

**Challenges to Sustainable Peace: Land Disputes
Following Conflict**

BY

**DANIEL LEWIS, CHIEF,
DISASTER POST CONFLICT AND SAFETY
SECTION**

UNHABITAT



APRIL 2004

Challenges to Sustainable Peace: Land Disputes Following Conflict

LEWIS, UN-Habitat

Key words: post conflict, land administration, UN

SUMMARY

In developing immediate responses and strategies in support of countries and communities emerging from conflict, it is critical that due attention is paid to sources of new or ongoing conflict. One of these is the resolution of land and property disputes arising either from displaced populations returning, or from internecine struggles for primacy over land and property rights.

That land is one of the catalysts of secondary conflict, is illustrated by experiences in several post-conflict societies including Kosovo, Afghanistan, Somalia and Iraq, and lessons learned in these contexts need deeper assessment, and incorporation into future interventions planned in new societies emerging from war.

This paper poses 4 key questions for debate namely:

1. Is land a conflict issue?
2. What is secondary conflict?
3. Can it be prevented?
4. How can we learn from past experience?

The objective of the paper is to provoke discussion and debate, and build on experiences past to inform strategies for the future.

Challenges to Sustainable Peace: Land Disputes Following Conflict

Daniel LEWIS, UN-Habitat

1. INTRODUCTION

This paper is intended less as an academic or technical assertion of a point, than as the posing of a series of questions arising both from personal experience in the field, and the experiences of others that explore one element of the aftermath of conflict. It is intended therefore to provoke discussion among the leading thinkers dealing with land administration systems; in particular those of us who are attempting to assist countries and communities emerging from war, to (re) establish functional land management systems that are both robust, and realistic.

The following asks four key questions; starting with the premise that land and tenure rights are conflictual issues even if the basis behind war is not necessarily land based; then looks at secondary and tertiary conflicts following cessation of war; and then attempts to outline what has been done in recent years in a few locations, and finally draws from lessons learned by UN-HABITAT in Kosovo, Somalia, and Afghanistan as well as the experience of others in Timor L'Este.

1. IS LAND A CONFLICT ISSUE?

Perhaps a better question is “Are wars fought over land?”, and the answer would be historically...yes. With the exception of President Bush’s ‘War on Terrorism’, which has shifted the premise for war outside of a geographical prerogative, and into hearts and minds campaigns, most if not all wars seek dominion over land, and then deal with the people. And in all cases, the war machines inch their way across the landscape leaving behind destroyed infrastructure, buildings, properties and lives of those survivors left behind.

We know that war displaces people...the number and nature of armed conflicts has changed significantly in recent years. Today’s conflicts are mostly fought within country’s boundaries, whereas in the past wars took place across them. Wars are no longer fought only on battlefields between large armies, rather, they are often waged in cities and villages by amateur militia, driven by long-simmering ethnic and religious ideologies and fuelled by a struggle for political and economic control. As a result, more than 90 % of the victims of today’s wars are civilians. 12 million refugees are in need of protection and assistance right now. An additional 20 to 25 million people are currently displaced within their own countries as a result of violence and human rights abuses.

There are now at least 70 human rights based instruments addressing a broad range of elements of land and property rights from international declarations, conventions and covenants committing to protection and restoration of land/property rights¹ from the perspectives of war, inheritance, children’s rights and rights of survivors, through to

¹ See attached bibliography.

women's rights and the rights of migrant workers. These are supported by UN resolutions in the General Assembly, ECOSOC, and various commissions of the United Nations.

It is clear that the UN sees the need to protect the rights of individuals and their property, and these instruments created to ensure that they are not lost. However, aside from this, what has been done practically?

Our own, more recent experiences in Kosovo provided a rich ground for lessons on land and tenure issues following conflict, and a new view on secondary conflict as we struggled together with our colleagues to find impartial and effective means of resolving land and property disputes. The programme strategy involved: developing support programmes to address needs at municipal levels in terms of urban governance, land-use and spatial planning; central level in terms of developing more modern land administration mechanisms; and, 'externalised support' developing impartial mechanisms to address residential property disputes. However, even with this relatively broad approach, there were significant gaps which were highlighted in our internal assessment of the Kosovo programme, and which if addressed earlier may have reduced continued conflict/disputes.

In Iraq, where displacement and resettlement schemes based on ethnic grounds under Saddam Hussein's regime have now under the occupying regime of the CPA created serious violent disputes as land previously belonging to predominantly Kurdish land-owners are returning to claim land 'given' to Iraq's 'Marsh Arab' community. It is estimated that between 20-200,000² people may have legitimate claims for property lost in the cities of Kirkuk and Mosul alone.

