

Developing Conflict Resolution in Highway and Railway projects in Finland – Perspective of Real Property Owner

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SUMMARY

The paper gives answers to the question, which are the objects of development in the land management activities of highway and railway projects in route projects, when we look these projects from the viewpoint of real property owners. It presents main conclusions from my doctoral thesis, which I did in Finnish. Results of the study show that objects of development are associated with participation possibilities, also prevention and resolution of conflicts. In different functions during adjustment phase, like with need analysis and with adjustments of private roads and parcels, a real property owner should have possibilities of participation. Notice methods of preliminary and final engineering plans should be unified, so that all real property owners are ensured possibilities 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. Right compensations are not enough. Conflicts could be prevented by actions which support confidentiality and possibilities to negotiations and to discussions. With taking possession phases of highway and railway projects, a real property owner himself or herself should present the property expropriated. Legislation should be amended, so that a decision of an authority posted to a real property owner should be enough in those cases, when it is question fo giving an expropriation decision and a notice. Real property owners think that the route project is an entirety. 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 change hands with other arena, for instance with mediation. This means there should be no more conflicts in wrong places, which should not have an arena of management. In the future, the use of different and new methods of conflict resolution should be promoted. The perspective of the study is new, not been studied in Finland. Research methods consisted of social sciences, which is quite unique in the field of land management researches.