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New Settlements in Bishkek
*Law, Urban Space, Culture
and Socio-Economic Development*

Abstract

In Kyrgyzstan, internal migrants in search of a better life left high mountains, clean air, and their native village. There are tens of thousands of such people around the capital city of Bishkek. Physically, they are in the capital in the status of city dwellers, but living conditions, the level of access to public services are at the level of remote regions. And this is how these internal migrants live for tens of years, a new generation of children is growing up who were born in these slums where lack of infrastructure such as schools, drinking water, medical facility, electricity, and transport.

This study is aimed to explore the living conditions of residents in the new settlements and their rights for decent housing. The study was prepared in order to attract the attention of the state authorities to solve the urgent problems of the residents.

Keywords: Internal migrants, new settlements, NGO, local government, legalization

Introduction

The relevance of the problem

Over 200,000 new settlements reportedly exist in the world today. These are *Favelas* in Brazil, *Barriadas* in Peru, *Vijijis* in Kenya, *Katchi Abadis* in Pakistan, *Gecekondus* in Turkey, and so on. These new settlements, often labeled as informal areas, are nothing less than a vivid illustration of the process commonly referred as the “urbanization of poverty”.



Over the past decade, there has been a significant influx of population into Bishkek city and Chui region. The movement of a large number of citizens from the regions to the capital in search of jobs and better living conditions requires active actions of state authorities both in the field of socio-economic development of regions, and in solving problems arising from internal migration.

One of the results of the influx of population to Bishkek and Chui region was an increase in the number of the new settlements. In a capital city of Bishkek, there are 48 new settlements with a population of 223,258¹ people according to data relevant at the beginning of 2016, which is 27, 9 % of the total resident population of the city. Infrastructure development in new settlements and living conditions cannot be described as sufficient, prosperous and meeting the requirements of minimum standards in terms of economic, social and cultural goods.

One of the important problems in the new settlements is a lack of electricity, hot water supply, heating, drinking water, sewerage, access to public transport, ensuring fire safety, as well as issues of access to educational, health care, and cultural institutions. Also most of the houses built in the new settlements are located in unsafe areas for living and on illegally seized plots.

There are existing contrasts in the socio-economic development among city districts that may cause social tension and conflicts, and affect the overall security of the city. Simultaneously, there is a progress in problem solving of the new settlements over the years is insignificant, and many issues, related to basic infrastructure remain relevant. It is necessary to solve these problems through fulfilling the right for adequate housing in accordance with the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the General Comments of the relevant UN Committee.²

This study was conducted to assist municipal authorities to identify priority areas and solving the accumulated problems over the years, and improving the living conditions of residents in the new settlements. The primary data collected through the fieldwork interview with the residents of new settlements. In addition, secondary data obtained from public agencies.

The author expresses gratitude to the residents of new settlements who took part in the study and provided the necessary information for this study, as well as to representatives of non-governmental organizations (NGOs), PF

¹ Ministry of Health of the KR 2016: 3015.

² General Comment of the UN Committee – legal interpretation of the norms enshrined in the relevant international human rights treaty.
<https://www.ohchr.org/en/treaty-bodies/general-comments>

“Center for the Protection of Children”, PF “Arysh”, Association of NGOs for the Promotion of the Rights and Interests of Children, PF “League of Rights Defenders child”, for advice in the research process.

Review of published materials

It is believed that the problems related to the rights of residents of new settlements have been repeatedly published by media, NGOs and scientific institutions. Simultaneously, many issues were covered over a long period of time. For example, the existing materials were examined before the start of the study in order to avoid significant duplication of information that already presented to public. In general, the existing materials are composed of media publications that reveals the problems in the new settlements, plans and programs developed by NGOs concerning to self-help groups among residents of the new settlements.

In addition, the number of media and online publications of news agencies were reviewed and analyzed. The most of reviewed materials are devoted to problems such as electrification, access to drinking water, to educational and health care institutions. Moreover, 65% of these materials were devoted to the problems of new settlements, including Rukhiy-Muras, Ak-Ordo 2, Ak-Ordo 3, Muras-Ordo, Zhumgal-Ata, Kok-Zhar, Ak-Zhar, Tynchtyk, Uchkun-2, Kara-Zhygach, Archa-Beshik, and Dordoi. Some of the materials about 20% contained information about the measures taken to solve the problems of new settlements, and only 10% were fully devoted to measures and plans to improve the situation.