In Afghanistan, an already dysfunctional land administration system has been made further untenable by unilateral allocation of properties; short-sighted development projects, and limited resources set aside for restoring and modernising the land administration sector.

Finally, in Somalia, where the fragmented and localised prolonged war in the South over absolute geographical domain continues, a rational public discussion over land administration is not even recommended. In the north however, the 'governments' of Somaliland and Puntland, where life is relatively peaceful, have begun to look seriously at how to resolve land and property administration issues made more complex by over a decade of war, and the emergent ascension of clan prerogatives over those of the regions they govern.

In all of the above cases, land ownership documents were taken, sometimes for 'ransom', sometimes for safety, and sometimes to be destroyed. In all cases, land administration documents once recovered, were incomplete, inaccurate, or obviously altered.

² Leckie, S. "Addressing Housing, Land and Property Rights in Post-Conflict Settings, A Preliminary Framework for Post-Conflict Iraq", 30 June 2003

Again, in all cases above, new conflict has emerged as displaced populations return to find their land or houses occupied, businesses taken over, and possessions lost. And with damaged, destroyed or simply missing documentation, the potential for 'informal' justice is high. Resolution of this 'secondary conflict' relies in the immediate absence of formal rule of law, upon either an international interlocutor as in the cases of Afghanistan and East Timor, vigilantism as in Iraq, or military intervention as in Kosovo during the early stages of the NATO campaign.

2. WHAT IS SECONDARY CONFLICT?

Leckie states in his report on land and property issues in Iraq: "Although not often seen as a security issue, unregulated activities involving the housing, land and property sectors can very easily erupt in often extreme violence, leading to larger society-wide security and stability concerns."³

As Parker Shipton rightly stated in his publication *Rights over Land: Categories and Controversies*; "...nothing evokes deeper passions or gives rise to more bloodshed than do disagreements about territory, boundaries, or access to land resources."⁴ Many of the armed conflicts of the past century have been linked to uncertainty and inequity in, and disputes over, land. All over the world, and in developing countries particularly, addressing land rights is therefore of vital importance.

Those without protected land rights can face lives of insecurity, lack of access to income and to basic services, and suffer related human rights violations. When land becomes concentrated in the hands of a small minority, the conditions are often ripe for instability and potential conflict. In post-conflict situations, land (and related housing and property) issues are even more urgent and complex.⁵

Security of tenure and access to land is a central issue in disaster or crisis response. It is also crucial when developing programmes to minimise vulnerability of populations to future crises. Post-conflict experiences regularly demonstrate that land and property issues can provoke secondary conflicts. Although not often seen as a security issue, unregulated activities involving the housing, land and property sectors can very easily erupt in often extreme violence, leading to larger society-wide security and stability concerns.⁶ In addition to problems that might have existed previously, further

³ Leckie S.; Addressing Housing, Land and Property Rights in Post-Conflict Settings, A Preliminary Framework for Post-Conflict Iraq, 30 June 2003

⁴ Parker Shipton is Associate Professor of Anthropology and Research Fellow in African Studies at Boston University. He taught at Harvard University from 1984 to 1994. He holds a Ph.D. from Cambridge University. He has conducted field research in Kenya, the Gambia, and Colombia. He has held visiting appointments at Yale, the Universities of Virginia, Nairobi, Padova (Padua), and at Waseda University (Tokyo). His publications include **Bitter Money: Cultural Economy and Some African Meanings of Forbidden Commodities**; co-edited publications including **Seeking Solutions: Framework and Cases for Small Enterprise Development Programs** and **Rights over Land: Categories and Controversies**.

⁵ Land plays a key role in post-conflict resolution, Jean du Plessis, Habitat Debate, December 2003

⁶ Leckie S.; Addressing Housing, Land and Property Rights in Post-Conflict Settings, A Preliminary Framework for Post-Conflict Iraq, 30 June 2003

uncertainties, inequities and disputes invariably arise in the course of violent conflict and war.

Firstly, people are displaced. War-time displacement of populations changes, terminates, or puts on hold prevailing rights and obligations among people regarding land and property. Housing, land improvements and property are damaged or destroyed. Secondly, land records are lost. Land administration mechanisms are disrupted. Conflict results in reduction in the power of state law and judicial mechanisms, including destruction of the physical components of the land systems such as local registries and other records. Thirdly, conflicts may also offer an opportunity to advance the goals of self-determination of certain ethnic, religious or geographically defined communities, especially with regard to land, resulting in land claim justifications, for example, based on historical occupation⁷.

