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**HLP AoR Sessions - Notes¹
Protection Conference, Bangkok
28-29 May 2018**

OVERALL THEME

- **HLP in action:** Integrating HLP actively throughout and in all types of responses

MAIN OBJECTIVES:

- Consider HLP as part of the New Way of Working (NWOW) – collective outcomes and integrating HLP into humanitarian, transitional and development planning processes.
- Consider security of tenure and what is secure enough in different contexts.

OVERALL ACTION POINTS

These are a summary of the main action points from the notes of each session below.

1. Include roll-out and activities related to Guidance Note (Integrating HLP into key humanitarian, transitional and development planning processes) in HLP AoR workplan.
2. Review existing assessments to consider what HLP information is already collected and what should be added.
3. Identify more harmonised approaches between humanitarian and development interventions to ensure sustainable land governance and durable solutions. Include these discussions and initial entry points within Global HLP AoR workplan.
4. Raise awareness of the importance of mainstreaming HLP into humanitarian response planning in South Sudan; map current HLP-related projects and mechanisms; and produce the first draft of the position paper for discussion with humanitarian partners, the HLP interim taskforce, national and international stakeholders, and national authorities.
5. Gather examples of humanitarian roles in promoting HLP restitution and alternatives.
6. Use these examples to consider gaps in guidance and potential advocacy.
7. Include approach to security of tenure and what is 'secure enough' in various contexts in HLP AoR workplan.
8. Update Global HLP AoR 2018 workplan with roles, responsibilities and agreed priority themes.

¹ For each session, a participant took on the role of rapporteur and took notes. They have been edited by the Global HLP AoR Coordinator.



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MONDAY, 28 MAY 2018: HLP AND THE NEW WAY OF WORKING (NWOW)

1. Introduction

Presentation: HLP in the big picture, Dalia Aranki (Global Coordinator, HLP AoR)

- Overview of centrality of protection; NWOW and durable solutions and how HLP is relevant in each of these processes.

2. HLP integration into all types of response

Presentation: Guidance Note – Integrating HLP into key humanitarian, transitional and development planning processes, Ina Rehema Jahn (IOM/HLP) and Jamila El Abdellaoui (UNHCR/HLP)

- On behalf of the HLP AoR, the guidance note was prepared over the last year and will be disseminated shortly.
- It is a living document and will be adapted to reflect ongoing experiences.
- It aims to set out how to integrate HLP consistently into key planning processes, recognising that this is often hampered by a variety of planning processes and lack of financial resources. It considers how HLP can be integrated into existing processes across various phases. The note also highlights how these are linked to funding mechanisms.
- Three key sections. (1) HLP in assessments; (2) HLP in key planning processes relevant to five cross cutting themes (e.g. emergency, peacebuilding, etc.); and (3) HLP and selected funding mechanisms.
- Mainly IOM and HCR who are consolidating comments.
- Although the focus is on key planning processes, the note also highlights nine key funding mechanisms and identifies how HLP can be pitched in each of these.
- Targets HLP actors and those involved in planning and funding processes.
- Can be used as a tool to advocate for the adequate consideration of HLP in key planning processes.
- A gap identified during the process concerns guidance and examples on the inclusion of HLP in assessments.
- The guidance note will assist with trying to integrate HLP as a priority (where relevant) into existing funding mechanisms. This will include working with donors so that they better understand the links between HLP, conflict and response.

Group work and plenary feedback: Brainstorming – operationalising guidance note at country level

HLP in assessments

- If HLP not mentioned in HNO/HRP, it is very difficult to include in response. Country pooled funds are there to address key issues – HLP should be part of initial and ongoing assessments. Go through different assessments – early recovery etc.
- Work with national counterparts to understand relevance of HLP at assessment phase.
- Tools: HLP check list for rapid assessments including links to relevant emergency arrangements.
- Emergencies – HLP is often not adequately assessed in rapid assessment. Need to understand local context, knowledge of customary law systems in place, local actors and history of HLP issues. Try to see where people coming from and why did they leave - questions related to places of origin out of fear of attack; understanding if houses burnt down etc.
- Should also consider what is already included in assessments. Although there may not appear to be HLP-specific questions, we can often derive a lot of information about HLP issues from questions asked about displacement. We can analyse what is already being collected and then consider what needs to be added to understand people's situation regarding their HLP rights.



