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**HLP AoR Strategy Meeting
Geneva, 3 and 4 December 2018
NRC Geneva office**

Main objectives

Objective	Update
Review and update Global HLP AoR Strategy and Workplan for 2019.	Draft 2019 Strategy and Workplan updated and circulated for comments and action.
Prioritise activities, roles and responsibilities for security of tenure workstream.	Security of tenure workstream reviewed, presented to Global Shelter Cluster SAG and circulated for input, including contribution of resources
Plan activities for supporting restitution activities at country level.	Initial discussion about how to prepare for restitution. Follow-up in 2019, including more in-depth session at the HLP AoR retreat in May.

Key notes and action points

HLP AoR STRATEGY AND WORKPLAN 2019

- Updated strategy and workplan, based on 2016-2018 strategy and 2018 workplan.
- **Overarching goal:** to facilitate a more predictable, accountable and effective HLP response
- **Strategic objectives:** (1) Improved global support to HLP coordination and response; and (2) Enhanced global attention to HLP through donor engagement, advocacy and HLP inclusion across clusters.
- **Main themes:** (i) HLP in assessments; (ii) HLP AoR website; (iii) HLP coordination at country level; (iv) HLP community of practice; (v) HLP meetings and events; (vi) HLP advocacy; (vii) women's HLP rights; and (viii) security of tenure.
- **Separate workplan for security of tenure**

SECURITY OF TENURE

- New Sphere Handbook 2018 launched in November 2018. New Sphere standard – security of tenure in Shelter and Settlement chapter. Key actions also relevant for security of tenure in all sectors and aspects of a response.
- **Sphere Key actions**
 - Undertake due diligence in programme design and implementation
 - Understand the legal framework and the reality on the ground
 - Understand how tenure systems, arrangements and practices affect security of tenure for at-risk groups
 - Implement shelter and settlement programmes to support security of tenure
 - Support protection from forced eviction
- Global Shelter Cluster five-year strategy (2018-2022) includes various aspects of security of tenure.
- HLP AoR is the technical home of security of tenure with a joint workstream led by HLP AoR/Shelter Cluster colleagues.



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➤ Focus on what is secure enough in a range of different contexts and programme modalities. It is not just about ownership – consider all other rights in HLP as relevant to intervention and context.

HLP AoR action points – Security of tenure

- Finalise draft security of tenure workplan.
- Divide roles and responsibilities between HLP/Shelter colleagues.
- Use structure of Sphere standard to raise profile; involve all sectors/clusters; support and facilitate implementation of standard using practical approach.

DUE DILIGENCE

Mine Action and HLP

- International Mine Action standards are currently being updated and so there is an opportunity to include HLP issues and coordination.
- National Mine Action standards - these are agreed with governments and based on international standards to look at modalities for operating in the country – including the establishment of technical committees and working groups. Can include use of legal/land expertise to work with MA actors. Need to understand context to avoid potential risks – e.g. in Nigeria, government encouraging return to ‘safe’ areas that have not yet been decontaminated.
- Considered timeline for Mine Action work and how HLP issues may be considered for each stage.
- **Prioritisation of areas for clearance:** MA can get information from humanitarians to understand what the intentions of and HLP situation of displaced populations is regarding potential areas of return – often miss opportunities and do not get full understanding if just consult with local (non-displaced) community. Usually prioritisation after access routes is residential housing and then agricultural land. If large time lag for agricultural land then this causes problems for returnees who have no livelihoods (e.g. Sri Lanka)
- **Pre-clearance surveys / non-technical survey:** HLP / local legal actors can support / undertake due diligence of areas being assessed for clearance – including customary and other tenure governance: pooling resources
- Community engagement/participation is essential to understand the different tenure systems and claims over land: not just to accept government or elite interests / statements. Also other not so obvious issues e.g. how adjacent lands may be affected by clearance. MA actors often have a lot of information as a result of regular community engagement.
- Very high potential for land grabbing / divestment of communities and particularly vulnerable groups at this point. For example, just the process of assessing land for potential clearance can lead to speculation and increased risk of land grabbing.
- Because of the risk of land grabbing there is a need for consistent community engagement and coherent clear messaging on the processes and related land issues.
- Humanitarians can support dispute resolution where there is conflict/competing claims over potential areas for clearance (e.g. in Afghanistan areas where there were land disputes were not cleared until the dispute was resolved – holds back operations).
- Humanitarians/HLP actors can help to identify particular groups at high risk e.g. women-headed households, minorities in communities. Potential to include mine victims and their families as priorities for land allocation / support for dispute resolution / shelter support. They should usually be included in programmes through vulnerability criteria but this can be checked/reinforced through particular attention.



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- **Handover:** support to implement MA gender strategy; promote understanding that contracts are not ownership documents; work with communities to minimise land grabbing and divestment of vulnerable groups.
- **Post-clearance assessment:** consider effects of re-classification of land; lessons learned regarding HLP aspects of intervention; referrals for additional support or follow-up action.

HLP AoR action points – Mine Action and HLP

- Establish small community of practice for interested MA and HLP actors to take forward the following:
 - Review International Mine Action standards and consider how to integrate/highlight HLP issues.
 - Within security of tenure workplan, include activities with Mine Action AoR at global and country levels.
 - Support country-level initiatives/ collaboration between HLP and Mine Action actors including for fundraising: to design programmes to implement some of the above points; to bring women's HLP in-country expertise to support stronger MA gender strategy.