While land issues are at the centre of many civil conflicts, their role in the peace process needs to be carefully addressed. Dealing with land disputes after a conflict includes the establishment of rights, drafting of laws and formulation of policies. But these can only be effective if adequate institutions and programmes are created and implemented. While a peace accord or victory in conflicts can to a certain degree resolve a spatial contest at the broader level, implementation of peace accords at a local level may be more complex. Although the peace process can attempt to reconstitute local level institutions, the difficulty stems from issue of legitimacy and capacity of institutions to effectively recognize and resolve local level tenure issues.

Based on all these realities, it can be argued that a sustainable peace process should not attempt to address only the pre-conflict territory, land and property issues, but give careful consideration to tenure issues, potentially very volatile, which develop during and after the conflict. The social and spatial aftermath of violence, displacement, destruction, victory and loss together with breakdown of administrative, enforcement and other property related institutions and norms, significantly alters ongoing relationships between people, land-use and population patterns. Furthermore, in relation to the all too common distribution of spoils - what are the rights of the victors? Also, expropriation of land for reconstruction on one hand, and usurpation of rights for land registration and transparent restitution on the other one. In essence, armed conflict and its aftermath reconfigure the network of relations and procedures upon which all land tenure systems depend.

Although not always generally immediately viewed as such, land is human rights issue. Land is directly linked to the realization of a wide range of human rights, and has itself become widely regarded as a human right. This is particularly important in post-conflict environments, where the component of the right to land restitution is of specific importance and relevance. Protecting the land and property rights of refugees and IDP's together with regularizing and registering land and property rights in general in post-conflict situations can be considered the cornerstones of sustainable peace. The UN Sub-Commission on Protection and Promotion of Human Rights Resolution 1998/26 'Housing and Property restitution in the context of the return of refugees and internally displaced

⁷ Land and Property Rights in the Peace Process, Jon D. Unruh, Beyond Intractability.org

persons” reaffirms “the right of all refugees, as defined in relevant international legal instruments, and IDP’s to return to their homes and places of habitual residence in their country and/or place of origin”. Beyond these and other standards, such as UN Guiding Principles on Internal Displacement, also recognize the importance of restitution and various institutional approaches to addressing housing, land and property issues which have arisen in post-conflict and transitional contexts during the past decade. These approaches were developed in recognition of the simple fact that the establishment of rights and the adoption of policies to implement these rights are rarely, if ever, sufficient to enable the assertion of these rights to be formally enforced.⁸ In many instances, entirely new institutional arrangements were established to deal with housing and property rights, such as those in Bosnia and Kosovo, while in others greater reliance was placed upon the role of existing institutions, like in Tajikistan.

Regularization of land and property rights is a process that aims to remedy wrong-doings caused by discrimination, to protect the rights of the vulnerable, to define the boundaries and true owners, to restore confidence in the property market, and to impose the rule of law in general. Unfortunately property regularization is also complex, and potentially an explosive exercise, in particular in post-conflict scenarios.

In many crisis prone countries, for example, customary and statutory laws operate side by side, ownership data and boundary identification is based on oral tradition and memory. Boundaries are defined according to physical land marks, often somewhat elastic, but usually well understood by the traditional leaders and communities themselves. This social equilibrium is always disturbed by conflicts. Post-conflict regularization, mapping and surveying of boundaries could therefore easily fuel further struggle over land ownership.

Property regularisation should promote transparency. Rebuilding the property registration system has a direct impact on the local economy through restoring confidence in the property market. But the regularization of the property market will only succeed when all legal property owners, or occupancy rights holders, are recorded in the property register. This requires investigation, and confirmation of occupancy rights – sometimes confirming deeds/titles going back over years and years of informal trading and transfer of property. This type of exercise is never untroubled, especially when many property transactions were often informal as a means of avoiding taxes, and regularization is a one true mean to re-introduce tax collection including in some cases retroactive tax collection.

