

HLP Rights Due Diligence Guidelines for COVID19 Health Programming in the Rohingya Refugee Response 27 April 2020

1. Introduction

The Housing, Land and Property Technical Forum (HLP TF)¹ has developed these Due Diligence Guidelines to support the humanitarian community engaged in **renting land and properties for the construction of buildings/facilities** from the **Government or host community** in Cox's Bazar District as part of the COVID19 Rohingya Refugee Response.

The Guidelines provide a procedural checklist to ensure the Housing, Land, and Property (HLP) rights of the host communities in Ukhiya and Teknaf Upazillas in Cox's Bazar District are protected to the greatest extent possible including adherence to the Do No Harm principles² and the national legal framework throughout the response cycle.

1.1 What is HLP?

HLP rights include a range of statutory and customary rights relating to the use, control, transfer, and enjoyment of HLP assets.

- **Housing rights:** There are seven elements of the right to adequate housing: a) legal security of tenure (protection from forced eviction), b) availability of services, facilities, infrastructure, c) affordability, d) accessibility, e) habitability, f) location and g) cultural adequacy³;
- **Land rights:** The right to use, control and transfer land (individual, collective) and other natural resources;
- **Property rights:** Right to two types of property: movable (personal property that can be moved e.g., computer, vehicle, etc.) and immovable (property that is adhered to the soil, e.g., land, real estate/buildings).

1.2 What is Due Diligence?

Humanitarian agencies have a duty to ensure that humanitarian interventions (projects) do not cause harm to the host community and displaced persons and their land and properties. This process is called Due Diligence.

The goals of due diligence are to allow humanitarian agencies to:

- Achieve as much **legal certainty about tenure/land ownership** as is reasonable in Bangladesh, given the context of land administration/management system and constraints on resources and time;
- Reduce, as much as possible, the risk that humanitarian intervention **causes or contributes to increasing tensions and conflicts** among the community, and **environmental destruction and degradation** and;
- Reduce, as much as possible, the risk that the **host community and refugees will be harmed** (increased rent, coercion, etc.) or **forcibly evicted** as a result of humanitarian interventions.

2. HLP Due Diligence

The guidelines outline **nine minimum steps** all humanitarian agencies considering renting land and properties for the construction of health, and other related facilities from the Government and host community in Ukhiya and Teknaf Upazillas should undertake.

Recognising the urgency in establishing isolation, quarantine, and treatment facilities to address the COVID19 response, **HLP TF advises Steps 1-4 be carried out concurrently, while the remaining four steps can be carried out retroactively.**

Step 1: Clarity on the Requirement of the Land/Property

It is essential to get clarity on the purpose, size, quality, location/accessibility, and duration requirements of the land/property for the specific type of humanitarian intervention.

¹ The HLP TF is an inter-sectoral technical forum established in January 2020 to facilitate a systematic approach to identifying and addressing HLP issues affecting the Rohingya refugees and host communities in Cox's Bazar, Bangladesh, and thereby enhancing social cohesion between the two.

² The Do No Harm principles was coined by the CDA Collaborative. It is based on 6 important assumptions 1) Whenever an intervention of any sort enters a context it becomes part of the context, 2) All contexts are characterized by Dividers and Connectors, 3) All interventions interact with both, either making them worse or making them better, 4) Actions and Behaviours have Consequences, which create impacts, 5) The details of interventions matter and 6) There are always Options. See <https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/DoNoHarmHandbook.pdf>

³ See CESCR General Comment No. 4: The Right to Adequate Housing (Art. 11 (1) of the Covenant), <https://www.refworld.org/pdfid/47a7079a1.pdf>

- **Purpose:**
 - **Renting of empty land** for e.g., parking of ambulances/vehicles/trucks or temporary warehouse for health and related supplies;
 - **Renting of land and construction of new buildings/health facilities**, e.g., isolation, quarantine, treatment centres;
 - **Renting of a property** with upgrades/extension of existing buildings;
- **Size of land required:** # in acres/ha of land parcel, does the land/property need to be contiguous;
- **Quality:** Soil type (for foundation, drainage), water source (underground water/aquifers) in sufficient quantities available and accessible year-round;
- **Location/Accessibility:** Safe from hazards, access to roads/infrastructure networks especially for ambulances (all season for the supply of assistance/services), proximity to the camps and agency offices, security, electricity availability, 3G/4G networks, etc.
- **Duration:** Few months with temporary structures or years/medium to long term with permanent structures.

