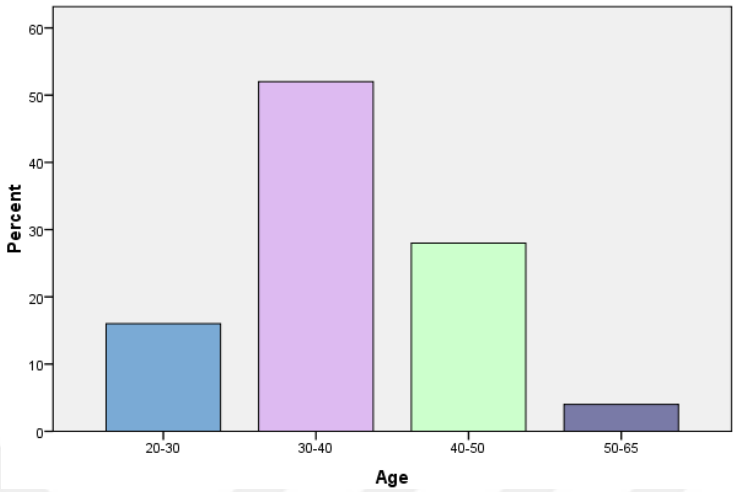


Figure 4.13. The overall result of the questionnaire (Age Part)

Table 4.7. The overall result of the questionnaire (Age Part)

Age		
Age	Frequency	Percent
20-30	4	16%
30-40	13	52%
40-50	7	28%
50-65	1	4%
Total	25	100%

According to the findings in Table 4.7., 52% of the 25 participants are between the ages of 30-40, 28.0% between the ages of 40-50, 16.0% between the ages of 20-30 and 4.0% . It can be seen that half of the people participated in the survey are over 30-40 years old, middle-aged people.

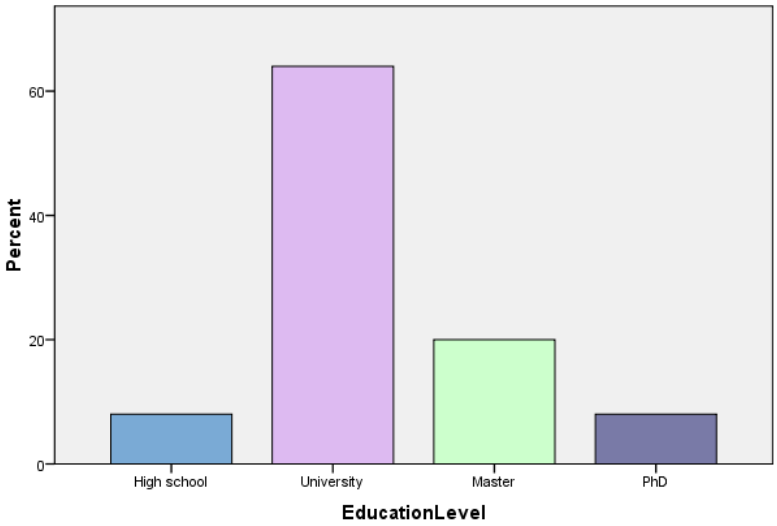


Figure 4.14. The overall result of the questionnaire (Educatıon level Part)

Table 4.8. The overall result of the questionnaire (Educatıon level Part)

Education Level		
Education Level	Frequency	Percent
High School	2	8%
University	16	64%
Master	5	20%
PhD	2	8%
Total	25	100%

According to Table 13, 92.0% of the participants are educated, 64.0% of them are undergraduate, 20.0% have master's degree and 8.0% have PhD level education. According to the basis of this evidence if it can be concluded that the majority of the people in the region are educated, it will be wrong. Because, as we talked before, the majority of people did not want to participate in the survey because they were uneducated. Those who are already trained, researchers, and those who know what the questionnaire is, have agreed to participate in the survey. So it can be said that the data related to the level of education of the participants is normal due to the current situation.