Further, regularization is a key element to encourage an orderly return process of refugees and IDPs, thus facilitating sustainable peace process. The ability of all community members to freely exercise their property rights is essential in the process. However, confusion is immense in the aftermath of conflict, often feeding the abuse of property rights. For example, with approximately 250,000 IDPs in Serbia/Montenegro and a virtual zero occupancy rate throughout Kosovo, it was clear that the residential property rights of many of these displaced families were abused by others illegally occupying their homes in Kosovo. The removal of illegal occupants is a sensitive and often emotional issue, and is usually accompanied by threat and intimidation. In order to ensure a legal process of

⁸ UNDP Policy Note on Land Rights, A discussion paper for comments, September 2003 (COHRE)

eviction, one which provides due process for both the illegal occupant, and for the property “owner”, there must be a full support of the law enforcement agencies. Regularization of property in post-conflict context requires therefore a clear commitment of those institutions imposing the rule of law in the country, and the law enforcement agencies must fully participate in forced removals where necessary. Yet another paradox of a conflict.

Most civil institutions cannot endure the impact of armed conflict. This is especially the case for land tenure institutions where land issue was a significant component of the cause and maintenance of the conflict. What is needed in today’s peace and reconciliation processes is the recognition of not only the difference between pre-conflict, post-conflict and recovery tenure issues, but also the opportunities that exist for engaging multiple approaches to land and property that will move to a more solidified social, political and legal environment within which land and property issues operate⁹.

So, we clearly see that in the aftermath of conflict, while individuals, institutions, and parties to the conflict are recovering, the potential for new conflict emerges even through the rebuilding process. The elements of addressing land and property issues need to be supported by the parties, and this is not easy, particularly in the case of civil conflicts where the conflict may be between former neighbours, friends, or even family members. It is made more difficult by the capacity of local judicial systems to remain impartial and accountable, and the institutions of governance unable to ensure sustainable restitution and protection of the rights of all.

4. CAN IT BE PREVENTED?

Sadly, in conflict and crisis situations, the extent of readiness for the eventual losses in the land administration sector is rarely, if ever developed. However, in situations where the international community are asked or mandated to intervene, we could be better prepared from a response perspective.

A very brief synopsis of current/recent responses to the land issue in post-conflict countries reveals in all cases, the international community were NOT well prepared, and secondary conflict over land and property rights emerged.

In these cases, there has been sufficient evaluation and review to extract lessons upon which to build a more robust post-conflict land administration strategy, which would reduce the potential for secondary conflict.

4.1 What measures have been taken in:

4.1.1 E. Timor

Land claims, land administration, conflict resolution and economic development are essential issues in solving problems in most land conflict

^{9 9} Land and Property Rights in the Peace Process, Jon D. Unruh, Beyond Intractability.org

countries. Land issues in East Timor contain significant potential for political conflict and economic instability. Land claims in East Timor may potentially be claimed on four competing bases: underlying traditional interests, titles issued in both the Portuguese and Indonesian eras, or long term occupation rights. Adding to the problem; all land title offices were destroyed during the militia violence, apparently as a deliberate policy of the Indonesian army, and most records were lost in the destruction. Today, a system for resolving disputes has not been devised or implemented, and until these issues are resolved, it will remain impossible to establish an effective system of land administration.

Resolving land claims and re-establishing land administration systems in East Timor (and elsewhere) will not succeed without an effective system of conflict resolution. This is not only inseparable from land claims and land administration, but is important due to the re-emergence of long suppressed rural conflicts.

A proposed process of providing interim tenure on all properties that can be informally declared undisputed has not been implemented leaving the entire land administration system in limbo.

4.1.2 Afghanistan

Afghanistan is one of the most rapidly urbanising countries in the sub-region. Land grabbing where powerful individuals take land is still a common practice and it is done so without retribution. In many urban areas, the distribution of land by armed groups often under the eyes of the government is impinging on the authority of the government. These practices, reinforced by the backlog of land dispute cases discourage investment in reconstruction, and particularly marginalise the urban poor and returning refugees and IDP's.

Land is such an important form of assets and so fundamental to social welfare that its ownership and distributions amongst families are regulated by traditional practices and modern laws. In many developing countries including Afghanistan, land-related disputes constitute the highest percentage of court cases.

The city of Kabul has been destroyed repeatedly, the last one caused by the internal strife that started with the departure of the then Soviet Union in 1989. By 1996 when the Taliban took over Kabul the city was laying in ruins.

Kabul has a Municipal Council and a Mayor who heads the Municipal Office that dates back to 1920's. But the prolonged conflict not only caused physical damages to its infrastructure and housing but also severely affected government institutions.

As in many conflicts, administrative records were either lost or burnt, equipment were stolen and buildings destroyed. Many able civil servants left the country and those who braved the ordeal of war had nothing much left to continue performing government functions. Thus, for the last quarter of a century Kabul's land administration was in abeyance.