According to NGO “Arysh”, the strategic plans for the development of new settlements (Ak-Bosogo, Ak-Zhar and Adilet), developed under the support of an international organizations. This plan provides general information about the situation in new settlements, identify priority tasks that require immediate solutions, and offer a list of specific measures necessary to improve the situation.

Furthermore, the problems of new settlements identified by the NGO “Arysh” include lack of access to health care services, education, limited access to drinking water, lack of sewerage, electricity, unsatisfactory road conditions, lack of regulation of land rights, inability to participate in elections, difficulties in obtaining identification documents. One of the good practices of NGO “Arysh” is the promotion of self-help groups among residents, which allow them to unite efforts in solving their problems. In total, the self-help groups promoted in nineteen new settlements in Bishkek.

The NGOs and scientific institutions published a number of research materials. These publications address the following issues such as lack of documents for residents living in new settlements and its reason.³

In 2015, the NGO “Center for the Protection of Children” and the Coalition NGO for the protection of the rights of internal migrants conducted a study in cooperation with “Arysh”, Legal Clinic “Adilet”, Association for the Promotion of the Rights and Interests of Children in the Kyrgyzstan “within the Partnership Platform Central Asia on the Move” in eleven new settlements of Bishkek including Kelechek, Ak-Bata, Kalys-Ordo, Uchkun-2, Dordoi1, Dordoi2, Ak-Ordo, Zhenish, Ak-Bosogo, Altyn-Kazyk, Ak-Zhar. According to the results of the study, in new settlements, 1,577 people were identified living without documents (passports, birth certificates), of which 38% of people aged 16 and over did not have a valid passport (406 people). About 92% of children under the age of 16 did not have a birth certificate (436 children), never received these documents, or the documents were lost, stolen, their passports expired. The study notes that these citizens remain invisible to the public administration system and experience significant difficulties in accessing basic services of education and health care organizations. The main reasons for the lack of documents included the high cost of collecting a package of documents and lack of time for this, insufficient information on the procedures for obtaining documents and their complexity.

In 2014, the NGO “Child Protection Center” conducted study on the availability of quality medical service for the residents of new settlements such as Ak-Bata, Kelechek, Muras-Ordo, Altyn-Kazyk, Dordoi-1, Dordoi-2 and in the Osh market. It was revealed that the most common problems of internal migrants are the lack of registration at the place of residence, at a medical institution, personal documents, frequent change of residence, low income, and ignorance of their rights.⁴

There is the need to simplify the registration system, which is still important to access to medical services, to employment, and to election processes. He also points the relationship between the conflict capacity within society with the unfavorable condition of residents.⁵

In the paper presented by public foundation “Nashe Pravo” in 2015,⁶ noted a significant inflow of internal migrants to Bishkek and Chui region, problems of infrastructure development of 47 new settlements in Bishkek,

³ Raev 2013.

⁴ Kalmuratov 2017.

⁵ Rakhimov 2016: 4.

⁶ Ormonov 2015.

lack of sufficient access to minimum health and education services, as well as problems of sanitary and living conditions of internal migrants including the undocumented migrants and registration of internal migrants living in new settlements, and the impact of the existing registration system on the access of internal migrants to basic education, health care and legal protection.

Interview with Stakeholders and Residents of the New Settlements

The social worker from the NGO “Child Protection Center” said that the living conditions in “Altyn-Kazyk” squatter settlement are very low. For example, there is no water and the land is not suitable for housing construction, school or a hospital. Many residents do not have documents and do not have the right to vote or use social services. People survive as best they can. Mostly they work at the landfill and sort the garbage. “Child Protection Center” helps them as much as it can. NGO created initiative group that identifies children, families who find themselves in a difficult life situation. In addition, it helps residents to restore documents and receive benefits.⁷

One of the resident of the “Altyn-Kazyk” settlement Altynai Booronbaeva, and her husband came to Altyn-Kazyk five years ago. They borrowed a loan from bank and built a house. They haven’t been able to find a permanent job over the years. “We somehow gets by, she says. The children collect metal near the landfill. My husband has a seasonal job. In the summer he works at a construction site, and in the winter he collects metal with his children”, she added. She also said that all money they earn goes to repay the loan, clothing and food. Regarding to basic infrastructure, water supply in “Altyn-Kazyk” is also bad. So, she has to take water from the “Kalys-Ordo”, which is neighboring squatter settlement.⁸

The head of the public department of construction of the Bishkek municipal administration notes that there are 49 new settlements around Bishkek city nowadays, and the new region has appeared in the country over the last 25 years, in which representatives of all seven regions live. Many housing were built on agricultural lands. Some of them were squatted. Because there was a housing problem and government decided to allocate land to people for housing construction. Some squatter settlements were

⁷ Interview with the Social Worker of the “Child Protection Center” in July 13, 2021.

