

# Developing Conflict Resolution in Highway and Railway Projects in Finland – Perspective of Real Property Owners

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Seija Kotilainen

Doctor of Science in Technology (Surveying)

The National Land Survey of Finland



## Trends in our society 1

**Finland is a Western society, situated in Northern Europe.**

**Our Route main network has been built in the 1960s and '70s.**

**Nowadays it is partly old and to be renovated.**

**We need also new motorways and highways with median barriers and walkways.**

**Railways need renovations, double rails.**

**Level crossings of railways and highways should be closed.**



**There is the question of large scale construction works. With them we also need expropriation activities!**



# Trends in our society 2

In Finland the standard of living has grown enormously during the last 50 years.

Our society has turned from a purely agricultural society to a technological society.

Nowadays most Finns live in urban areas in accommodations and flats that they own.

This has led to the situation that our people know their basic and human rights very well.



People are eager defend their rights – also their rights of ownership concerning real properties! **This means more and more conflicts in the future!!!**



# Scope of my dissertation

## *Research problem:*

” Which are the objects of development in route projects, when we look these projects from the viewpoint of real property owners?”

## *Research questions were:*

1. Which kinds of conflicts are related to route projects?
2. Which kinds of institutions are used and could be used in route projects when we look at these projects from the perspective of a real property owner?”
3. How do real property owners experience route projects?



# Concepts – conflict 1

## ***Conflict***

It is a question of an controversy in goals of an authority (society) and a real property owner.

The real property owner always notices this contorversy, but the authority can be unaware of it.

# Concepts – conflict 2

## **Conflict of interest**

Interest can be an economical, cultural or estetic. In route projects it often is economical. It is often easy to find an object of conflict resolution.

## **Conflict of value**

Conflict of value can be connected with values of an individual and of environmental values in society. It is often not easy to find a concrete object of conflict resolution.

## **Conflict of knowledge**

Conflict of knowledge: Who knows and what does he know?

Different parties can have different knowledge or they can see this knowledge differently, or they can give different meaning to the information they have. It could be good, if the parties gather the information together and share their information to promote full understanding.

