DRAFT: 18 September 2018

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Global HLP AoR meeting - Wednesday, 29 August 2018
NRC Geneva Office, 14:00 – 15:30 (Geneva time)
Minutes of meeting, prepared by NRC

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Present at the meeting
- Dalia Aranki, Global HLP AoR Coordinator, NRC
- Simon Russell, GPC Coordinator, UNHCR
- Tatiana Iskindirova, Project Manager, GPC, UNHCR
- Christophe Beau, Protection Cluster Coordinator, UNHCR Somalia
- Barbara McCallin, Consultant
- Anais Pagot, UNHCR
- Kirstie Farmer, HLP Adviser, NRC
- Neil Brighton, Global Shelter Manager, NRC
- Igor Cvetkovski, IOM
- Christelle Loupforest, Global Coordinator, Mine Action AoR

Calling in via Zoom
- Olena Lukaniuk, HLP Coordinator/Chair of HLP Technical Working Group, NRC Ukraine
- Ina Rehema Jahn, HLP and Protection Officer, IOM Turkey
- Ibere Lopes, Shelter-HLP Advisor, Global Shelter Cluster
- Joseph Jackson, ICLA Specialist/Co-Chair of HLP Sub-Cluster, NRC Somalia
- Ombretta Tempra, GLTN/UN-Habitat
- Katrien Ringele, ICLA Global Advisor, NRC
- Hilmi Mohamed, Interaction

1. **Introduction, welcome and updates**

Updates
- **Pressure on returns to Syria:** from refugee-hosting neighbouring countries and allies of the Syrian government humanitarian actors to encourage return of refugees to Syria. HLP Technical Working Group in Syria has already started to gain a more coherent understanding of the range of laws, including 'Law Number 10', that will have an impact on accessing HLP rights in Syria, especially for displaced Syrians. As there is pressure for refugees to return, important to recognise common position of the humanitarian community, which remains that the conditions for safe and dignified return are not yet present. However, if there is large scale return, will be important to consider options for operational response. From the HLP perspective, having more information about the potential effects of laws related to accessing HLP rights will be essential, especially as there continue to be reported returns from neighbouring countries. This will also be important in relation to considering shelter programming in a situation of return.
- **Ukraine – update on property restitution cases (from HLP Technical Working Group)**
  - Law on "Re-integration" came into force in Ukraine on 24th February 2018. It stipulates that the Russian Federation is responsible for any property damage caused as a result of the conflict. According to this law, a person should go to the

Ukrainian courts to claim against the Russian Federation for any compensation or reparation claims. This is also encouraged by waiving fees for claims against the Russian Federation; compared to the fees payable for any similar claims made against Ukraine or any other party. This breaches the principles of international law, including in relation to sovereignty of states. The HLP TWG is following up on this with advocacy efforts but progress has been slow so far.

- o The HLP TWG comes under the National Protection Cluster and National Shelter Cluster and the Clusters have worked together to produce a HLP Technical Note adapted to Ukrainian legislation. Expected to be finalised by 16th October.
- o 2019 elections – in connection with planned parliamentary and presidential elections, the Government has prioritised Ukrainian Army soldiers for access to free/affordable housing solutions. Other groups of people affected by conflict are being neglected. UN agencies, with the support of the HLP TWG, are preparing advocacy messaging on this which should be prepared by the end of September.

- **UN Habitat/GLTN updates**
  - o New publication on land and conflict (https://gltn.net/home/2018/08/23/land-and-conflict-lessons-from-the-field-on-conflict-sensitive-land-governance-and-peacebuilding/) which includes cases and analysis (from a number of actors) describing how various land-related approaches have been used throughout the conflict cycle, from conflict prevention through humanitarian assistance, recovery and development.
  - o UN Secretary General's note on land and conflict (prepared by UN agencies, led by UN-Habitat) is currently being finalised and addresses a request from the previous SG on how HLP can best be addressed in conflict settings. UN-Habitat is also putting together a roadmap on how to finance the operationalisation of the note; which fits well with the new Guidance Note on HLP integration (which is to be presented in this meeting).

- IOM and Shelter/NFI Cluster for the X-Border Operation (Turkey) has recently finalised Shelter Repair Rehabilitation Guidelines, with strong HLP components. This feeds into due diligence discussions between the Global HLP AoR and Global Shelter Cluster. The guidelines will be presented officially at Global Shelter Cluster meeting in October.

- Global Shelter Cluster and Global CCCM Cluster are having respective annual meetings in October and Global HLP AoR will play a role in discussions and presentations on HLP, strengthening ongoing cross-cluster approaches to HLP.

Action points:

- *Syria: Dalia to request update from HLP Technical Working Group in Damascus regarding potential/actual effects on access to HLP for Syrian IDPs/refugees.*

- *Ukraine: NRC to share impact study on 'Strategic litigation in cases concerning compensation for damaged, destroyed or occupied property related to military conflict in eastern Ukraine (March – July 2018)'.*

2. Presentation on new Guidance Note – presented by Ina, IOM

- Finalised in July 2018, the *Guidance Note: Integrating Housing, Land and Property Issues Into Key Humanitarian, Transitional and Development Planning Processes*, was circulated to the Global HLP AoR mailing list with a request for colleagues to nominate potential pilot countries where the Guidance Note can be put into practice with support from the Global HLP AoR.