Step 2: Initial Assessment of Identified Land Parcel

Once potential land parcel/property are identified, conduct the following initial assessments to ascertain the current land use, and confirmation it meets the land requirement for the specific humanitarian intervention:

- **Transect Walk:**
 - Walk around the boundaries of the land parcel with the interlocutor/landowner:
 - **Boundary markers:** Ask the interlocutor/landowner to identify boundary markers on the four/multiple corners; this could be in the form of boundary walls/wires/bamboo fencing, concrete or wooden stumps, trees, plants, etc;
 - **GPS coordinates:** Obtain GPS coordinates of multiple corners of the land parcel;
 - **Land use:** Assess if the land is empty or occupied, take photos of the current land use (empty land, buildings, crops);
 - **Meets land requirements:** Confirm the land meets the basics land requirement as identified in Step 1- stated purpose size, quality, location, and accessibility, especially road networks for ambulances;
- **Meeting with the Land Owner(s) and Neighbours:**
 - **Land Owner(s):** Confirm if the land is owned by an individual/family or jointly by group/extended family if latter insist on meeting all members of the group if possible and discuss the intention to rent the land, conditions, and duration and get their consent;
 - **Occupants:** If there are any buildings or crops within the boundaries, insist on meeting the occupants /users of the land;
 - **Neighbours:** Speak with the occupants/neighbours adjoining the land to a) confirm the ownership of the land parcels by the stated landowner; b) whether there are existing land claims and disputes over it and c) confirm if any planned construction will impede the rights-of-passage of neighbours to essential resources;

Step 3: Suitability of Land: Hazard Mapping and Topographical Slope Assessments

The next step is to conduct hazard mapping based on the GPS coordinates collected as part of Step 2.

- **Map of the Land Parcel:** Plot the land parcel on satellite imagery based on the GPS coordinates collected as part of Step 2, above;
- **Safe from Hazards:** The main suitability criterion is that the identified land is safe from natural hazards, such as floods, landslides, high risk/tides zones (the southern coast of Bangladesh is prone to hurricane and cyclones);
- **Topographical Consideration:** Another consideration is the topographical slope. The land surface should be relatively flat and contiguous for the construction work system with a slope less than 10%; any higher would cause risk of soil erosion as construction on hazardous and high gradient land might require extensive and costly grading, stabilisation/compaction, drainage, and flood mitigation actions.
- Contact the **Site Management Site Development Sector (SMSD Sector)**, who will be able to provide hazard mapping and help to identify a Site Development partner. Contact IOM/HCR engineering teams for additional topographical, hydro/geophysical advice and support.
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Office	Responsible Person	Address	Contact Details (Email and Mobile)
SMSD	Kerry Mcbroom SMSD Sector Coordinator	SMSD Office, ISCG, Parjatan Luxury Cottage (3), Motel Road, Cox's Bazar	smcxb.coord@gmail.com +880 1869 577 867

Site Maintenance and Engineering Project (SMEP)	Consolacion Castro Deputy Lead Engineer/ SMEP Project Manager	WFP Office, Parjatan Luxury Cottage (3), Motel Road, Cox's Bazar	consolacion.castro@wfp.org +880 1729 067 286
UNHCR Engineering Team	Halfdan Kjetland (Hago) Shelter Officer/ Architect	UNHCR Office, Motel Road (Probal), Cox's Bazar	kjetland@unhcr.org +880 1847 327 264
IOM Engineering Team	Jago Boase Site Development Coordinator	IOM Office, Mukti Joddha Building, Motel Road, Bharchhar, Cox's Bazaar	jboase@iom.int +880 1869 614 692

Step 4: Collection and Verification of Tenure/Land Ownership Documents

Once the land is deemed suitable, it is essential to a) identify the owner, b) verify the status of land and c) tenure/ownership. Identifying the owner of the land/property, as well as verifying the ownership documents, ensure that humanitarian agencies have the right to use the identified land/property for humanitarian programming and avoid land claims and property disputes later.