⁸ Interview with the resident of the Altyn-Kazyk Squatter Settlement in July 02, 2021.

never given an official status, as they are located in nature protection zones, under power lines, and on sanitary landfills.⁹

I had an opportunity to meet and talk with Mirzat Ajiev, who is an Executive Director of the Legal Entities “Erap”. He argues that lack of drinking water in new settlements is a sore point. The level of development among new settlements differs, as there are legal and illegal ones. He suggests that government should primarily develop the infrastructure legal new settlements. However, the situation with “Altyn-Kazyk”, is very complicated, he added. Because there was a land grab. He believes that the authorities should not follow the squatters and build roads and water pipes for them at the expense of others. The people themselves are to blame for settling near a garbage dump. He states that only way in this situation is that the residents should solve the problem with water supply themselves through using their own funds, drilling wells and conduct water. They should also start writing grant projects. There are many non-governmental organizations that can help residents solve their water problem.¹⁰ In new settlements, 28 secondary schools, 6 kindergartens, 22 sanitary-obstetrician centers have been built. Over 25 years, more than 4.5 billion soms (55,200,000 USD) have been allocated for the development of the infrastructure of new settlements. In recent years, significant funds have been allocated for the development of new settlements. The most common problems are roads, water supply and sewerage. In the summer, there is a suffocating smell in some new settlements due to the lack of sewerage. There are especially many problems in illegal new settlements. Unfortunately, there is little can department do to help them.

Unlike Altyn-Kazyk, Muras-Ordo is legal new settlement. Since 2006, the government was issuing plots for housing construction, especially for the public employees. However, despite its official status, the problem is a same as in the informal new settlements. For example, people complain about the lack of a kindergarten, a school, and physical infrastructure such as water supply.

I have interviewed one family living in the settlement. The family came to Muras-Ordo new settlement twelve years ago. For the first few years there was not even electricity in their house, and just recently bought the television. “*We have two children, says Isaev.*”¹¹ He works for the private company as a mechanics.

⁹ Omurkanov 2017: 10.

¹⁰ Interview with Mirzat Ajiev, Executive Director of “Erap” in July 15, 2021.

¹¹ Interview with the resident of Muras-Ordo Squatter Settlement in July 04, 2021.

“There is no kindergarten nearby and no one is expecting it. So, I have to take care of the children myself, he says. There are no playgrounds here either, so the kids play wherever they have to. We live like in an ail, far from civilization, and have to go for water to the main street. When it rains, the roads get washed out that people cannot walk by feet and stuck in the mud.”¹²

The Muras-Ordo medical center was built at the expense of the charitable organization in 2012. However, since then the medical center cannot provide with many type of medical service due lack of medical staff. There are only five people working for the medical center. However, there are many people in need of quality medical care. Nowadays, only one doctor and three nurses provide medical services almost all the population of the squatter settlement, which is approximately 5000 people.¹³ There are many elderly people and children who often need medical help. There are many patients with infectious diseases notes the Physician of the Infectious Diseases Hospital¹⁴. He noted that clean drinking water is essential for good health. The lack drinking water leads to an increased incidence of acute intestinal infections and viral hepatitis and other transmitted diseases, and source of diseases is water. In addition, she added that sometimes patients are admitted in very serious condition, which is a primarily due to self-treatment. In the first two or three days there is a lot of fluid loss. If it is not replenished, the body feels it and lot of negative changes occur. Especially in the brain. There is swelling, seizures, and respiratory failure. The kidneys’ excretory function is also affected. The kidneys fail. There are dangerous complications.

Based on conducted interview it is obvious that the number of problems in the squatter settlements around Bishkek is increasing year by year. In this situation, it is difficult to blame the local municipality for not dealing with infrastructure issues in squatter settlements because many villages in Kyrgyzstan still cannot boast of the availability of the drinking water despite support from donor organization such as World Bank and Asia Development Bank.

However, the authorities should not turn a blind eye to the existing problem because the social tensions are on the rise among the population. And a problem is that authorities have planted a time bomb around capital city, willingly or unwillingly. And whether it will explore in a near future, no one can say this. The revolutionary events in 2010 and recent in 2020

¹² Interview with the resident of Muras-Ordo Squatter Settlement in July 04, 2021.

