

URBAN PLANNING AND DEVELOPMENT

The Agency for Construction and Architecture is responsible for the elaboration and implementation of the State policy on Architecture, Urban Development and Construction. Specifically, it is responsible for elaboration of spatial planning activities, updating of existing master plans, carrying out research in the areas of its competence and elaboration of procedures for approval of projects related to architecture, urban development and construction.

The local branches of executive power (*hukumats*) are responsible for the elaboration of administrative territorial division schemes, master plans and detailed urban development plans together with the Agency for Construction and Architecture. The former are also responsible for allocation of land plots for construction projects in accordance with the Land Code.

The Government authorities approve the master plans of the provincial capitals, the city of Dushanbe and cities and districts of the Region of Republican Subordination. The Government is also responsible for submission of the State Complex Administrative Territorial Division Scheme and local administrative territorial division plans for approval to the *Majlisi Milli Majlisi Oli* (the Upper Chamber of Parliament).

A. OBTAINING CONSTRUCTION PERMITS

Since independence, procedures for obtaining construction permits (box 3) have been very long, bureaucratic and not transparent even compared with those of other former Soviet republics. In order to improve the situation and ease the administrative procedures in the construction sector, a process was initiated by the Government in 2009. Presidential Decree #638 of 18 March 2009 on “Improvement of the administrative procedures related to construction activities in the Republic of Tajikistan” aimed at the elaboration of simplified procedures for obtaining construction permits which would improve the realization of the Law on Architecture, Urban Development and Construction Activities. Following this process, the Government has issued Regulation #282 of 6 May 2009 approving the new order of administrative procedures required for obtaining a construction permit which introduces the principle of the “single window”.

The Agency for Construction and Architecture has reviewed the list of documents required for obtaining a construction permit and, in June 2009, approved the updated templates of documents to be submitted as a part of application for a construction permit.

Box 3. Stages for obtaining a construction permit

- (1) The selection and allocation of a land plot for construction activities: the local *hukumats* are responsible for allocation of land plots in accordance with the land legislation.
- (2) Obtaining approval for the architectural design: local branches of the Agency for Construction and Architecture approve the project designs based on the capacities of the engineering infrastructure and prepare technical specifications to be used for the preparation of the project documentation.
- (3) Preparation of project documentation: the applicant prepares the project documentation in accordance with the procedures established by the Agency for Construction and Architecture.
- (4) Approval of project documentation: local branches of the Agency for Construction and Architecture verify if the documentation has been prepared in accordance with the architectural layout and urban development norms and send the documentation for approval to other concerned bodies.
- (5) Expertise of project documentation: After obtaining the approval of the concerned bodies, the applicant sends the documents to the body responsible for the State examination for the conduct of an expertise of the project documentation.
- (6) Obtaining a construction permit: After obtaining approval from a body responsible for expertise, the applicant applies to the local branches of the Agency for Construction and Architecture to obtain a permit to conduct construction activities.

B. MASTER PLANS⁹⁹

Throughout the 1990s, due to the civil war as well as to the resulting economic and social problems, activities related to the development of master plans were mostly suspended. Starting from 2001, *Giprostroy* resumed the process of updating and correcting master plans in Tajikistan as many of them became outdated or their validity expired. *Giprostroy*, is a body within the Agency for Construction and Architecture responsible for development of master plans. The organization has been working in this capacity since Soviet times and basically has a monopoly in this field of expertise.

Initially producing one to two master plans per year, *Giprostroy* has increased its capacity and is now capable of commissioning up to 8 to 10 master plans per year. *Giprostroy* also has one branch located in Sogd Oblast which is responsible for compilation of master plans for settlements located in that province.

The process of preparation of master plans is carried out in cooperation with the local branches of the Executive Power — the *hukumats*, which are responsible for providing information to *Giprostroy* on the current situation in their settlements and the plans for future development of the areas in question. Upon completion of each draft master plan, the document is circulated among the governmental agencies for their comments. Payment for the services of *Giprostroy* comes either fully from the local *hukumats* budget or, as in the case of the financially weaker regions, the State budget provides either full or partial support.