Identity of the Land Owner:

Ask the land/property owner of the proposed land/property to provide:

- **National ID Card:** If the owner does not have a National ID Card, they can use their Birth Certificate or Passport or have their legal identity confirmed by the Union Parishad Members/Chairperson and submit this official document;
- **Details of the Land/Property:**
 - Address (Mouza, Village, Union, Block, Ward No and Street Name);
 - Holding/Plot/BS-RS Dag No (land parcel);

Status of Land:

- Only **Private⁴** and **Khas (state) land⁵** is permissible under the national legal framework for use/lease/ to private entities, including humanitarian agencies. Both types of land must be free from land claims/disputes. In addition, Waqf (endowed) land⁶ maybe also used.
- **Public land⁷** including forestland (national parks, wildlife sanctuaries, conservation areas or potentially vulnerable ecosystems), water bodies⁸ including watershed catchment zones and community land⁹ are prohibited for use/lease by humanitarian agencies.
- Note, the Prime Minister, through a resolution dated 6 September 2018 exceptionally approved 6,164 acres of forestland for the settlement of the refugees, restricting any further occupation of land, the other 2000 acres are Khas and private land (total of 8000 acres). While the Forestry Department is still the custodians of the forestland, it is managed by the Refugee, Relief and Repatriation Commission (RRRC).
- The land should also not be of specific cultural, spiritual/religious, or archaeological significance such as special monuments, historic buildings, memorial sites, and cemeteries, etc.

Collection of Tenure/Ownership Documents:

- Collect land tenure/ownership details and documents, using or adapting the Tenure Form in Annex 1. Tenure documents can include any of the following:
 1. Dalil (registered land transfer document);
 2. Holding/Plot/BS-RS Dag (Land parcel);
 3. Khatiyani (title deed);
 4. Khazna (land tax receipt);
 5. Permanent Khas Lease Agreement (99-year lease);
 6. Customary/Informal Tenure documents;

⁴ Private land denotes any land held by an individual or legal entity under freehold and leasehold tenure.

⁵ Khas or State land are all lands managed by the state on behalf of the public. It includes land owned historically by the state throughout colonial and Pakistani rule, the new land created by alluvion (creation of land due to movement of water) and former agricultural land subject to diluvian (loss of land by the river or sea erosion) and surplus land that exceeds the land ceiling of 20 acres. Khas land falls into three broad categories: agricultural, non-agricultural, and water- bodies.

⁶ Waqf land is held by the state and administered by the Department of Waqf under the Ministry of Religious Affairs for religious purposes. Section 2 (10) of the Waqf Ordinance (East Pakistan Ordinance) of 1962 defines Waqf as the permanent dedication (endowment or bequeath) by a Muslim of any movable or immovable property (building or land) for purposes recognized by the Muslim Law as 'religious, pious or charitable.' Waqf land is kept in the Waqf register, administered as waqf land or waqf fund by the Waqf Committee, and used for religious, educational, or any other benevolent purpose under Waqf terms and conditions.

⁷Public land refers to all land owned by government bodies, public agencies, or government-owned corporations for a specified public use.

⁸ Naturally occurring water bodies includes Haor (low laying river basin which dries in the summer), Beel (lakes that retain water permanently or a more significant part of the year), Khals (drainage canals), and Baor (ox-bow lake made of meandering rivers).

⁹ Community land denotes agricultural or pastureland land lawfully or customarily held, managed, and used by specific social/religious or indigenous communities in a defined geographic location such as the Chittagong Hill Tracts.