¹³ Maldybaeva 2017: 19–20.

¹⁴ Aliev 2017: 21.

confirm this fact, when most of the protesters were from squatter settlements. According to Abdyrazakov (2006), the squatter settlements around capital city of Bishkek are a “Shahid Belt” that may explode at any time. Therefore, it is necessary to integrate it into the city infrastructure as soon as possible, and a radical improvement in the standard of living is required.

The published materials of media and NGO allow us to see the main points of public concern relating to the rights of internal migrants and the situation in the new settlements in Bishkek. This study filled a number of gaps in the characterization of the situation of new settlements, in understanding the reasons of existing problems and their consequences. It should be noted that the information presented in the media and in publications of NGOs was valuable for posing research questions and identifying the key components of this study and its methodology. Nevertheless, the published materials cover only certain aspects of existing problems. Therefore, the study was conducted through the interview with the stakeholders of the public service, NGO, social activist and residents of the new settlements to view the holistic picture of what is happening in the new settlements.

Research methodology

The study is designed in accordance with the qualitative method. Examination of the research method involves collecting first-hand information from the interviewees. Describing qualitative method, Saunders et al. (2000) argue that social research rarely may fall under one particular study paradigm. The study relies on primary and secondary data sources, and interviews had the purpose of finding primary information about the situation in the new settlements.

- Conducting a survey with the residents of new settlements and representatives of Municipal Territorial Administrations (MTA);
- Data obtained during the consultations with residents of new settlements and with the specialists of NGOs working in the field of social and economic rights protection;
 - Participant observation data, conducted during fieldtrips to the new settlements;
 - Court decisions issues on demolition and eviction from houses built on illegally seized plots.

The collection and analysis of secondary data was also conducted: already published research papers of NGOs, departmental reports and analytical materials, and responses from public authorities and officials.

The assessment of existing problems and achievements of the state in solving the problems of new settlements was conducted using a system of indicators. This system involves assessing the situation at several levels, including the structural level (analysis of established legal norms, national programs, strategies and institutions that are important for solving existing problems); progressive indicators (analysis of measures taken by public authorities, their sequence and effectiveness); performance indicators (an actual situation demonstrating the results of efforts of public authorities in solving problems).

The research was conducted in two stages. The first stage included a preliminary analysis of the norms of national legislation, a number of visits to the new settlements in Bishkek (Altyn-Kazyk, Kara-Zhygach, Rukhiy Muras, Uchkun-2, Ala-Too, Ak-Ordo, Ak-Ordo 2, Ak-Ordo 3, Enesay, Bakai-Ata, Ak-Bata, Dordoi, Muras-Ordo, Kalys-Ordo, Ak-Bosogo) and unstructured conversations with representatives of MTU and district officials for preliminary diagnosis of the situation. The second stage of the study was focused on collecting quantitative data and was implemented by conducting interviews with residents of new settlements and representatives of NGOs using a structured questionnaire. Also, information was collected on the results of requests to government agencies regarding measures taken to solve the problems of new settlements. In general, 75 people took part in the study, including residents of new settlements, quarterly ones, representatives of MTA and representatives of NGOs that work with the new settlements. 48 residents of 5 new settlements (Ala-Too, Ak-Ordo, Bakai Ata, Altyn Ordo, Muras-Ordo) from the research participants became respondents during a structured interview.

Achieving the full tasks implementation is a challenging task. The analysis of the implementation of the tasks for decent housing in this study includes an assessment of such aspects as its accessibility, compliance with guarantees of equality and support for vulnerable groups, the adequacy of housing conditions and the availability of social services in new settlements in Bishkek.

Right for Housing in New Settlements: Implementation issues

Reason of Formation of New Settlements

According to State Migration Service under the Government and the National Statistical Committee, the trend towards the direction of internal migration flows to Bishkek and the Chui region continues, where the population inflow is about 5 thousand people annually (according to data from 2010 to 2014)¹⁵. The reasons for migration, prompting citizens to change their place of residence, are mainly related to the wider opportunities for employment in the capital. The rest of the regions are steadily losing population.

The data from this study also show that the main reason for moving to Bishkek is greater job opportunities and quality education. In addition, as one of the reasons for the move, residents of new settlements indicated a change in marital status, which mainly affected women.

