

Transferring of Education Areas to Public Property Without Any Charge

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Key words: Education; Implementation of plans; Land management; Land readjustment; school; development plan; expropriation; land readjustment; land ownership conflict

SUMMARY

Education infrastructure is a multifaceted system that requires a long and patient process from primary to higher education. Land acquisition and school construction form the first physical dimension of a primary school investment. Development plans are important tools for placing in the physical space of educational institutions in Turkey. When preparing development plans, educational areas are determined without considering the owner of the property. These lands are transformed to public property by expropriation. However, the small share of fund for expropriation which is allocated for educational lands and the complexity of the legal and technical aspects cause failure and delays in land acquisition. This situation often leads to ownership conflicts (which are mostly resolved in the courts) between authorities and land owners whose property rights are restricted because of remaining in the school area. The purpose of this paper is to highlight that the expropriation method commonly used for transformation of such areas to public ownership is not the only available option and emphasize that the land readjustment method which has been successfully applied in Turkey as a development plan implementation for decades is the most appropriate method for these kind of acquisitions. The study also aims to show that this method is applicable for developing countries where the funds for the expropriation are not enough. So, the number of school areas in development plans and the expropriation costs are examined and compared to the cost of the land readjustment method to demonstrate the cost-benefit relationship. Implementation principles, methods and technical stages of the land readjustment method are described on a sample. This implementation, which draws on its own resources would solve the problems of property conflicts between the public and the individuals, except for the financial compensation. This method would also make an important contribution to decisions about management tools, planning and the application phase in the sustainable management of slum regions lacking infrastructures. Also it would be a crucial and new perspective for the developing countries who have ownership conflicts and inadequate funds for implementing of development plans.