Verification of Land Ownership/Tenure:

- Verify the tenure arrangement to the type of land with the identified institution listed below, this ensures that a) the landowners have the right to own/rent the land and b) the tenure documents are not forged;
- Together with the completed Tenure Form, submit any of the following tenure documents to identified institutions to verify the status of the land and land/property tenure/ownership documents against the cadastre and land register held at each Union Office.

#	Tenure Document	Land Classification	Verifying Institution	Verification of Tenure for Renting of Land
1	Dalil (Registered land transfer document)	Private Land	<p>Document: Obtain copies of the Dalil</p> <p>Institution 1: Union Parishad Members/Chairperson Institution 2: Union Tahashil (Land) Office or DC office.</p> <ul style="list-style-type: none"> ▪ The Dalil is the most common and basic form of land tenure document, it confirms the transfer of land to the listed owner through inheritance, purchase or others. ▪ Union Parishad: Verify the authenticity of the Dalil with the Union Parishad Members/ Chairpersons who will be able to attest the history/chain of the ownership of the land and confirm any current land claims and disputes over the land; ▪ Union Tahashil (Land) Office: Follow the step listed below 	
2	Khatiyani (Title Deed) with Holding/Plot/BS-RS Dag (Land parcel) and Khazna (land tax receipt)	Private Land	<p>Document: Obtain the copies of the Khatiyani and note the Dag/Khatiyani No (land parcel no);</p> <p>Institution: Union Tahashil (Land) Office or DC office.</p> <ul style="list-style-type: none"> ▪ A Khatiyani is a Record of Rights in the form of title deed with a numbered Khatiyani number based on a cadastral survey indicating ownership, area, and character of the land parcel; Note not everyone will have a Khatiyani, most depend on the Dalil as a form of tenure. ▪ Union Tahashil (Land) Office: Take the land parcel map and documents to the Union Tahashil (Land) Office or DC office, who will confirm the name of the owner on the Khatiyani is on the Khatiyani register to establish ownership of the said land, either through purchase or inheritance etc. ▪ If the Khatiyani register does not have the name of the current landowner, it will be a) confirmed via tracing the history of ownership in the Dalil if via inheritance; and b) if via purchase, it will be checked through the Namjari Jomavag prostabpotro (mutation letter); or Duplicate Carbon Rashid (DCR) and finally the Khatiyani mutation. 	
3	Permanent (99 years) Khas Land Lease Agreement	Khas Land	<p>Document: Obtain copies of the 99-year Khas Lease Agreement</p> <p>Institution: Union Tahashil (Land) Office or DC office.</p> <ul style="list-style-type: none"> ▪ The Permanent Khas land Lease Agreement is provided by the State on agricultural Khas land to landless farmers for 99 years, and the lease can be converted to full title deed after 99 years. ▪ Note a One Year Khas Land Lease Agreement or Eksona settlement is first provided to a landless family if they meet the eligibility criteria. Only after this land cultivated on will the family be provided for a permanent 99-year lease. ▪ Union Tahashil (Land) Office: Take the land parcel map and documents to the Union Tahashil (Land) Office or DC office, who will verify the authenticity of the Khas Land lease agreement against the Khas land register. ▪ If the register does not have the name of the current landowner, it maybe a) confirmed via tracing the history of ownership in the Dalil if there might have 	