The participation of the population in the decision-making process of drafting master plans is very limited. Moreover, the information provided by local governments on the current situation with master plans and their ongoing updating is typically very inadequate. This leads to confusion among the people regarding their plans to construct new houses and creates uncertainty about the future of existing dwellings. This in turn may create further problems of illegal construction and evictions in such areas.

Master plan of Dushanbe

After becoming the capital of the Tajik Soviet Socialist Republic, Dushanbe started to quickly develop into a city with an increasing population. The number of inhabitants in the capital had already reached 575,900 by 2009.¹⁰⁰

At the same time, the city borders have also changed considerably during the twentieth century. If initially the development of the city occurred on the left bank of Dushanbe River, later on the city expanded noticeably to the west on the right bank of the river and to the south and east (see figures 7 and 8). The first master plan of the city was created in the 1930's by Russian specialists and Dushanbe has had few subsequent master plans since then.

Even though the 1983 master plan of Dushanbe has expired, its validity was extended in 2005 by the Government until elaboration of a new master plan for the city. In 2009, the Municipality of Dushanbe announced an open tender for the elaboration of the master plan of the city. *Giprogor*, the Russian Institute for Urban Planning and Design in Moscow, won the tender and has begun its work on the master plan.

Because of the civil war and the economic stagnation of the 1990s, many of the components of the 1983 master plan could not be completed. The work on the new master plan should be considered as the continuation of the 1983 master plan in order to update it, rather than being a completely new document.

As it was foreseen under the 1983 master plan, some territories of the neighbouring Rudaki and Vahdat districts that were temporarily being used for non-construction activities (mainly, agriculture) would be given to Dushanbe and the city borders would be enlarged in this manner. The transport, infrastructure and other schemes for the city elaborated previously would also be taken as the basis for the new master plan.

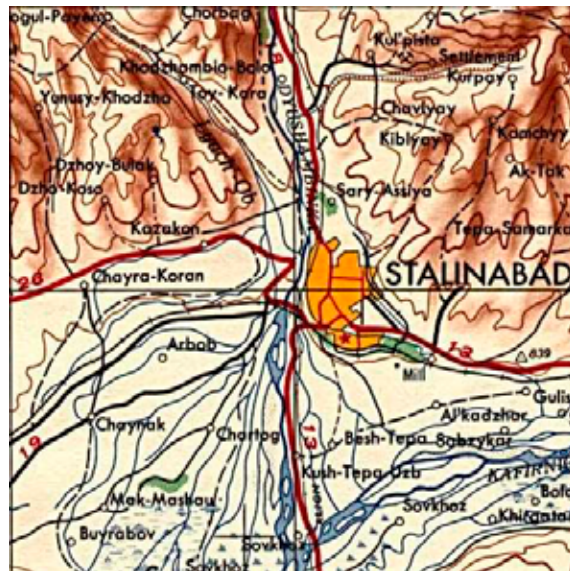
However, there are also considerable changes anticipated in the new plan. It is foreseen that under the updated master plan Dushanbe will have a population of 1 million people instead of 750,000, as outlined in the 1983 plan. As the area of the available land is very limited, the increase in the population would be achieved through construction of high-rise buildings, thus increasing the population density. This would be achieved through construction of 16-, 18- and 25-storey buildings.

With regard to this plan, the application and enforcement of building codes, especially those related to the seismic stability of buildings, is of utmost importance for Dushanbe, which is situated in a zone of high seismic activity.

⁹⁹ Based on information provided by *Giprostroy* Tajikistan, January 2010, Dushanbe.