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- Could add more HLP questions to protection-mainstreaming checklists. Highlight how to provide assistance without putting people at greater risk and also providing an appropriate response.

Funding

- Including HLP in funding applications in a humanitarian context can be challenging as not always considered 'lifesaving'. Will need to consider relevance of HLP and risks faced by people in need for each context to understand what level of prioritisation is required.
- In many countries, pooled funding requires showing life-saving nature of potential responses. Could prepare some reasons and analysis about why HLP may be life-saving aspect of response. Connecting HLP as a fundamental part of people's lives and to other forms of response would be helpful.
- Funding can be challenging even where there is an agreement by the HCT that HLP is a priority. For instance, in South Sudan, HLP issues are recognised as a priority and the HCT Protection Strategy includes an objective to create conducive conditions for return, which include assessing and addressing HLP issues. Nevertheless, it has been hard to get the funding for this.

Strengthened understanding of HLP

- Previous efforts to increase understanding and integration of HLP have included having HLP sessions with Resident Coordinators and heads of agencies. Feedback has been that HLP is too technical and so this guidance note can be used to support efforts to integrate HLP into strategic planning and funding streams.
- Making HLP more readily understandable is to break it down and not always present it as a block concept. Identifying the context-specific aspects of HLP is essential.
- Could be useful to have a simple table of key HLP concepts that is translated into more understandable (non-technical) language.
- Regarding peace agreements; need to include HLP more concretely and specific to context. Restitution is often included but not always fully considered and other options are rarely explored. Connecting HLP within humanitarian, development and peace responses is an area that the HLP AoR can work on, with HLP partners building on our comparative advantages and contacts to have a more inclusive and meaningful approach regarding HLP.
- HLP issues are often included in more political processes, which are not always accessible to humanitarian organisations. Restitution for displaced people requires understanding how they are received or accepted within the wider population. There may be barriers linked to discrimination, denial of rights or exclusion.
- HLP can also be complicated by business and private sector interests. Humanitarian and development actors have to work together to overcome HLP challenges and violations as a result of such interests.
- Positive to see mediation mentioned as a restitution mechanism – this was used successfully in Kosovo and the HLP AoR in Iraq is supporting mediation to resolve HLP disputes.
- Important to work with colleagues in other clusters.

Response to HLP risks

- Situation of recurring emergencies – consider sensitisation of potentially displaced people, e.g. to take pictures of documents.
- HLP capacity prior to displacement at different levels. Capacity building of authorities.
- Prepare country profiles of legal framework in countries where there are recurring emergency HLP issues.
- Can be useful to differentiate between different phases of displacement. Emergency phase – need to consider whether people are being sheltered with assistance from humanitarian actors or finding their own urban solutions. Need to consider what is our role in each situation. Can also consider how to start



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planning and assisting for future phase of HLP response activities – humanitarian/development nexus is relevant. Any actions taken regarding HLP can have long term consequences.

- Should be working with communities from start and throughout to see what they need, possible options for displaced communities, options for host communities and families and what that means in long term. Should identify vulnerabilities from the beginning. For examples, in IFRC’s preparedness work – it is essential to identify vulnerabilities and legal and customary frameworks and people’s relation to land and property.
- In situation of protracted displacement, both humanitarian and development actors need to be involved and work together. Need to convey importance of HLP in protracted situations. Security of tenure continues to be relevant – having adequate shelter means people can lead productive and dignified lives. With development actors, can also look at governance structures to make sure they consider the needs of refugees and IDPs and translating it into their language and explaining why important in these issues. UNHCR tries to get them included in national local regional development plans. Need to find ways to involve refugee committees in local governance.
- Could include HLP as part of refugee registration. And talk about tenure situation. Need to report how many people renting. Will then help for potential return planning. Are we going to be rehabilitating housing or are we going to be supporting rental arrangements? Or both?
- Collective protection of community tenure important. When people are displaced from informal settlements, need to understand any methods of recording tenure rights and how to support this or develop mapping of rights. Useful to understand how people recognised their rights before the crisis and what is acceptable for them to strengthen or restore these existing methods.
- Consider how to address political and technical challenges in various contexts. There may be lack of HLP expertise or the topic may be considered too sensitive to deal with.
- Working with government actors can help address political sensitivities of dealing with HLP issues.
- Partnerships with national and local actors can help to increase technical capacity.