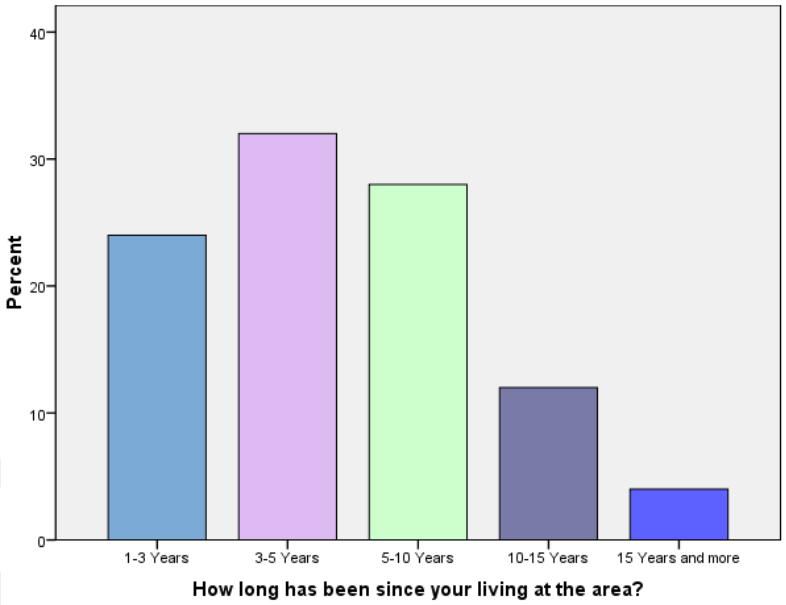


Figure 4.15. The overall result of the questionnaire (Questıons Part)

Table 4.9. The overall result of the questionnaire (Questıons Part)

How long has been since your living in the area		
How long has been since your living in the area	Frequency	Percent
1-3 Years	6	23%
3-5 Years	8	31%
5-10 Years	7	27%
10-15 Years	3	12%
15 Years and more	1	4%
Total	25	100%

According to Table 14, 12,0% of the participants are people who has been living between 10-15 years, 31,0% of the residents are those residents who has been living at the area from almost 3-5 years, 27,0% are those residents who has been living from 5-10 years, 23,0% of the residents are those people who has been living at the area between 1-3 years and 4% of the population are those residents who lives in this region for more than 15 years.

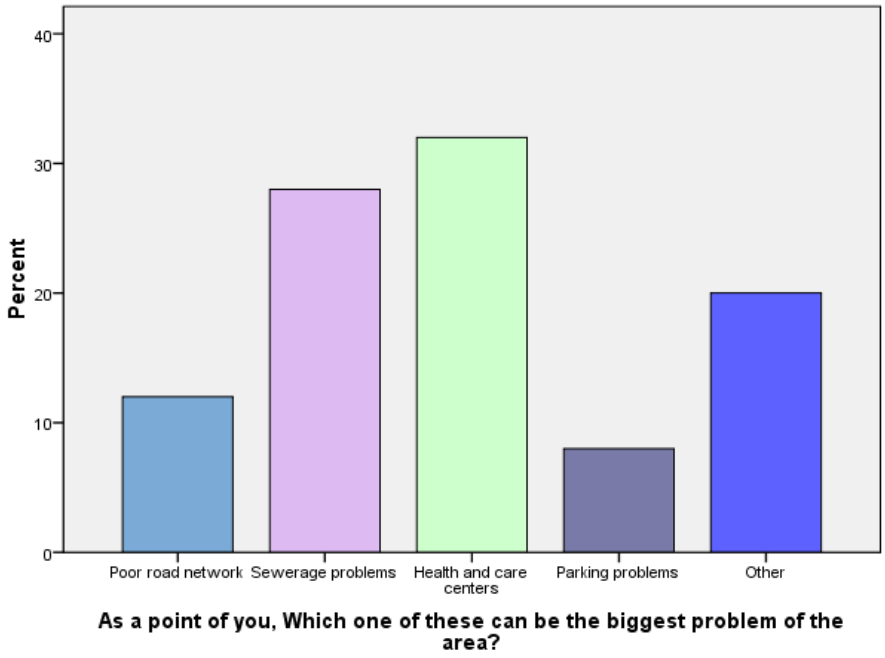


Figure 4.16. The overall result of the questionnaire (Questıons Part)

Table 4.10. The overall result of the questionnaire (Questıons Part)

As a point of you, Which one these can be the biggest problem of the area?		
As a point of you, Which one of these can be the biggest problem of the area?	Frequency	Percent
Poor road network	3	12%
Sewerage problems	7	28%
Health and care centers	8	32%
Parking problems	2	8%
Other	5	20%
Total	25	100%

The majority of participants expressed health and care centers and sewerage problems as the major problems of the region. Almost, 32.0% of the participants have shown health and care centers as the biggest problem in the region, 28.0% of the participants have shown sewerage problems, 12.0% of participant have shown poor road network as the biggest problem of the area, 8.0% of the participant have shown auto park problem as the biggest problem of the are and 5% of the participants have shown other problems as the biggest problem of the residential area.