# Concepts - institutions

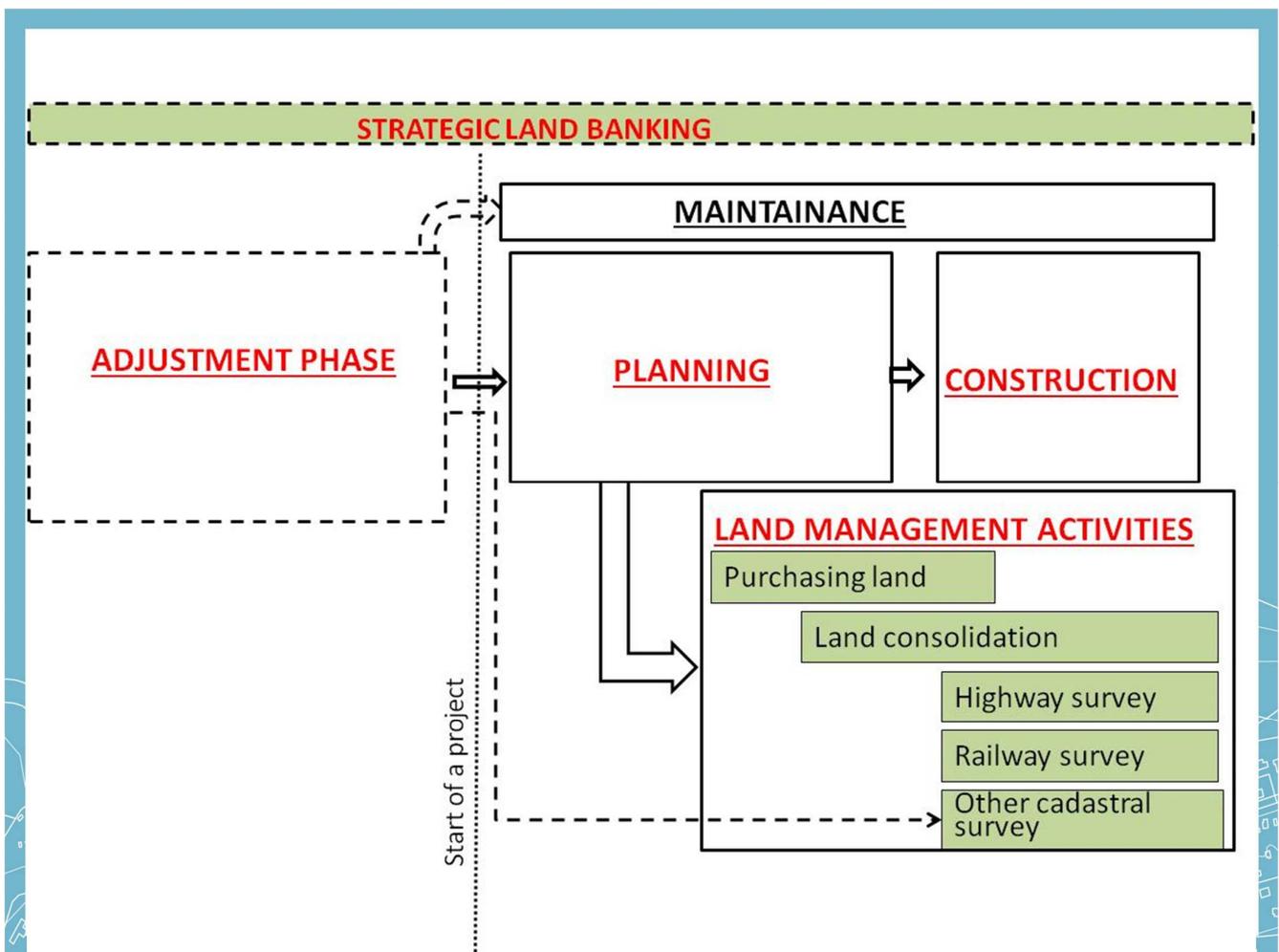
## Written material

- Legislation
- Principles of justice (jurisprudence)
- Instructions

## Unwritten procedures and habits

- Procedures, which are traditionally in use

# Parts of route project: institutions



# Results 1- main targets of development

## 1. Securing real opportunities to participation

In different functions during **adjustment phase**, like with need analysis and with adjustments of private roads and parcels, a real property owner should have real possibilities of participation.

Notice methods of preliminary and final engineering plans (**planning phase**) should be unified, so that all real property owners are ensured opportunities to participation.

Real property owner should also have right to participate in negotiations, by which is formulated the method to compensations – either a settlement or a decision of an authority - expropriation or land consolidation. (**phase of land management activities**).

# Results 2 continues

## 2. Prevention of conflicts

All actions should be such that they pave the way to creating confidentiality and good discussion and negotiation possibilities.

Real property owners should for instance have possibility themselves to present their losses – targets of expropriation (taking possession phase).

The only case when surveyors as the expropriation authority should use meetings, is when meetings are needed from the viewpoint of real property owners.

# Results 2 continues

## 3. Resolution of conflicts

All conflicts which appear during a route project, should be handled.

It does not matter what the object of the conflict is.

If there are no legal possibilities to resolve conflict in one function, the body that is responsible for this function should be obligated to hand over the responsibility to another arena, for instance mediation.

# Some general conclusions

Real property owners prefer a highly social process. So, results, for instance the correct compensation, are not enough.

Conflicts could be prevented and resolved by actions which support *confidentiality and opportunities to negotiate and discuss*.

Real property owners think that the route project is an entity. Therefore, conflict resolution should base on holistic approach.

If there are no possibilities to resolve conflict in one function, the body that is responsible for this function should be obligated to hand over the responsibility to another arena, for instance mediation.

In the future, the use of different and new methods of conflict resolution should be promoted in Finland, for instance mediation.



## Do you have any questions?