			been a division of land after 2-3 generations or the land been sold but the transfer not officially noted.	
4	Samajik Bonayan Prokolper Upokarvodir Talika (Social Forestry Project Beneficiary List/Lease)	Forest Land	<p>Document: Obtain copies of the Samajik Bonayan Prokolper Upokarvodir Talika (Social Forestry Project Beneficiary List/Lease)</p> <p>Institution: Divisional Forestry Office, Forestry Department</p> <ul style="list-style-type: none"> According to the national legal framework, no individual/entities are allowed to own forest land. This lease provides only usufruct right for max 10 years for social forestry activities and not for residential or other purposes, though the host community have been using it as de-facto ownership document Forestry Department: Take the land parcel map and documents to the Forestry Department who will verify the status of the land as forest land and the authenticity of the Social Forestry lease against the Social Forestry register. 	
5	No tenure Documents or Informal or customary Tenure	Any Land	<p>Documents: Obtain any informal or customary documents</p> <p>Institution: Union Parishad Members/Chairperson; Divisional Forestry Office, Forestry Department; Union Tahashil (Land) Office or DC office.</p> <ul style="list-style-type: none"> If the family does not have any formal form of land tenure, take the land parcel map, and any informal/customary documents to the above listed institutions to confirm the status of the land -Private, Khas or Forest Land. First check through the Union Parishad Members/Chairpersons who will be able to attest the history of the land; Conduct physical verification of the 'landowner; and the land with the Union Parishad Members/Chairperson; Forest Land: Confirm with the DFO if the land is forestland. Khas or Private Land: Confirm with the Union Tahashil Office if it is Khas land or private land. Humanitarian agencies might be able to rent the land if it is confirmed as private land based on attestation and informal/customary tenure documents. 	

Office	Responsible Person	Address	Contact Details (Mobile and Email)
Ukhiya Upazila	Hamidul Haque Chy Upazila Parishad Chairperson	Ukhiya Upazila Parishad Office, Ukhiya	+880 1788 988 977 hoque.ukhiya@gmail.com
	Mohammad Aminul Ahsan Khan AC Land Ukhiya	AC Land Ukhiya Office, UNO Ukhiya, RajaPalong, Ukhiya	+880 1733 373 206 aclangukhiya20@gmail.com
	Mohammad Nikaruzzaman UNO Ukhiya	UNO Ukhiya Upazila, RajaPalong, Ukhiya	+880 1733 373 205 +880 342756001 nikar16797@gmail.com
Teknaf Upazila	Zafor Ahammed Upazila Parishad Chairperson	Teknaf Upazila Parishad Office, Teknaf	+880 1819 364 155 upzctek@gmail.com
	Abdul Mansour AC Land Teknaf	AC Land Teknaf Office, Teknaf-Shahparirdwip Road, Teknaf	+880 1733 373 208 abulmansur2@gmail.com
	Mohammad Saiful Islam UNO Teknaf	UNO Teknaf Upazila, Teknaf	+880 1851 966 966 +880 342675100 unoteknaf@mopa.gov.bd

Step 5: Obtain a No Objection Certificate from the Forestry Department

The Forestry Department requires all agencies planning to carry our humanitarian/development projects outside the refugee camps to obtain a No Objection Certificate (NOC) to ensure the project is not located in protected areas/national parks or areas designated for social forestry/plantation, reforestation/greening programmes.

Submit the same tenure documents submitted to the Union Parishad Tahsil Office as part of Step 4 together with the GPS Coordinates and the Map of the land parcel to the relevant Forestry Department to verify the location of the land parcel against the Forest Delineation Map.

Teknaf and Ukhiya Upazillas falls under the Cox's Bazar South Forest Division.

Office	Responsible Person	Address	Contact Details (Email and Mobile)
Forestry Department CXB South	Mohammad Humayun Kabir, DFO	Cox's Bazar South Forest Division, New Circuit House Road, Cox's Bazar	dfocoxbazarsouth@gmail.com acfforest72@gmail.com +880 341 62095 +880 1999 004 000
	Mohammad Sohal Rana, Assistant Conservator of Forest		msranabfd31@gmail.com +880 1999 004 004

Step 6: Environmental Clearance Certificate

The Ministry of Environment and Forest and Climate Change requires all 'industrial/project' activities that fall in four categories (Green, Orange A, Orange B, and Red) based on their location and potential environmental impact (use of large quantities of water/fuel/raw materials, discharge of liquid/waste/effluent, emission, pollution etc.), to obtain an initial Site Clearance and an Environmental Clearance Certificate (ECC). The description of the industrial organisations and projects included under the four categories and procedure for obtaining the ECC is described in detail in the [Guide to Environmental Clearance Procedure 2010](#)¹⁰.