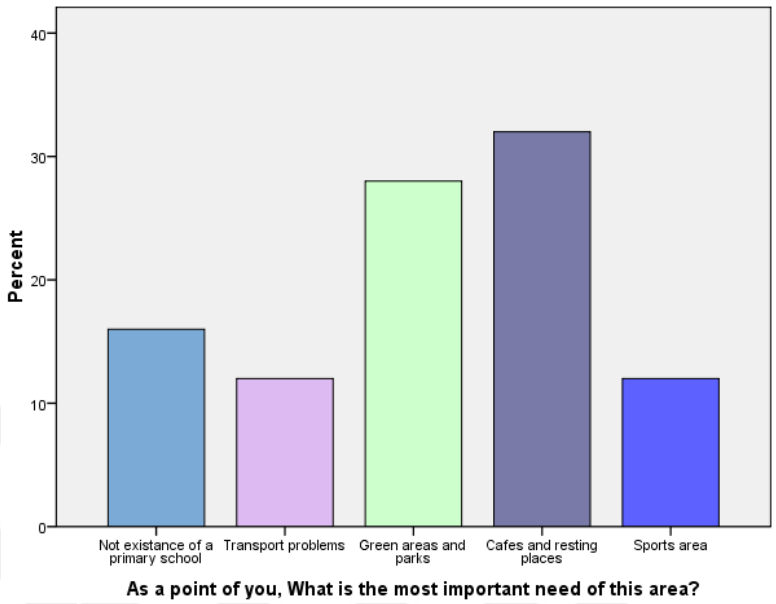


Figure 4.17. The overall result of the questionnaire (Questıons Part)

Table 4.11. The overall result of the questionnaire (Questıons Part)

As a point of you, What is the most important need for this area		
As a point of you, What is the most important need for this area	Frequency	Percent
Not existence of a primary school	4	16%
Transport problems	3	12%
Green area and parks	7	28%
Cafes and resting places	8	32%
Sport areas	3	12%
Total	25	100%

When looking at the data in Table 4.11., It can be seen that the majority of the participants almost 32,0% of the residents have shown Cafes and Resting places as the most important need of the area, 28,0% of the participants have shown green areas and parks, 16,0% of the participants have shown primary schools, 12,0% of the participants have shown transportation and 12.0% of the participants have shown sports area as a need for the residential area. It may be seems a bit strange that although majority of participants have so many problems in the region still want cafes and resting places, green spaces and parks as the most important need of the region. These issues require qualitative researches to clarify, This research was a quantitative research. It can seen that cafés, resting places, green spaces

and parks can be thought of as contributing to the development of the region and the resolution of a few problems.

The questionnaire which had been done with the people of the area during some 10-15 minute interviews shows us some negative points as well and that is, almost all needs of the people in the residential area has not been completed in this upcoming project, for example in this upcoming project there isn't any space for sports area, there is not any place resting area as well so this questionnaire could help us to recommend for the project implementers so that they could take care of these needs and try to make a solving way for these needs of the people.

Among the questions, the Land Reorganization project has the highest sixteen strongly likes answer and highest eight neither answers. According to the results of the questionnaire, It can be easily found that people strongly liked the concept and interrelation Land Reorganization projects. At the same time, they evaluated the Land Reorganization project materials and procedures positively by having ten positive answers.

The questionnaire that have been done with some staffs who are working at this project they are giving their feedback by this way, people of the area will not pay for the project and they can continue their daily life normally, clinic, green areas, primary school and other most important needs of residents have been taken care at this upcoming project and this urban transformation will bring much facilities to the residents but when we asked that the questionnaire which had been done with the people of the area during some 10-15 minute interviews shows some negative points as well and that is, almost all needs of the people in the residential area has not been completed in this upcoming project, for example in this upcoming project there isn't any space for sports area and resting area and their response were like this Şar-Ara area is one of the highest valued areas in Kabul city, as it is close to Kabul Central Business District and Şar-Ara measures about 15 hectares, and contains a total of 160 plots of which 22 are commercial and 138 residential, and includes mosques and shrines.

The residential section is a home of 145 families (around one thousand residents). Lack of capacity within the government to provide affordable houses for the increasing population, and returning of much refugees back to Afghanistan has led the inhabitants to take measurable steps in shaping of their living spaces by which somehow responds the

housing needs of the growing population. And as a result, the living areas become denser and compact.