Action points

1. Include roll-out and activities related to Guidance Note (Integrating HLP into key humanitarian, transitional and development planning processes) in HLP AoR workplan.
2. Review existing assessments to consider what HLP information is already collected and what should be added.

3. HLP as part of durable solutions

Presentation: Adaptation and implementation of ‘development HLP tools’ in humanitarian contexts, Ombretta Tempra (UN-HABITAT/Land and Conflict)

- The content of upcoming book “Land and Conflict, lessons from the field on land governance and state building” was presented. The book has nine separate country case chapters and one country comparative analysis chapter. The book is a collaborative effort by UN and INGOS organizations and their chosen authors from the field working in nine countries.
- Definition on Land Governance “Land governance concerns the rules, processes and structures through which decisions are made about access to land and its use, the manner in which the decisions are implemented and enforced, and the way that competing interests in land are managed”.
- Definition on State building “State building in conflict strengthens capacity, institutions & legitimacy of the state through enhancing state-society relations”. Cases show that both connect to Participatory land /



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HLP processes, to build trust and confidence in the state. Land administration to legitimize land rights relationships. Protect people from evictions and maintain rule of law about land.

- A critical element of peacebuilding in conflict contexts is conflict analysis. The first step is to do a conflict analysis and identify root causes of conflict and how they impact land.
- Two key Interventions which address land and conflict are through: 1) Including Land and HLP in programmes addressing conflicts and 2) Including conflict programming in land related interventions, capacity development and mediation, as well as land and humanitarian assistance.
- Different examples were presented showing that land interventions in conflict contexts cannot produce durable or sustainable solutions on their own.
- Iraq example was presented of UN HABITAT/GLTN Supporting the Return of Yazidi Community in Sinjar District, Ninewa Governorate “**Tenure security and House Rehabilitation**”. Several key interventions were presented such as: Analysis focusing on land tenure rights and challenges faced by the Yazidi community residing in Sinjar, Survey on alternative property documentation conducted with community members and local authorities, Community mobilization, vulnerability assessment, and preliminary evaluation of damaged houses, Verification of claims using Secure Tenure Domain Model (STDM) and related tools for analysis of alternative and informal documents proving occupancy, Participatory mapping of claims and identification of plot boundaries, and Issuance of Occupancy Certificates (and negotiations for the full titles).
- All above cases show that types of land tools and approaches being used are generally capable of being incrementally upgraded or regularised and could fit into a development phase; if there was some kind of coordinated and funded hand over from the emergency to the development phase.
- Humanitarian and development interventions can be different but need to be conceptualized as two faces of the same coin. There are similarities between land governance in non-conflict settings & conflict settings but there are big differences also.

Action points

3. Identify more harmonised approaches between humanitarian and development interventions to ensure sustainable land governance and durable solutions. Include these discussions and initial entry points within Global HLP AoR workplan.

4. Presentation: Case study: South Sudan – the importance of HLP to safe and voluntary returns and resettlement in South Sudan, Alison McFarlane (UNMISS Rule of Law)

- The presentation gave an overview of displacement in South Sudan and set out the steps that will be taken to prepare a position paper to assist with mainstreaming HLP considerations into returns and resettlement.
- The paper will focus on rapid appraisal and mapping, raising awareness of HLP rights and the importance of developing and strengthening HLP legal and policy HLP frameworks.
- In South Sudan there is currently no comprehensive HLP framework to guide returns and resettlements.
- The paper will help national authorities and other stakeholders to assist the displaced population, to prepare and re-assert their HLP rights.
- In South Sudan, there are over two million IDPs and two million refugees in neighbouring countries. UNMISS has five Protection of Civilian (POC) Sites with over 200,000 IDPs.
- These high-levels of displacement require immediate HLP planning and preparation to ensure that the displaced population can peacefully reclaim their rights. Given the unique HLP challenges South Sudan raises - such as 64 different ethnic groups and 64 customary laws – it is crucial that the necessary



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structures and mechanisms are in place to support safe and voluntary returns and peacefully resolve HLP-related disputes.