According to the Industrial Categories under Environmental Conservation Rules, 1997 healthcare facilities (clinical, pathological, hospitals include large-sized hospitals involving incinerators, medical wastes) falls under category **Orange-B & Red**.

- **Orange B:** An initial Site Clearance and an ECC is required for projects falling in the Orange B categories.
- **Red:** A Location Clearance Certificate (LCC) followed by an Initial Environmental Examination (IEE) and later, a full Environmental Impact Assessment (EIA) is required for projects falling in the Red categories.

Contact the Department of Environment (DOE) to confirm the category and the need for an LCC/ECC or IEE and full EIA for the project. The procedure and documents required are in Annex 2.

Office	Responsible Person	Address	Contact Details (Email and Mobile)
Department of Environment (DoE)	Syful Asrab, Assistant Director, DoE	Department of Environment, Cox Bazar District Office, Sayman Road, Jhawtala, Cox's Bazar	coxsbazar@doe.gov.bd syfulasrabliton@gmail.com +880 034162232
	Md. Mumenu Islam, Inspector, DoE		mumenu.islam@gmail.com

Step 7: Compliance with the Development Plan and the Building Code

Building Code: Any heavy construction, demolition/alteration work in a district, Municipality, and union requires compliance with the [Bangladesh National Building Code 2015](#). The Building Code has been developed by the Housing and Building Research Institute (HBRI) to set minimum standards for the design, construction, demolition/alteration, and repair of all buildings in Bangladesh. The Bangladesh Building Regulatory Authority (BBRA) is responsible for the implementation of the Building Code with a dedicated Office of the Building Official (OBO) in the Zila/Upazilla level.

For the construction of land within a municipal area, a permit is required from the Municipality. For land outside municipal areas, permits can be obtained from the UNO (Ukhiya and Teknaf).

In general, the agencies need to submit:

- An application form for land use/development/building permit accompanied by;
- Khatiyan;
- Site plan;
- Subdivision/layout plan;
- Building and services plan.

¹⁰ Department of Environment, 2010 Guide to Environmental Certificate Procedure, p 6-13
http://doe.portal.gov.bd/sites/default/files/files/doe.portal.gov.bd/page/71a829c3_6b74_4ee9_90a6_158e2898b228/Environmental%20Clearance%20Procedure.pdf

The OBO will inspect the land/property, verify compliance with the Code, and issue the permit for the intended work.¹¹

Office	Responsible Person	Address	Contact Details (Mobile and Email)
Cox's Bazar Municipality	Mujibur Rahman Mayor, Cox's Bazar Municipality	Cox's Bazar Municipality, Hill Court Hill Road, Cox's Bazar	+880 1711 117 811 +880 34164061
Teknaf Municipality	Hazi Mohammad Islam, Mayor, Teknaf Municipality	Teknaf Municipality, Police Station Road, Teknaf	+880 1819 087 630 +880 342 75193 Tekpou20@gmail.com

Step 8: Agreements

- **Consultation and Signboard:** Once NOC from the Forestry Department, Environmental Clearance, and Building Permit (if required) are obtained, discuss the details of the project with the UNO, Union Parishad, and the host community in the area. In addition, install a signboard on the land/property detailing the project, duration, and use (in Bangla and English) with contact details of the agency in case of any objections from the community.
- **Agreement:** Sign agreements with the land/property owner on a stamped paper (with 300BDT stamp), to confirm the scope/modality of the project and support an accountable and efficient use of resources and timely completion of projects that guarantees the rights of the host community.

