

## **How to Organize the Procedures for Consulting Public Opinion on Implementation of the Redevelopment Programme**

Today Moscow has some 8,000 ‘khrushchevka’ apartment blocks with around 1.6 million people living in them. Once these buildings helped many Soviet families to solve the housing problems (not only in Moscow but also in many other cities). But presently ‘khrushchevka’ buildings are dilapidated and obsolete housing. Their design either does not allow for major repairs and renovation or makes the repairs unfeasible. Therefore, it is recommended that the buildings be demolished and new mixed-use residential areas meeting modern requirements be built in their place.

Implementation of the extensive project of this kind in the capital city requires a special law. A draft of the law is currently being considered by State Duma of the RF. The law should, primarily, define the safeguards for the residents who live in the buildings marked for demolition. The Legislative Assembly of the City of Moscow has already approved its own law in advance, though this will enter into force only after the adoption of the federal law.

These days (from May 15 through June 15) the vote of the residents from the apartment blocks (some 4.5 thousand houses), provisionally included in Moscow’s redevelopment programme, takes place. Voting shall be conducted as established by the Moscow City Government in its Decree “On the Procedures for Consulting Public Opinion on the Redevelopment Project in Moscow”.

The approval of the Decree was preceded by an expert discussion “How to Organize the Procedures for Consulting Public Opinion on Implementation of the Redevelopment Programme” held on April 24<sup>th</sup> at a ‘round table’ event hosted by the HSE. The discussion appeared to be productive since most expert proposals were accepted by the Moscow City Government.

Among other speakers the panel discussion also featured Nadezhda Kosareva, IUE President, who spoke on the international practice in urban redevelopment, commented on how to consult public opinion and then put forward her proposals on the voting in Moscow.

The expert noted that almost every country has experience in redeveloping the built-up areas. Governed by general and special laws the redevelopment activities include private projects and special public programmes that seek to achieve the same objectives as the redevelopment programme planned in Moscow.

Today in the city there is much expert discussion on the legitimacy of the programme in the context of the protection of private property rights. In this regard, N. Kosareva briefed the audience on the IUE's review of the relevant international practice that revealed that most countries use the principle of private property withdrawal for public needs with a compensation at 'fair market price'. Normally, however, the withdrawal is used only as a last resort measure. And the principle that is most frequently applied is the 'majority principle' under which an agreement is reached with the majority of the owners/tenants. A variety of means serve to explore the opinion of the owners/tenants.

The IUE's research shows that the definition of 'public needs' varies from country to country. In most countries, the use of a withdrawal for redevelopment purposes is limited to setting certain criteria that the area under redevelopment must meet. The most wide-spread and general criteria typically include the signs of physical degradation and social and economic deterioration of the area, and, less frequently, inefficient use of the area and lower tax collection rate. There are examples of tougher, as well as weaker, protection of private property rights in the context of public needs for which the property is withdrawn. Yet, these days, the distinctions are becoming increasingly blurred.

N. Kosareva proposed that a preliminary inquiry of residents should be conducted in order to find out their opinion on the possibility of including their apartment blocks in the redevelopment programme and, based on the information, form a preliminary list of the buildings. Then the vote should be held for owners of apartments and commercial premises in the buildings, and also for tenants of the apartments in municipal ownership. This can be done through the Active Citizen web-site or app, or in person at any 'My Documents' center. Optionally, residents can hold a general meeting of apartment owners to take the decision by a two-

thirds majority on possible participation of the building in the redevelopment project.

The panellists made many other proposals on how to consult public opinion regarding the programme implementation. The participants of the panel discussion were of the unanimous opinion that in order to ensure a better support for the redevelopment programme the residents should be provided as much concrete information as possible before the inquiry and the vote takes place.