- In October 2017, UNMISS Rule of Law and NRC established an interim HLP task force where HLP experts came together and to discuss the preparation and planning for the displaced population to protect and reassert their HLP rights.
- It is important to develop partnerships and increase programming and funding opportunities for HLP engagement. Developing a position paper will be an opportunity to provide a comprehensive overview and guidance on the different ways to increase this engagement.
- As part of the rapid appraisal, UNMISS Rule of Law and UNHCR are developing comprehensive list of HLP questions to include in surveys. The paper will explore effective databases to map data captured in such surveys, as well as ways to assist IDPs to determine the status of their HLP, for example, by increasing engagement with secondary occupants.
- The paper will explore how to raise awareness of HLP rights and, given that only 4% of land is registered, stress the importance of alternative and informal forms of evidence to proving HLP rights.
- The paper will also identify different mechanisms that are currently used or envisaged to peacefully resolve HLP disputes, provide compensation and reparations, and allocate land and, ultimately, provide recommendations on how to streamline and strengthen such frameworks and enhance the capacity of existing mechanisms.
- The presentation concluded by explaining how, as calls for peace grow louder in South Sudan, it is important to advocate for increased funding and programming to assist the displaced population to peacefully uphold and restore their HLP rights.

Action points

4. Raise awareness of the importance of mainstreaming HLP into humanitarian response planning in South Sudan; map current HLP-related projects and mechanisms; and produce the first draft of the position paper for discussion with humanitarian partners, the HLP interim taskforce, national and international stakeholders, and national authorities.

5. Claiming HLP rights in the longer term

Presentation: Planting the seeds for HLP restitution in Myanmar, Jose Arraiza (NRC ICLA Myanmar)

- Presentation on property restitution options in Myanmar.
- Discussion points and brainstorming around the following issues
 - Restitution during the peace process;
 - Uncertain land policies and poor access to remedies.
 - Relation between existing remedies and how new ones can supplement them.
 - Tackling the issue of lack of civil documentation.
- Guidance for Myanmar Peace Process developed.
- Broader discussion on the role of humanitarian actors in property restitution.
- Managing expectations and setting realistic targets is key (in some cases the agenda for restitution needs to be kept modest and limited to advocacy, awareness etc. rather than setting up a full-fledged restitution systems).
- The role of engaging with private investors to finance some of the HLP initiatives through clearly defined checklists.



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Group work

- Group exercise highlighted that some major ground work on putting HLP standards in context of durable solutions has already been developed. It was agreed, that subsequent work needs to build upon existing standards and turn discussion towards more practical solutions, including highlighting the distinction between the right to return; and the right to restitution.
- Restitution might not be practical in certain contexts. Suggestion was made to come up with alternative, more context-specific solutions; taking into account experience of restitution from Balkan states. Specific considerations need to be given to challenges in urban setting as opposed to HLP issues in rural areas.
- Discussion revealed that not all HLP agencies/other humanitarian actors are clear that the right to property restitution does not cancel the right to adequate standard of living at the place of displacement. The need for separate discussion on durable solutions was noted.

Action points

5. Gather examples of humanitarian roles in promoting HLP restitution and alternatives. Also consider guidance on tools other than restitution to address common post-conflict HLP challenges (e.g. landlessness).
6. Use these examples to consider gaps in guidance and potential advocacy.

6. Technology to promote and protect HLP rights

Presentation: Digital information for IDPs and refugees in Myanmar, Jose Arraiza (NRC ICLA Myanmar)



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Tuesday, 29 May 2018: SECURITY OF TENURE – WHAT IS SECURE ENOUGH?

7. Types of security of tenure throughout response

Presentation: Security of tenure in shelter operations, Kirstie Farmer (NRC)

- New sphere standard is a specific standard in the shelter chapter which introduces a higher evidentiary standard. It defines security of tenure as where people can live in their homes without fear of forced eviction and explores what is “secure enough” for the purposes of designing shelter options. The key actions for security of tenure include: 1) due diligence; 2) legal framework; 3) effect on the most vulnerable; 4) design shelter responses to support security of tenure; and 5) support protection from forced eviction.
- Shelter colleagues map different indicators to determine security of tenure. The mapping includes three phases: 1) emergency; 2) transitional; and 3) return. Mapping is also conducted to determine options that are difficult for access for women and undocumented refugees.