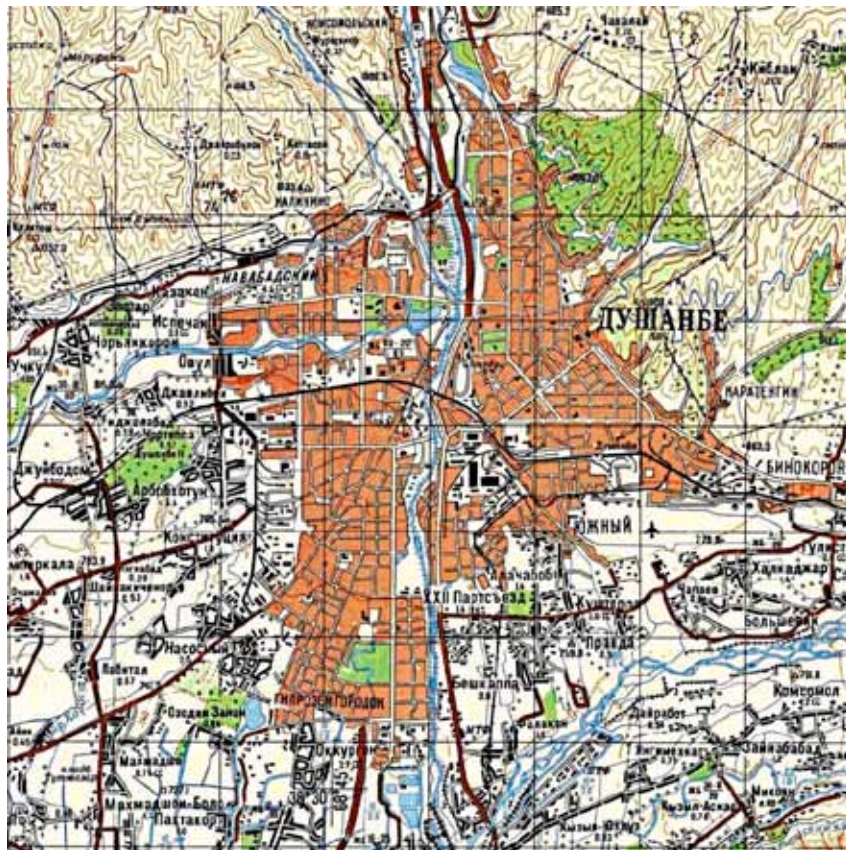
¹⁰⁰ UNECE Countries in Figures, 2009.

Figure 7. Map of Stalinabad (Dushanbe), 1956



Source: www.mappery.com.

Figure 8. Map of Dushanbe, early 1980's



Source: www.topomaps.eu

C. RESETTLEMENT AND COMPENSATION

The Committee for Emergency Situations and Civil Defence, in cooperation with other State agencies is responsible for the elaboration of medium-term plans for resettlement of the population from disaster-prone areas to safer places. The plan for 2008–2010, for example, has foreseen the resettlement of 1,800 households. There has been some criticism, however, especially in the earlier years of the implementation of such plans, from the international community, as some of the resettlement activities were not well planned and the relocated population has not always been able to find appropriate living conditions in their new settlements. These included problems with the provision of basic infrastructure and public services like medical care and schools. The compensations and loans given to the resettled population are also not adequate to build proper dwellings in a new place. According to Regulation #99 issued by the Government on 4 March 2005, the households that were affected by natural disasters and need to be relocated receive compensation in the amount of 100 somoni (\$1 = 4.4 somoni) per head of the family and 50 somoni per each additional family member. Each household is also allocated a tax credit in the amount of 3,000 somoni for the construction of a new house in a location chosen for resettlement. These funds are certainly not sufficient to build a proper house.

In addition to planned resettlement activities, the Government conducts resettlement of the population after some major disasters. The resettlement after a mudflow in Khuroson in April-May 2009, when more than 200 houses were either totally or partially damaged,¹⁰¹ is an example of such activity. The affected population was relocated to a new settlement, to be constructed from scratch. The master plan of the new settlement was drawn up by the Agency for Construction and Architecture. The earthquake in Vanj district in January 2010 is another example of a major disaster. In the case of the Vanj earthquake, where most of the houses were destroyed because of improper construction materials and techniques used by the population, the main concern were to build new seismic-proof houses in the new settlement planned for the victims. Usually, as such large-scale disasters attract a lot of attention, both the Government and the international community mobilize considerable resources and the housing provided by such reconstruction and resettlement projects is of a relatively good quality.