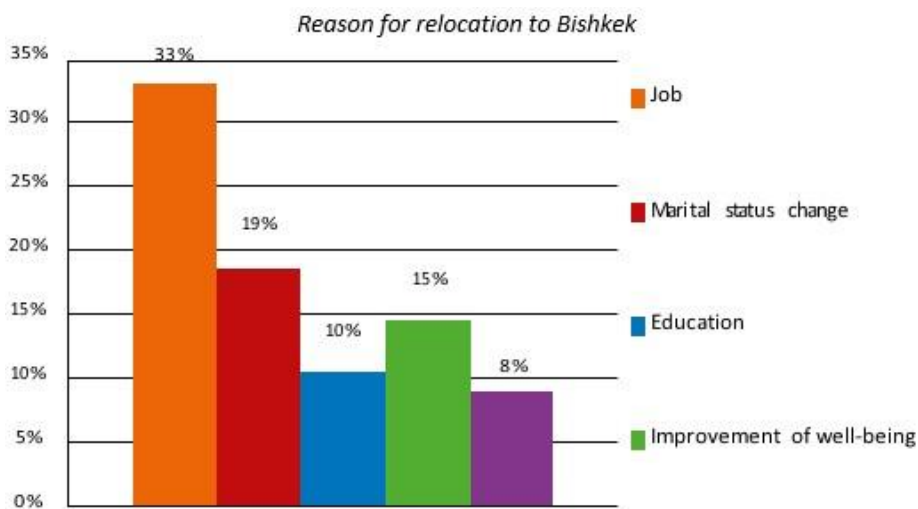


Fig. 1. *Reason for relocation to Bishkek*. Based on the author's interviews with the residents of Ak-Ordo squatter settlements.

Moving to Bishkek, internal migrants face problems related to implementation the right for decent housing. The overall context for the development of housing stock is not favorable. According to National

¹⁵ Samaev 2015: 7.

Statistical Committee, housing supply has decreased over the past 5 years. So, in 2010, there was 15.7 m² of living space per inhabitant, and in 2015 – 13m². In 2018, 17,900 families were registered for housing, and only 0.2% of this number improved their living conditions.

The economic affordability of housing is decreasing due to the rise in prices for construction materials and work: the actual cost of one square meter of the total area of individual residential buildings under construction has increased by 33% over the past five years. The share of the private sector prevails in the structure of the housing stock (99.4%), where 79.4% is individual housing construction. The largest share of commissioned individual housing falls on the city of Bishkek, Osh and Chui regions.¹⁶

It should be noted that the increase in the private housing stock in Bishkek over the past decade is to a large extent associated with the development of new settlements. Due to the influx of internal migrants, insufficient development of the housing stock of the city of Bishkek, the lack of variations in the forms of housing arrangement and the economic inaccessibility for the population, residents intending to move to the city are forced to solve housing issues on their own. Attempts to acquire land at a low price and reduce costs lead to the fact that they become victims of fraud.

In 2015, the state is introduced a new types of housing supply for the population through the adoption of the national program “Affordable Housing 2015–2020”, which provided “Affordable Mortgage” and “Social housing”. The mortgage campaign is focused primarily on providing housing for public sector employees, employees of health care systems, education and the social sector, while the direction for providing social housing provides for the introduction of a subsidy system for the poor and socially vulnerable categories of citizens in the purchase of housing¹⁷.

The implementation of this program was completed in December 2020. Since 2015, according to the State Mortgage Company (SMC)¹⁸, the 5089 families have received preferential mortgage loans in the country through partner banks for a total of more than 6 billion soms.¹⁹ As a result, about 300 thousand square meters of real estate were purchased in the form of apartments and private houses.

Although the current results of the program show some expansion of opportunities in the acquisition of housing for public employees with

¹⁶ National Statistical Committee 2018: 273.

¹⁷ State Agency for Architecture, Construction and Housing and Communal Services under the Government KR 2016.

¹⁸ Momoev 2019: 8471.

¹⁹ National currency of KR.

permanent jobs, such issues as the reasons of illegal construction, homelessness and residence security remained outside the scope of this program.

Moreover, internal migrants, many of whom do not have a permanent job or are employed without a contract, will not have ample opportunity to benefit from the results of this program. Among the surveyed residents of new settlements, most of the respondents noted that members of their families of working age are employed in the private sector (services, trade, production).



Pic. Nr. 1. *Bakai-Ata New Settlement*. Harlamov 2020.