The agreements should, at a minimum, contain the following ten provisions:

1. Names of heads of landowner household (both female and male head of household, if applicable); or Power of Attorney if an agreement is signed by a relative/agent on behalf of the landowner;
2. Proof of identity of the heads of landowner household (National ID, Birth Certificates, attestation by the Union Parishad Chairperson);
3. Location and Khatiyā/Lease Agreement Number (title deed/land parcel);
4. Acknowledgment of ownership status of land/property:
 - Tenure/ownership documents and;
 - 2 land attributes (GPS coordinates of the land; and boundary delineation on satellite imagery between the landowner and neighbour's land parcel);
5. Obligation, roles, and responsibilities of each signed party (landowner and humanitarian agency), including obligation of the humanitarian agency to return the land/property in its original form to the landowner;
6. The details of the project;
7. Details of the rental arrangement;
8. Process in the event of a breach of agreement – Union Parishad or other actor trusted by both parties to facilitate a resolution;
9. Conditions and process for termination of the agreement;
10. Recommended signatories:
 - Heads of landowner household (both female and male head of household, if applicable); or relative/agent with the Power of Attorney;
 - Minimum of two representatives (Para/Ward/Union Parishad);
 - A representative of the humanitarian agency.

The signed agreement in English and Bangla (by both parties) should be in original hard copy and provided to both parties. If the landowner does not have any formal education, ensure an explanation of each provision of the agreement, with a digital recording of the reading of the agreement on their/relatives' phone so that they can use it as a reference in the future. A copy of the signed agreement should be submitted to the Union Parishad for future reference.

Step 9: Addressing HLP Issues as it arises during Implementation

HLP issues may arise during implementation that humanitarian agencies may not be able to deal with themselves.

- Discuss with the Union Parishad on the best medium to address the issue; there are Village Courts for dispute resolution and mediation.
- The HLP TF is working on establishing a referral system to the HLP counseling and Alternative Dispute Resolution (ADR) mechanism being set by the Norwegian Refugee Council (NRC).

¹¹ Housing and Building Research Institute, 2015 Bangladesh National Building Code, p 55 http://bsa.com.bd/cms_cpanel/upload/pdf_file_upload_1540152875.pdf

- Agencies can document instances of HLP issues and avail the advice and services of the other legal aid providers till the service is fully set up by contacting the NRC ICCLA, UNHCR Protection Unit, and the UNDP Access to Justice programmes.

Office	Responsible Person	Address	Contact Details (Mobile and Email)
NRC	Nataliya Yakubovska ICLA Programme Development Manager, NRC	NRC Needs Bay Watch Hotel, Cox's Bazar	nataliya.yakubovska@nrc.no
UNHCR	Jeffery Savage, Senior Protection Officer, UNHCR	UNHCR Office, Motel Road (Probal), Cox's Bazar	savagej@unhcr.org +880 1847 326 521
UNDP	Access to Justice Programme	UNDP Office, Hotel Shaibal, Cox's Bazar	TBC

For further details regarding this Guidelines and HLP related issues, please contact:

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Rohingya Refugee Response, Cox's Bazar, Bangladesh