DRAFT: 18 September 2018

- Developed over past two years, including extensive consultations with inter-agency group - IOM, NRC, UNDP, UN-Habitat, UNHCR, and UN Women.
- Main objective of the Guidance Note is to provide operational guidance on five key themes which can be used as relevant: (1) HLP rights in emergency contexts; (2) HLP in peace processes, peacekeeping and peacebuilding; (3) HLP rights in rule of law and development programming and durable solutions; (4) Access to HLP rights for vulnerable groups; and (5) HLP in disaster risk reduction and climate change.
- For each theme, key entry points are identified regarding programming and funding mechanisms.
- It is a living document and can be updated based on experiences of using Guidance Note in practice.
- Next steps include the HLP AoR supporting two pilot countries to operationalise the Guidance Note; and using agreed advocacy messaging to present on the importance and relevance of integrating HLP, using Guidance Note as a support tool.
- Once colleagues have had a chance to read, we can discuss which countries might be selected for support and opportunities for using advocacy messaging.

Comments

- Discussion about the relevance of the Guidance Note in light of other guidelines. Conveying importance of HLP across responses and identifying key entry points that can be used by all actors. Also addressing gaps that have been identified by HLP actors, including bridging humanitarian-development nexus and ensuring HLP is included firmly within collective outcomes in relevant contexts.

Action points:

- Circulate Guidance Note again to give participants a chance to read and Global HLP AoR to follow up with some initially identified pilot countries.

3. **Shelter-HLP update – presented by Ibere, Shelter-HLP Advisor, Global Shelter Cluster**

- Since May, have had requests for HLP support in South Sudan, Nigeria, DRC, Vanuatu. Also, participated in three regional fora discussing HLP in Shelter responses – East Africa Shelter Forum/Nairobi, Shelter Asia Forum/Bangkok and HLP AoR retreat/Bangkok.
- South Sudan – Shelter Cluster wanted to understand more about how to address HLP issues in Shelter responses and to operationalise due diligence guidelines. Chance to refresh thinking on guidelines and provide conceptual tools on how to include HLP in shelter interventions.
- DRC – HLP assessment in North Kivu regarding HLP as obstacle to return. Identified relevant HLP issues during displacement and in relation to potential return. Follow-up visit will take place in October to conduct workshop with Shelter actors to identify how best to address issues identified.
- Nigeria – refresh local efforts to produce due diligence guidelines; initiated by HLP Sub-Working Group (co-led by NRC); identifying how to address HLP issues in shelter interventions and include in guidelines.

- Vanuatu – active volcano in one of the islands and so 11,000 people to be resettled on another island. Government required support to address HLP issues in destination island and potential tenure options.
- Upcoming requests include HLP assessment in Ethiopia and Cox's Bazaar regarding HLP issues for refugees.
- Overall, noted Shelter actors start implementing interventions without considering HLP implications and then encounter challenges requiring HLP capacity. Continues to be lack of understanding about how to include HLP issues consistently. More recognition in some countries that support is needed to build HLP capacity as part of shelter coordination. In some contexts, HLP issues can be complex and need additional support to identify how these can be addressed.

Comments
- Important to note how Global Shelter Cluster has recognised need for additional HLP support at country level, including how HLP AoR and Shelter Cluster can work together to maximise resources and coherence in addressing HLP within shelter interventions.
- Focusing on security of tenure and what is secure enough so that ownership is not seen as only option in terms of achieving security of tenure in each context. NRC has developed training on this to facilitate the process of working with colleagues in country contexts to identify 'what is secure enough'. Support and encouragement is needed for country level colleagues until security of tenure is included more systematically in shelter interventions.
- Also need to work more closely with donors to understand importance and relevance of HLP.
- New Sphere standard of security of tenure will be useful tool to progress with this work.

4. **Somalia: Forced evictions and response – presented by Joseph, co-lead HLP Sub-Cluster, Somalia**
    - Overview of function of HLP Sub-Cluster in Somalia.
    - Role of HLP Sub-Cluster in eviction monitoring, as number of forced evictions has continued to be high with over 200,000 in 2017 and 2018 respectively.
    - Common factors regarding evictions include general tenure insecurity; development; disputes between private landlords; arbitrary increases in rent; family-related disputes; threats from militias.
    - Overview of eviction response and prevention activities. Includes increased focus on risk mapping to identify how can intervene to prevent forced evictions.

Comments
- In Somalia, limited funding has been an issue in terms of being able to address extent of forced evictions.
- UN-Habitat recently completed study on land sector in Kismayo, Jubaland. Identified importance of understanding reality – no way to acquire land 'legally'. Can either grab land or buy from someone else who has grabbed land. One consequence of this is evictions. Will need to address land sector as a whole to be able to have a more sustainable solution.
- Globally, often note that there is more focus on eviction response than on eviction prevention. With focus on security of tenure, will be important to support country level HLP coordination bodies to increase capacity on prevention interventions.

DRAFT: 18 September 2018

Action point:
- Presentation to be circulated.
- Global HLP AoR to facilitate exchange of experiences and good practices regarding eviction prevention and response.

5. AOB
- Time was limited and so restitution will be discussed at a later meeting.
- Global HLP AoR Coordinator will follow up with partners on submissions and plans for World Bank Land and Poverty Conference 2019.