<i>Scope of employment of family members in new settlements</i>		
Transportation	7	15%
Government agencies	10	21%
Local governments	5	10%
Social services	5	10%
NGO	2	4%
Private sector (services)	15	31%
Private sector (trade)	19	40%
Private sector (manufacture)	12	25%
Others	3	6%

Most of the respondents did not consider work in the public sector as an opportunity and prospects for their employment, preferring the private sector, where 97.9%, according to the National Statistical Committee, is informal employment.²⁰

Over the past five years, the rate on government mortgage loans has decreased six times. The latest reduction – from 7–9 to 6–8%, depending on the amount of the initial payment – was announced at the State Electoral Commission in early February 2021. In addition, the list of those who could apply for a loan expanded. At first, these were only public sector workers, then later citizens working in private sector in Bishkek and Osh were joined this program. To tell the truth, the rate for the latter is 14% per annum. But if they want to buy housing outside of the two largest cities, they will be given a mortgage loan at 10%.

Recently, government has announced the official start of the new state loan program “My House”. “My House” is a continuation of the well-known state program for public sector employees “Affordable Housing”. 30 billion soms will be allocated for its implementation. Lowering the rate to 4% per annum within the “My House” will be implemented in stages. In addition, in the near future the company will begin to revise the terms of cooperation with partner banks, which will allow excluding the margin of intermediaries from the interest rate.²¹

In general, the SMC within the framework of “My House” plans to offer potential participants a wider list of services. For example, from 2021, Kyrgyz citizens who already own real estate can also receive a preferential mortgage loan. Such an opportunity is provided to them by the Housing and Savings Credit Company (HSCC) “Ak-Bosogo”, which is a subsidiary of the SMC.

Employment opportunity	Likely		Unlikely		Impossibly		I don't know	
Government agencies	4	8%	16	33%	23	48%	5	10%
Local governments	5	10%	17	35%	20	42%	6	13%
Private sector (services)	27	56%	13	27%	6	13%	2	4%
Private sector (trade)	42	88%	4	8%	0	0%	2	4%
Private sector (manufacture)	42	88%	4	8%	0	0%	2	4%
Social services	8	17%	17	35%	9	19%	14	29%
Developing own business	18	38%	25	52%	5	10%	0	0%

²⁰ National Statistical Committee 2016: 86.

²¹ Tologonova 2019.

At the same time, according to the survey, the level of income per family member per month for 81% of the respondents was less than the subsistence level determined by the National Statistical Committee for December 2020.²² As the result, most of the citizens in a vulnerable position were not able to participate in the “Affordable Housing 2015–2020” program.

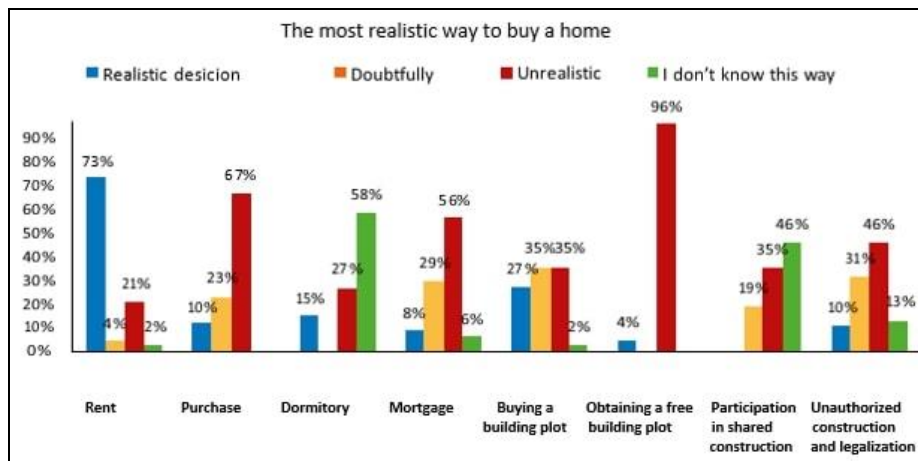


Fig. 2. *The most realistic way to buy a home.* Based on the author’s survey of the residents of new settlements.

To solve the problem of housing affordability, in addition to measures focused on the possibility of acquiring home ownership, it is necessary to develop other forms of housing arrangement. At present, when asked what methods of housing arrangement are the most successful/realistic for them, residents of new settlements provided the following answers.

According to survey, the respondents see the most affordable housing solution for families in renting, purchasing a plot for building and living in a hostel, while the least realistic and successful ways, from the respondents' point of view, were participation in shared construction, mortgage, and obtaining free plot of land for housing. At the same time, 10% of respondents (5 people out of 48 respondents) noted that self-seizure with subsequent legalization can also be a successful/realistic solution to housing problems. The answers demonstrate the limited possibilities of the respondents to use the state mortgage campaign to purchase housing, the need to pay more attention to the development of such forms of housing

²² Ilgizov 2021.

arrangement as housing rental and construction of dormitories and the prevention of illegal constructions.