Discussion

- Pathways need to be provided to assist people to access more security of tenure and engage with the private sector.
- In Syria a project (IWASH) between WASH, shelter and ICLA assisted with raising funds. For undocumented returnees, informal/customary types of evidence are accepted as proof of HLP rights. Also, two guidance notes have been developed: one on HLP and livelihoods; and a second on HLP considerations for shelter.
- Security of tenure is often contingent on the host community and their willingness to allow integration. One of the key elements of the continuum of land rights is that the displaced population should be able to continue to upgrade their tenure situation.
- Tenure security for migrants requires a change in governments’ paradigm and mentality.
- One of the negative issues is that the longer people stay in a place, the more their lack of access to rights might be exacerbated. It is important to ensure that the laws that develop around security of tenure do not limit people’s rights.
- In Niger, security of tenure is linked to self -reliance which will enable them to choose a durable solution. It’s a mindset that needs to change. Discussions explored whether the 3-d (defined, defensible, defeasible) approach is appropriate or more focused on the legal approach.
- The Sphere standard reflects the assistance model that is post-camp, taking into account experiences from more urban settings.
- Security of tenure is not a mandatory criterion when measuring shelter. Perceptions of tenure should be included and ways in which security of tenure are measured need to be improved. The way the questions are asked can provide different results and interpretations.
- SDG Indicator 1.4.2 categorises tenure security under perception and includes customary processes that is recorded as a perception but is intended to represent informal of customary processes.

Action points

- 7. Include approach to security of tenure and what is ‘secure enough’ in various contexts in HLP AoR workplan.



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8. HLP planning and key considerations for shelter responses – due diligence for security of tenure

Presentation: HLP planning and key considerations for shelter responses, Leanne Marshall (IFRC/ARC)

- Shelter is a process, not a product.
- During the Ecuador 2016 earthquake, the government was keen to be seen as assisting people (elections period). They wanted to provide permanent housing to people. To do that, beneficiaries needed to show proof of ownership. However, only 30 per cent of people have such proof.
- The shelter assistance was in the form of creating an HLP Working Group, to develop strategies for the different areas of need. It took time for the group to learn about the context. It was necessary to understand the systems in practice.
- Going back to the Haiti example: HLP rights were seen as an impediment to providing shelter assistance.
- People squatting illegally and sharing accommodation were the most vulnerable and the least likely to be assisted. The formal owners were the easiest to assist.
- It is important to understand that everyone has a right to an adequate standard of housing at all phases of a response no matter where along the continuum they are (customary, informal, freehold, etc).
- Look for practical mechanisms to:
 - support access to adequate housing;
 - improve tenure security in context;
 - advocate to recognise legal rights;
- “Information and understanding are as critical for prepositioning as material assistance”
- Planning is crucial, understanding the context.
- Preparedness and HLP Mapping: stepping back and understanding: cultural issues, vulnerabilities, practices, different realities, etc.
- For example: who is under cover and who isn't? How do people cope with the challenges of the crisis?
- Mapping, includes: a) key laws and actors, b) common types of tenure, ...
- There has been a series of completed research memos and fact sheets (Bangladesh, Cook Islands, Solomon Islands, etc). These are located on the Global Shelter Cluster website: <https://www.sheltercluster.org/hlp> (these are open source and available for use by all partners).
- Opportunities in the private sector: some funding given by legal firms. It is important to understand that humanitarians are not always the ones doing the work. It is also good simply to identify what needs to be done.
- Vulnerability analysis is also important.
- Talking to authorities, other organisations, providing training, sharing information, use analysis as a starting point for assessments and using opportunities for advocacy and awareness raising at multiple levels.
- We can have HLP profiles across the board which help inform interventions.
- It is interesting to help develop HLP Country Level Strategies. An example is the Philippines Red Cross – HLP Strategy (including internal and external actions).

Discussion

- Preparedness for return is very important and can learn from preparedness work for disasters. Can also include work on the prevention of disputes.
- Ecuador vs. Haiti: flexibility in understanding different degrees of tenure in Ecuador. In Haiti there was no understanding or acceptance of the different types of tenure. You need to do almost a sociological



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understanding of how property relations work in practice. It is important to change people's minds about it. The "owning-renting-sharing/illegal-informal-formal" scheme is very useful.