Another example of resettlement activity is related to the construction of the Rogun Hydropower plant, located 110 kilometres east of Dushanbe. Several hundred households are to be resettled from the flood zone of the future reservoir of the hydropower plant. The resettlement will be conducted in several stages following the construction and eventual filling of the Rogun reservoir. The resettled population will be given compensation for their homes and land and given options to resettle either close to their homes in Rasht Valley or to move closer to Dushanbe, to Tursunzade district west of the capital where they would be allocated land plots to build new homes.

Forced resettlement

Forced resettlement and the related inadequate compensation, especially in the case of major infrastructure projects and inner-city housing redevelopment, have been widespread and remain one of the most problematic areas for housing policy in Tajikistan. The existing housing legislation contains a provision on the compulsory purchase power of the State in cases of major projects of public importance, but does not elaborate on the relocation procedures and compensation for those whose homes are so purchased. At the moment, resettlement is not implemented following clear-cut procedures, but rather through controversial administrative actions. Very often the whole bureaucratic machinery is involved to implement resettlements in inner cities, including the police and officers of the court.

Forced resettlement does not involve careful consideration of the social and economic impact of these actions and often involves violation of housing rights and deprivation of life-support assets. This may lead to widening the already big gap in housing wealth between the rich and the poor, and to the further impoverishment of the residents. Many residents to be resettled are not provided with equivalent accommodation and often suffer intimidation.

Since 2006, the Bureau of Human Rights and Rule of Law has been working in Tajikistan to provide legal consultations regarding forced evictions and violations of housing rights. However, no effective dialogue with the Government on the issue of adequate compensation has been established yet. One of the Bureau's tools to make the authorities provide adequate compensation and push forward settlements in favour of the resettled residents involves challenging authorities in the Court on the grounds of their abuse of office.

¹⁰¹ Rapid Emergency Assessment and Coordination Team (REACT) Tajikistan, 2009

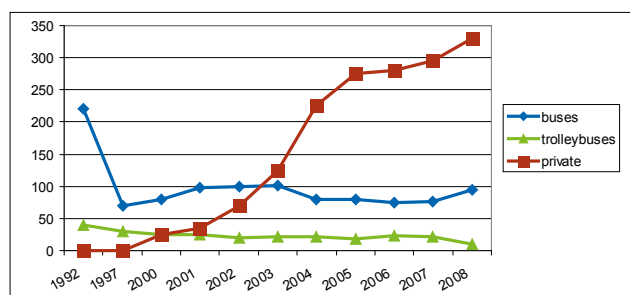
Today, some improvement in resettlement practices can be observed in Dushanbe. The city administration has recently completed the construction of a whole new neighbourhood in the city centre where the residents can be resettled from other areas of the city.

D. Urban transport

Most of Tajikistan's transport infrastructure was put in place between the 1960s and the 1980s, and it has been deteriorating rapidly, during the 1990s due to political and economic turmoil and natural disasters. The maintenance of many intercity and intra-city roads was neglected during that period. There has been also a constant lack of planning and strategic vision in this sector. Because of the mountainous landscape of the country and the relative underdevelopment of railroad transportation, more than 90% of passenger and cargo transport within the country is carried out via ground transportation.¹⁰²

The cities also saw dramatic changes when a large part of the urban transportation fleet was damaged or became unusable during the civil war. After the liberalization of the urban transportation sector, a large portion of the passenger transportation started to be carried out by privately owned means of transportation, mostly by minibuses (see figure 9). Though it provided a partial solution to problems of transportation in large cities, especially in Dushanbe, the increasing number of minibuses, coupled with the constantly soaring number of private cars (see figure 10), started to create problems both of air pollution and traffic congestion. Moreover, the safety of public transportation has declined. The contribution of transport to total air pollution emissions increased from 40% in 1990 to 70% in 2002 (see figure 11), which was caused both by a decreased rate of industrial emissions and reduced cleanliness of urban transportation.