At present, the Housing Code does not sufficiently regulate the relationship between the owner of a dwelling and the person to whom the right to a fixed-term use of the premises is transferred, including the lease of a dwelling. So, the Housing Code only defines the right of the owner of a housing to transfer it for fixed-term and indefinite use on the basis of a civil contract and establishes requirements for the number of persons living in the premises (Articles 26 and 45). At the same time, the Civil Code in regulating the relationship between the owner and the tenant of a dwelling gives a reference to the Housing Code (Art. 609).

The development of various forms and possibilities of housing arrangement will contribute to ensuring the right to housing and security of residence for various groups of the population and is likely to lead to a decrease in illegal housing construction.

Legalization of illegally squatted land plots and housing

As of December 1, 2020, there are 47 new settlements in Bishkek with the number of land plots 45,769, and the registered population in the amount of 253,816.²³ Of these, 20 residential areas were built before 2000, from 2000 to 2005 – 9 residential areas, and from 2005 to 2010 – 18 residential areas.²⁴ At the same time, according to the Health Department of the Bishkek municipal administration, the enrolled population is 241,746 people in 2020,²⁵ and according to the Ministry of Healthcare – 310,154 people in 2020. This discrepancy can be partially explained by the fact that internal migrants, stateless persons, foreign citizens, as well as refugees with no permanent residence in the presence of appropriate documents can be assigned to the Group of Family Doctors (GFD).

In new settlements, not all land plots and housings are legalized. According to municipality, 6,382 housings are unauthorized, and only 3,589 housings can be legalized. The remaining 2 793 houses cannot be legalized due to being in security zones, communication zones, and red lines.²⁶

²³ Mayor's Office of Bishkek 2021a.

²⁴ Mayor's Office of Bishkek 2021c.

²⁵ Ministry of Health of the KR 2016.

²⁶ Mayor's Office of Bishkek 2021e.

As of 2019, municipal authorities understand the need to solve the existing problem of illegal construction and the vulnerability of citizens living in them. Thus, Parliament was considering the draft laws “On the legalization of land plots with unauthorized housing, built before August 3, 2012” and its legalization, in order to solve the problem of illegal settlements.²⁷

The solution proposed by the bills is to provide limited tenure and use rights in relation to real estate: citizens will not have the right to dispose of real estate and make any transactions. If the bill is adopted, the problem of 3,589 families living in illegal settlements will be solved, at least temporarily. They will be provided with some guaranteed accommodation in these buildings and improved access to social services. However, these bills do not offer any solution for families living in houses in areas hazardous to life and health or zones intended for the construction of social, cultural and domestic facilities.

The lack of decision on 2,793 housings remains socially unsettled and calls into question the future of many families. As noted in the supporting documents for these bills, the majority of citizens living in illegal constructions are poor from socially vulnerable segments of the population who have invested all their money savings in housing construction.

On the other hand, the citizens living in polluted and life-threatening areas, as well as in areas that are important for the development and construction of social facilities, cannot remain outside the scope of attention of state agencies. Therefore, an adequate solution, contributing to the improvement of the legal status of citizens, should be found as soon as possible with appropriate consultations with residents of new settlements.

Municipal agency should inform the residents about the unauthorized housing construction, especially in areas hazardous to health and life. However, their inaction generates many troubles. For example, residents who took part in survey, said that no prescriptions were issued.

According to the MTA, in the case of housing construction in hazardous zones or in the areas intended for the construction of social facilities, the state agencies are far from always informed. However, MTA made attempts to inform the government agencies about the construction of housing in the high-voltage lines zone of the new settlement Kara-Zhygach, but they did not reply. Another example relates to Ak-Orgo, where housing was built in the

²⁷ Mayor’s Office of Bishkek 2021b.

area intended for the construction of a playground, but no reaction followed from local government.²⁸

A survey showed that many citizens do not have sufficient information about the dangerous areas in which their houses are located, and during construction they do not understand what health risks are existed by the choice of a building site. So, out of 48 randomly interviewed residents of new settlements, 18.8% of respondents live in adjacent to cattle cemeteries areas, 25% - to a cemetery, 37.5% to a landfill, and 18.8% to high-voltage lines.