- There is a plan to extend IFRC mapping to other regions. There is a potential to use a consistent form of HLP Country Profile that can be used elsewhere. NRC has this kind of profile for Syria. Different parts of Syria have completely different situations: a very dynamic and convoluted scenario. Please reach out if you would like to be involved in this work.

Group Work

- For each type of shelter assistance, groups considered: (1) how to assess tenure status; and (2) how to improve the tenure security for the family?
- Transitional shelter: provision of individual shelter on plot identified (claimed) by the beneficiary.
 - Assess tenure
 - Conduct due diligence
 - Improve tenure security
 - Clarify right to shelter/land
 - Terms, timeframe
 - Documents
 - Community mapping
 - Dispute resolution, including consulting community members on existing claims to understand the situation.
 - Consider why it is transitional – lack of resources? Emergency assistance, etc.?
- Informal settlements upgrading. Assistance for the improvement of housing in established informal settlement.
 - Contextualise the situation (urban, rural, camp like situation). Is it an emergency or a protracted situation?
 - Due diligence with the municipality and the communities themselves. Need to conduct a household survey. What do the beneficiaries understand their rights to be?
 - How to improve tenure security? Is it permissible under the current legal framework? National authorities need to be involved necessarily. Criteria need to be developed concerning the rights of persons to the land. Demarcation, giving addresses, etc are necessary to improve the security of tenure.
 - How is informality defined in each context? Kibera and Lebanon have completely different characteristics. Dispute resolution mechanisms concerning large amounts of land could be used for humanitarian related informal settlements contexts. Essential basic services are key in any upgrading intervention.
 - Need to work with the community as to what is "secure enough" from their perspective to adapt interventions. The challenge is that these decisions often have to be made rapidly.
 - How people understand their own situation is a key feature to tap into. Perceptions and formal realities may differ greatly. "Owner" may mean a variety of things.
 - In Afghanistan, upgrading was used as an opportunity to improve Women HLP rights.
 - Often the landlords are taking advantage of the situation and may have illegally grabbed land. Land grabs by powerful individuals should not be rubberstamped through interventions (albeit inadvertently).



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- Provision of Rental assistance. Provision of rental
 - Due diligence – tenant/landlord. What is the relationship? What is the context? What are the risks?
 - Clarify arrangements,
 - Beneficial arrangements for both parties or more
 - Engage community leaders
 - Take peer pressure into account. It is an interesting lens to take into account.
 - Formalisation does not need to be the answer. Consider all options.
 - Livelihoods and the longer term need to be taken into account if the intervention is cash based.
 - In some countries there are ministries or religious charities which oversee this type of tenure. There is a lot of research to be done. There is a space to look more at this type of tenure (rental) and institutional interventions.
 - Can be creative with options for intervention. Rubble removal from the land in exchange for free land; land mine clearance in Exchange for free rent, etc. In general, there is a need to understand the context, both formal, informal and other aspects.

9. HLP and Mine Action – Joint session (Ombretta)

Presentations on Syria, Iraq and Afghanistan

Introduction and Syria, Eliso Chabrava (NRC)

- HLP rights are affected by mines and mine action in a conflict setting in multiple ways. Mines affect the desire of people to return to their lands and properties.
- Women are more vulnerable to HLP violations and lack of HLP documentation. Mine action is linked with social engineering in conflict affected areas and to the fact that conflicts and displacement disproportionately affects minorities. There is a guidance on HLP for mine action operations, including general advice, specific guidance and checklists.
- Some linkages between HLP and mine action are:
 - Before the clearance, access to land is affected as it reduces available land and it increases competition over cleared land.
 - During the clearance, land grabbing can be triggered, and land may change hands after the clearance. Clearance in disputed areas might undermine the neutrality of mine actors. Mine clearance can affect the productivity of agricultural land and destroy landmarks that people use to demarcate ownership. In urban areas, mine clearance can destroy the infrastructure or the housing.
 - After clearance, at times the land use can change. Communities might not be sufficiently involved in the clearance and related processes. 'Handover documents' are at times released after the clearance and this can be used by people to strengthen their land rights in absence of other forms of documentation. The decisions on what areas get cleared first impacts different aspects of HLP.
- Possible action for the future: It is noted that victims' assistance in the context of mine action is not included in the Guidance Note and it might be considered for a future edition of the document.
- The objective of the HLP interventions in mine actions is not just returning land to the rightful owners, but addressing other type of vulnerabilities (disability, mental health, etc.).
- In Syria, 43% of communities consider mines a protection concern. 8.2 m people live in contaminated areas; 57% reported HLP issues on their properties. Large part of contaminated areas is in agricultural land, roads, private property. Others are public building, schools and hospitals.