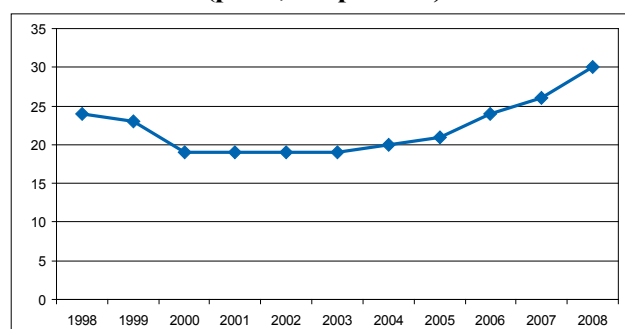
Figure 9. Number of passengers (in millions) carried by different modes of public transport



Source: Based on information provided by the Ministry of Transport and Communications.

¹⁰² Draft State Programme of Transport Sector Development for 2010–2025.

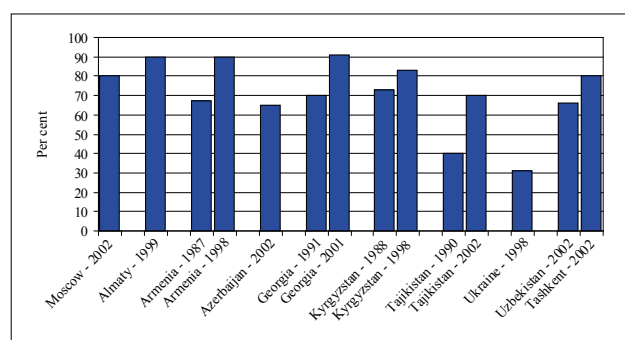
Figure 10. Number of private cars (per 1,000 persons)



Source: Based on information provided by the Ministry of Transport and Communications.

Even though the municipality of Dushanbe has been updating its fleet of buses and trolleybuses in recent years, a lot of investment is needed to solve the transportation problems in the city. The transport infrastructure also needs a good deal of rehabilitation. This is the case, for example, with the trolleybus lines and electric substations. Meanwhile, electrically driven means of transportation can provide benefits both in terms of decreasing emissions and cleaning up the air in the city, as well as savings in hydrocarbon fuel imported from the neighbouring countries. Currently, Tajikistan has two trolley bus networks — one in Dushanbe and the other in Khujand.

Figure 11. Transport-related air pollution emissions (as a % of total emissions), in various countries and cities of Eastern Europe, the Caucasus and Central Asia



Source: UNECE, 2006.

According to the Draft Programme for Development of the Transport Sector of Tajikistan for 2010–2025, trolleybus networks in Kulyab and Kurgan-tube should be created and the bus network of Dushanbe should be privatized by 2019. The districts of Tursunzade, Vakhdat and Somoni, neighbouring Dushanbe, are expected to be connected to the capital by 2025.

Figure 12. Transport scheme of Dushanbe



Source: <http://www.openstreetmap.org>

E. GREEN SPACES

Dushanbe had been considered as one of the greenest capitals among the former Soviet republics. The city has many parks as well as other green areas located along the main avenues, both downtown and in residential areas. The chronic energy deficit during the 1990s and the first decade of this century has forced the population to start cutting trees for wood. This tendency was especially manifested in rural areas; however, the urban areas have also lost a lot of trees, especially in residential areas, where controls have not been enforced very strictly.

Following these negative developments, the importance of preserving green spaces in towns and villages was stressed by the Government repeatedly, and campaigns have been launched to plant new trees. However, as there is a lack of strategy in this sector, the sustainability of such fragmented efforts is uncertain.

The green spaces may become victims of possible future road-widening operations in cities, and the general shortage of available land for construction may also cause the loss of some land from the recreational parks located in towns. According to construction norms (SNIIP MKS–JT 30-01-2007 — Urban Development, Planning and Construction of Settlements), the relative density of green spaces with different functions within built-up areas should be at least 40%, and no less than 25% within the borders of the housing or mixed developed territories.

Therefore, the preservation of green spaces is one of the main challenges in large cities such as Dushanbe and Khujand. In the hot climate of Central Asia, the trees provide shade and generally help reduce the temperature in the city. Moreover, they are major oxygen producers and thus support efforts towards reducing air pollution in cities.

Picture 9. Green space in the city centre of Dushanbe



Source: UNECE.