At the same time, of those living near the landfill, 61%, near the cemetery, 66%, near the cattle burial ground, 44%, and near high-voltage lines, 66% of the respondents consider their area of residence to be safe.

*“When we were buying a plot of land, the price was important to us, and we bought a plot at a cheaper price. We never thought that we were buying a plot to build a house in a hazardous area. Now we don’t know what to do”.*²⁹

The above bills on the legalization of housing and land offer only a one-time and fragmentary solution to the problem of illegal constructions. Insufficient development of the housing stock and the lack of land available for the construction of housing in Bishkek and the high level of internal migration to the capital and the surrounding region create a situation where the likelihood of construction of new housing outside the established procedure remains very high. In such conditions, the mere mention of the prohibition of the seizure of land plots and the unauthorized construction of housing in the Housing and Land Codes is extremely insufficient to regulate the established practice and prevent unauthorized construction of housing.

²⁸ Data obtained during observation and interview with MTA in the targeted new settlements.

²⁹ The owner of an illegal house built in the area of high voltage lines. From a speech during an interview with a resident of a new settlements, July 18, 2021.



Pic. Nr. 2. *Muras-Ordo New Settlement*. Voldykov 2020a.



Pic. Nr. 3. *Ak-Ordo New Settlement*. Voldykov 2020a.

Rights for Decent Housing

Decent housing means meeting a number of conditions that are necessary to ensure the basic needs of residents. Thus, the interviewed 48 residents from 5 new settlements answered the following question about which of the housing problems they are most worried about.

What housing problems are you most worried about?	Extremely worried (there are significant issues)	Moderately worried	Barely cares	Don't care at all (no problem)	Does not matter
Illumination of the area	81,3%	6,3 %	0,0%	8,3%	4,2%
Access to healthcare	66,7%	14,6%	4,2%	12, %	2,1%
Access to education	66,7%	20,8%	8,3%	4,2%	0,0%
Fire safety	58,3%	4,2%	16,%	8,3%	12,5%
Environmental and sanitary safety	52,1%	4,2%	4,2%	22,%	16,7%
Transport	50,0%	22,9%	14,6%	12,5%	0,0%
Gas supply	45,8%	2,1%	2,1%	6,3%	43,8%
Heating	43,8%	0,0%	12,5%	43,8%	0,0%
Power supply	35,4%	35,4%	0,4%	8,8%	0,0%
Access to cultural events	25,0%	4,2%	6,3%	2,1%	62,5%
Security	20,8%	25,0%	25,0%	16,7%	12,5%
Benefits and pensions	12,5%	6,3%	8,3%	16,7%	56,3%
Irrigation water	10,4%	4,2%	2,1%	12,5%	70,8%
Drinking water	8,3%	27,1%	35,4%	29,2%	0,0%

Communication	6,3%	6,3%	2,1%	16,7%	68,8%
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Until now, there is no strategic vision for the development of new settlements from local governments. By the resolution of the Bishkek city council “On approval of the” Program of socio-economic development of the Bishkek city for 2020-2025 “City of open opportunities” the following directions of the development were approved:

- Comprehensive security of citizens and facilities in Bishkek city.
- Harmonious spatial organization of the urban environment.
- Development of economic opportunities and prospects aimed at attracting investments and developing entrepreneurship.

One of the important directions of the municipal social policy is the solution of social issues of residents of new settlements and, in particular, maintaining their own demographic records, and ensuring their access to social services.

According to the above-mentioned resolution of the Bishkek city council, the interaction of residents with the city administration and its subdivisions remains weak, residents are excluded from the management process and influence on decision-making.

At the same time, for the success and feasibility of development plans, it is important at the local level to involve residents in discussions at development stage and take into account their needs, as well as public involvement in monitoring the implementation of plans.

Conclusion

The data presented in the study demonstrate that residents of new settlements, constituting at least 22–27.9% of the total population of Bishkek, live in unfavorable and unsafe conditions and do not have the opportunity to fully realize their rights to adequate housing, to education, to healthcare, access to cultural institutions. Many of the residents of new settlements are internal migrants and experience discrimination in terms of access to minimum social services.

The measures taken by state bodies to solve the problems of new settlements so far remain insufficient. The existing problems are solved fragmentarily and in this process the opinion of the population of new settlements is not taken into account when determining the most pressing

problems and priorities for the activities of state agencies. This leads to an increase in social tension, protests and rallies of residents of new settlements. Insufficient information to the public about the plans for the development of new settlements, the lack of consultation with the population, excludes the possibility of constructive participation of the population of new settlements in solving local problems.

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