Mosul, Lindsay Harkness (UNMAS)

- In the case of Iraq, Mosul, mine contamination is of wide scale.



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- Some houses were turned into exploding devices factories. There are areas where mine contamination is known, others where it is expected.
- Complexities are bigger around urban areas where it is more time consuming and difficult to work than in rural / desert areas. At times, Improvised Explosive Devices (IEDs) are linked to the gas or electricity wiring of household appliances. When houses are significantly destroyed, it is very difficult to detect the explosive devices.
- 21% of people in Iraq say that fear of explosive devices prevents from going back to their homes. Only 2% of people got compensation, no funds are available.
- There is an issue with demining actions potentially affecting ability to claim through compensation mechanisms (as compensation happens only if destruction has taken place because of war).
- There is no legislation protecting deminers from the potential damages they do to the houses. There is also an issue with deminers being allowed to clear houses by people who are not the legitimate owners, who then move in.
- Issues of prioritization of areas to be cleared. UN agencies are advocating for transparent prioritization.
- Mosul is full of heritage sites, which complicates the process further. People build back with modern technologies, as there are no building codes forcing them to respect the 'original' character of the old city.
- Some areas are completely destroyed, so clearance has to happen in layers and takes very long.

Afghanistan, (UNMAS)

- There was a shift towards better information on hazard location and land use (on which prioritization was based) and a nation-wide survey was initiated.
- Mine action is being mainstreamed in other processes, such as land allocations. HLP information was built into surveys and there is no clearance for disputed areas.
- Prioritization of areas to be cleared is done by government and UNMAS. There are a number of factors and a weighted score. This aims to increase transparency of processes used by government and humanitarian actors.
- There is a difference between humanitarian demining and military / developmental demining in Afghanistan. In Iraq, many actors are involved, including private sector. Sometimes the actors that placed the explosive devices inform the UN about their generic location, but such information is not openly shared.

10. Measuring outcomes and impact of HLP activities - what works and what are we not sure about?

Session led by Jamila El Abdellaoui (UNHCR/HLP)

- What do we want to measure?
- Overview of publicly available HLP-related indicators (e.g. IASC Framework on Durable Solutions on restitution, Shelter Cluster Indicators on HLP, Global Land Indicators Initiative, and so on).
- Issues:
 - Available indicators can be too context specific – not always easily adaptable or measurable in each context.
 - Agencies having to report to donor indicators that do not include HLP issues adequately.
- Suggestion: AoR could come up with examples of indicators for different types of interventions
- These examples could be organised in themes – e.g. security of tenure

Group work: ideas for categories of indicators

- Are people still there? Have they invested in the HLP? Occupancy rates? Qualitative interviews to assess effectiveness of trainings.



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- Shelter, evictions, camps, legal and institutional framework
- Peace Building, livelihoods, food security, documentation.
Damaged housing, civil documentation, tenure security, national policy-legislation, rule of law, restitution, compensation, livelihoods, financial mechanisms, access to information, trust, prevention of forced eviction, women/minority/vulnerable groups' HLP rights, displacement.
- Distinctions between:
 - Baselines indicators (optional); and
 - End-line indicators
- Categories/themes can be “tags” that can be cross-searched

Action points

8. Global AoR to support process of identifying categories of indicators.

11. Conclusions and next steps for HLP

Let's talk about HLP: seven key messages to share at wider GPC conference and beyond...

1. Freedom from fear of forced eviction
2. HLP understanding and response is inter-cluster
3. Human right - not optional
4. Opportunity to programme through humanitarian/development/peace nexus
5. Essential to understand HLP-specific risks and issues for context/vulnerability analyses
6. Necessary from emergencies to durable solutions and everything in between
7. Not just about owning – lots of other valid rights to housing and land

Action points

9. Update Global HLP AoR 2018 workplan with roles, responsibilities and agreed priority themes.