Email: sheltercxb.hlp@gmail.com
Mobile: +880 1888 026 754

Annex 1: Land Tenure Form Check List

<p>Land Owner Profile A1. Names of heads of household (Both female and male head of household, if applicable)</p>	
<p>A2. Proof of identity of the heads of household (National ID, Birth Certificates, attestation by the Union Parishad Chairperson)</p>	
<p>A3. Location</p> <ul style="list-style-type: none"> ▪ Holding/Plot/BS-RS Dag No (Land parcel) ▪ Mouza, Village, Union, Block, Ward No, and Street Name 	
<p>A4. Contact Details</p>	
<p>Land/Property B1. What year did your family begin to occupy/own the land/property?</p>	<ul style="list-style-type: none"> ▪ YYYY
<p>B.2 What type of tenure do you have to the land/property?</p>	<ul style="list-style-type: none"> ▪ Freehold (full ownership of land for an indefinite period); ▪ Permanent lease of Khas land (99-year usufruct right on Khas land distributed to landless families by the Government); ▪ Leaseholds (right to use land owned by another person for a fixed period); ▪ Leasehold for agricultural land (both cash and sharecropping arrangements); ▪ Informal Tenure: Owning land which has not been formally registered/customary; ▪ Occupation or squatting on state (Khas) or private (freehold) land owned by another person. Note that many families may have the right to a permanent Khas lease agreement but have not put in an application.
<p>B.3 What type of land ownership documents do you hold to the land/property?</p> <p>Collect the documents as proof of ownership by the landowner.</p> <p>Note the tenure arrangements highlighted in red will need to be clarified further, especially the occupation of Khas land and vernal agreements.</p> <p>The majority do not meet the due diligence standard for ownership/tenure security and, therefore, not applicable for renting by the agencies.</p>	<ul style="list-style-type: none"> ▪ Khatiyan (title deed) ▪ Dalil (registered land transfer document) ▪ Khazna (land tax receipt) ▪ Informal Tenure (customary/communal) ▪ Lease Agreement ▪ Samajik Bonayan Prokolper Upokarvodir Talika (Social Forestry Project Beneficiary List/Lease) ▪ Verbal permission (By whom?) ▪ None (Occupied without permission) See Q B.4-6 ▪ Others (Please specify) ▪ Don't know
<p>B.4 If occupied without permission, do you know the status of the land?</p>	<ul style="list-style-type: none"> ▪ Forestland ▪ State land (Khas) ▪ Char land ▪ Others (Please specify) ▪ Don't know
<p>B.5 Do you know if there are any disputes on the land, has there been any land claims made by another person (s)?</p>	<ul style="list-style-type: none"> ▪ Yes, Go to Q B.6 ▪ No ▪ Don't Know
<p>B.6 If yes, do you know with whom?</p>	<ul style="list-style-type: none"> ▪ Please state the name of the party to the dispute (individual or institution) ▪ Don't know
<p>A resolution that is mutually acceptable to all parties should be found before the project can advance.</p> <p>B.7 Has a resolution been found with the full informed consent of all parties (free from coercion)? Has this resolution been documented?</p>	<ul style="list-style-type: none"> ▪ Yes ▪ No ▪ Don't know

Annex 2: Environmental Clearance Certificate

According to Industrial Categories under Environmental Conservation Rules, 1997 healthcare facilities (clinical, pathological, hospitals) falls under category **Orange B & Red**.

Necessary Papers for Environmental Clearance

1. Application through prescribed Form-3 under Environment Conservation Rules 1997;
2. Report on the Initial Environmental Examination (IEE) of the industrial unit or project or Environmental Management Plan (EMP) (these are applicable only for a proposed industrial unit or project);
3. Process flow diagram of the unit or project (Describing pollution points);
4. (A) Layout Plan of industrial unit or project (showing the location of Effluent Treatment Plant);
(B) Land use plan for industrial unit or project;
5. No objection certificate (Prescribed Form) from the local authority (Ward Commissioner/Chairman);
6. Outline of the location map (Location with distances of boundary and notable installations, factories, drainage systems, and its layout plan);
7. Landmark, marking the entire "mouza" map (including marking the mark number);
8. Land Acceptance Deed (mutation case)/rental agreement;
9. Prescribed fees under schedule-13 under Environment Conservation Rules 1997 (Amended 2002). Directors, Directorate of Environment, Dhaka * to be assigned the amount of Code no submitted by the Challan, and the original copy will be submitted with the application. And VAT to code 1-1133-0025-0311 (15%);

(A) In case of issuance of industrial establishment/project clearance before 1997, the license fee for the first year, the first-year fee and the renewal fee for the next year will be submitted.

(B) In the case of issuance of industrial establishment/project clearance after 1997, the annual fee for the year in which the industry was established and the renewal fee for the next year will be submitted.

Timeframe for Clearance

	Category	Site/Location Clearance	Environmental Clearance
1	Green	NA	15 days
2	Orange-A	30 days	15 days
3	Orange-B	60 days	30 days
4	Red	60 days	30 days