The following are the main problems found in the case study area: Land sizes and shapes, inefficient land area uses, poor road network, no drainage system, no sewerage and water supply systems, and further access to a primary school.

As a point of an architect for those problems or those important elements, which are important to evaluate has been worked as well, the new urban areas that will arise after the implementation of the land reorganization method should be within the scope of architectural discipline.

It should be seen as a necessity to deal with the spatial characteristics of living spaces that will be newly formed together with the mentioned concerns in terms of physical, cultural, social and ecological aspects.

5. RESULTS

Many conclusions can be drawn from the work, which saw land reorganization as a case study. Firstly, in chapter two, informal settlements and types in Afghanistan were identified. Behind that the main causes and effects of rapid urbanization, urban-rural circuits, return of refugees, inadequate infrastructure, and more informal settlement growth than ever before the war and conflict in the country. Followed by, the government strategy undertaken to alleviate the informal settlement was explained. In addition, the current eminent domain system and its deficiencies are listed and there are some weaknesses in planning and decision-making regarding public participation and community involvement. To end this, an alternative process was proposed for the promotion of informal settlements through the land reorganization.

Secondly, a method called land reorganization, which is thought to be a solution to cope with the problems mentioned in chapter three, land reorganization is a multipurpose land development method that can be used for various urban purposes such as land acquisition, land acquisition for local urban facilities and infrastructure network, fair sharing of cost between community members, timely land development, and systematically land, protecting property rights and etc. And through land reorganization, urban development has been regarded as one of mutually beneficial processes for both the landowners and the government. Since this process is a self-financing process, no budget is needed for the government in the process of implementing the process. Social and physical infrastructure can be provided for residence through the implementation of land restructuring. The method may encourage active community participation by ensuring active involvement of community members in the project area, together with government or any implementing body, and cooperative participation. In addition, the method is a self-financing urban land development method that can reduce transaction costs and save social capital through infrastructure, road network, public facilities and land supply mechanism for project costs. Some other issues related to the method such as land restructuring method, method principles, implementation factors, types of land restructuring and advantages and disadvantages of the method are also discussed in chapter three.

The third is that, The key principles and implementation factors that make land reorganization a successful land development tool are linked to various characteristics of a

community. These various aspects of a society are discussed in chapter four in Afghan society, and then, in the current project, a questionnaire to improve the project, a questionnaire to understand the needs of the residents, which are forgotten, has been done.

All needs of residents should be considers in the project. The survey can be a good example for KM, MUDA and other professionals dealing with urban projects. At the same time, the feedback of people who have been carried out can be a good experience for local Afghan citizens. They can learn the mutual relationship and understand better how they can change their views with their municipalities.

6. CONCLUSION

As discussed, Kabul Municipality is currently using eminent domain for alleviating the informal settlements in Kabul. However, based on an efficiency comparison between the eminent domain and land reorganization processes in Afghanistan, It can be seen and that land reorganization is much better as an effective way of community design and development for Afghanistan.

Furthermore for betterment of the project, a survey to realize and understand the needs of the residents which have been forgotten at the current project, have been done, the questionnaire which had been done with the people of the area during some 10-15 minute interviews shows some negative points as well and that is, almost all needs of the people in the residential area has not been completed in this upcoming project, for instance in this upcoming project there isn't any space for sports area, there is not any place resting area as well so this questionnaire could help us to recommend for the project implementers so that they could take care of these needs and try to make a solving way for these needs of the people.

6.1. Recommendations

The general research recommendations are:

At first, one of the main objectives of this work was to find a way to design and develop communities in Afghanistan. According to the results, the land reorganization proved to be a more productive and feasible process for Afghanistan. In the meantime, the land reorganization model was proposed in Afghanistan. The definition of Afghanistan's land reorganization model throughout the country and the establishment of legislation by Kabul Municipality and Ministry of Urban Development Affairs are strongly recommended.

Secondly, for the improvement of the project, the needs of the residents once again have been realized through a questionnaire so that all needs of every resident at the project, should have been realized at the project and it can be seen that this type of questionnaire can be a good example for other professionals working in Kabul Municipality, Ministry of Urban Development Affairs and urban projects. At the same time, the feedback of people who have been carried out can be a good experience for local Afghan citizens. They can

learn the mutual relationship and understand better how they can change their views with their municipalities.

Finally, the focus of this research was the feasibility of the land reorganization project in the informal areas of Afghanistan. The Comprehensive Implementation of Land Reorganization in Afghanistan needs further research into the feasibility and policies and initiatives of its legislation in the official settlements of Afghanistan.

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