Due diligence guidelines – at country level

- Various experiences regarding adaptation of [global due diligence guidelines](#) at country level. Key examples include South Sudan, Syria (cross-border from Turkey), Nigeria.
- Has helped where there is dedicated funding for preparation of guidelines and follow-up support (e.g. Syria).
- Involving actors at field level who are actually involved in implementation has been important; including for reviewing and updating guidelines based on experience.
- In some countries, guidelines produced but may not be used in practice or become outdated.
- Having common templates has been useful and contributed to a more practical approach and level of consistency – e.g. in Syria, Nigeria.
- Trainings are useful but follow-up with those using guidelines is important; especially having assigned focal points in country and on-going longer-term support systems and links to global support.
- Considered how HLP AoR could provide longer-term practical support at country level.
- Raising profile and understanding of due diligence continues to be necessary, including with donors to fund activities. Highlighting lessons learned and experiences when sufficient due diligence was not done can be useful (e.g. Haiti, Nigeria, South Sudan).
- Use opportunity of new Sphere Standard to focus on importance of due diligence and support how to do this in practice – beyond the guidelines.

HLP AoR Action points – Due diligence guidelines

- Agree and include priority activities for supporting development and updating of due diligence guidelines in selected countries. See Security of Tenure workplan.

EVICTIION RESPONSE AND PREVENTION

- Discussion about examples of eviction response and prevention activities, with focus usually on response. Considered how to build in more prevention, in accordance with new Sphere standard.
- Some ideas included:



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- Work with all sectors so that eviction risks are understood much earlier on, with a view to designing and implementing prevention interventions.
- Have stronger complaints and feedback mechanisms
- Include clearer points in tenancy agreements
- More legal awareness
- Consider all different experiences – e.g. older people, women, minorities, people with disabilities
- Engage with all communities as early as possible
- Ensure there are opportunities for ongoing communication and transparency
- Support access to dispute resolution mechanisms
- Consider having template agreements
- Work with landlords to understand their point of view and how they may benefit from supporting displaced people
- Identify how to strengthen or support accountability of landlords within their communities
- Consider how to support all those in need, regardless of status
- Monitor situation faced by tenants and landlords and consider how to support if there are any changes in situation
- Identify champions within communities to work with

COMMUNITY OF PRACTICE – HLP AoR

- Considered how best to communicate with colleagues at global and country levels, based on experiences to date.
- Decided to use Slack to test whether this would improve communication and sharing of information and connecting with each other.

EXAMPLES OF SECURITY OF TENURE

- Exchanged experiences about security of tenure, including case studies and example of the Secure Tenure Domain Model in practice.
- Considered the link between security of tenure and women's economic empowerment. Some of the points raised:
 - Positive outcomes for women when they have security of tenure over land for agricultural activities or homes and premises as a basis for economic activities.
 - What happens when women don't have security of tenure and how does this impact their economic opportunities.
 - There is not much data regarding how women's tenure security can lead to women's economic empowerment, especially in fragile and conflict-affected states. However, experiences from our programmes have provided the following examples:
 - Women often face high risk of exploitation from landlords if they are running a successful business or have not registered a change in use of their rental property without agreement – this highlights the importance of building knowledge and legal/administration literacy.
 - There is a reluctance to invest if tenure over business assets/land/premises is unknown with a resulting impact on business value and longer-term business planning.



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- A woman may have to register a business in the name of a male family member if this is linked to tenure documentation that is not in the woman's name.
- Tenure documentation or land ownership is often a precondition for access to credit. Where women do not have this in their names it prevents them from accessing credit.
- Limited access to inheritance rights mean that women often lose home, land and assets.

➤ HLP AoR has women's HLP rights as a priority theme for its 2019 workplan.

HLP AoR Action points – women's HLP rights

- Develop workplan for women's HLP rights within the 2019 HLP AoR overall workplan.
- Establish community of practice to continue discussions and follow-up.

HLP AT ALL PHASES OF RESPONSE

Preparing for restitution

- Considered when best to start supporting preparation for restitution as a separate concept to return.
- Discussed types of action to uphold people's rights and started to explore what does restitution really mean for communities.
- In situation of protracted displacement, important to start thinking about alternatives to restitution and what options people have.
- Need to understand national policies and reality on ground regarding compensation and support for restitution to then develop activities to support access to these and not contradict them. For example, in some countries, shelter interventions to rehabilitate damaged housing may result in limited ability to apply for state compensation for damage.

HLP AoR action points – restitution preparation

- Collect examples of what restitution means in practice.
- Include follow-up session on restitution in Global HLP AoR retreat in May.

HLP/SECURITY OF TENURE COUNTRY MISSIONS

- Recognised that HLP AoR actors could have a more consistent and coherent approach to HLP support missions and follow-up in order to maximise resources; have an incremental approach; and work together.
- Brainstormed on how to plan structure and content of an initial HLP support mission and then provide follow-up support.
- Follow-up to any mission was agreed to be a priority.
- Ideas included:
 - Have a menu of services to offer country colleagues.
 - Hold training/mentor workshops where tools are developed.
 - Provide technical support.
 - Advocate at country and global level for HLP.
 - Share best practices.
 - Provide input to country HLP strategy.
 - Have standard job descriptions/TOR for HLP staff.



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- Develop clear and agreed follow-up plan before leaving.
- Establish HLP focal points in country for follow-up.
- Prioritise working with frontline workers on what HLP response looks like in practice.
- Support HLP aspects of context analysis.
- Work across clusters – e.g. ensure HLP, Protection, CCCM and Shelter actors come together to consider HLP context and develop responses.
- Provide support to identify specific HLP issues in country context.
- Provide training/capacity support to all stakeholders.

HLP AoR action points – country missions

- HLP AoR actors to provide regular updates about planned missions and follow-ups and, where possible, plan together mission and follow-up support.
- Try out some of these ideas for HLP support missions, including as part of security of tenure workplan.



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