Property rights in many parts of Kabul are neither clear nor uncontested. Land disputes are going to hinder the land market and the reconstruction of the city. It is estimated that more than 46,000 houses have been either damaged or destroyed in Kabul. Of this over 76% lie in so-called "unplanned" areas. With the expected growth in population and economic activities, Kabul's primacy will be reinforced resulting in a sharply increased demand for land for various urban uses – of which housing will be the most dominant one.

In the above context, the land issues of immediate importance in Kabul as well as in most cities and countries in post-conflict situation may be summarised as follows:

- How should government deal with the issue of squatter settlements? What economic and social aims are achieved in regularising squatter-areas?
- How should government deal with the issue of informal settlements?
- How can one achieve the right balance between standards and affordability in land development?
- What public purpose is served when government exercises the power to acquire private and public land for housing?
- How can the Municipality ensure that environmentally sensitive areas like the flood plain of Kabul River and many natural drainage paths as well as visually attractive spots are protected from "development"?
- How can Kabul Municipality promote a more orderly and rapid infilling of vacant areas in the immediate city in order to maximise the use of existing infrastructure?
- Should Government be involved in ensuring the supply of land for housing?
- To what extent land should be developed wholesale as opposed to developed available in the city core? Social services? Incrementally? What social purpose each serves?
- How can Municipality ensure that services for new land are provided and financed?
- What role government should play in managing land as a scarce resource?
- Distributive aspects: Distribution across income groups, ethnic groups, etc.
- Distribution amongst users-group (business, industries, housing, etc.)

4.1.3 Iraq

As with all post-conflict countries, Iraq faces major challenges with respect to land, housing and property. Summarising from Leckie's 'Preliminary Framework' some priority issues, including:

- The mass spontaneous repatriation of refugees and IDPs to their former homes;
- Resolving land, housing and property disputes;
- Rebuilding and reconstructing damaged or destroyed housing;
- Removing discrimination from the land, housing and property sectors;
- Addressing women's rights to land, housing and property;
- Ensuring housing rights for everyone and protection against homelessness;
- Re-establishing housing and property registration systems and cadastral systems;
- Establishing independent judicial bodies to address these issues;
- Creating a legislative and policy framework compatible with international human rights law;
- Repealing/reversing discriminatory applications of law;
- Protecting the rights of tenants and others against arbitrary eviction;
- Re-establishing the production of local building materials;
- Finding alternative housing resources for secondary occupants;
- Social housing construction;
- Creating conditions for a housing market to emerge;
- Developing a compensation or subsidy system;
- Expanding reconciliation efforts into the housing, land and property areas;
- Resolving the problems of landlessness;
- Ensuring security of tenure protections for all and;
- Competing legal systems vis à vis housing, land and property.

These are just some of the broad housing, land and property issues that are already facing Iraqi's, and which will begin to emerge higher on the agenda as Iraq's future unfolds.

Two primary recommendations stand out. Firstly, there is an urgent need to adopt an Interim Policy on Housing, Land and Property Rights, grounded in international human rights principles and best practice. The absence of such a policy has led to housing, land and property rights issues being treated in a legally inconsistent, *ad hoc*, arbitrary and piecemeal manner, which will only serve to delay justice, bring the credibility and legitimacy of the CPA and its partners into doubt and increase the likelihood of future instability and renewed violence and conflict. Secondly, the immediate establishment of the Iraqi Directorate on Housing, Land and Property Rights (IHLPRD) to coordinate policy, law and programmatic efforts to resolve all outstanding housing, land and property issues within the shortest possible time-frame is urgently needed.

Preliminary action has been taken on the basis of Leckie's advice, however a realistic understanding of the scope and scale of land/property reform in Iraq remains to be integrated into strategic planning in Iraq.

4.2 Lessons learned are:

4.2.1 Protection of records (any records) should be part of peacekeeping:

The Security Council resolution giving authority to the United Nations to undertake peace keeping operations in a country or territory should be written in such a way as to include the land problem, and even physical protection of land records, where this is a key part of the conflict. The conflict over land and property should then be integral to both the peacekeeping process, as well as form part of the peace keeping budget. Peacekeeping forces would have the responsibility of securing the land records as soon as possible, and protecting them from damage and alteration. Land related activities, which are often too politically sensitive for donors, would be ensured of financial support. Also, in certain circumstances, the UN peacekeeping forces would then be responsible for evicting criminal elements from public property. Most critically, the conflict over land and property would be formalised on the agenda of any interim government in which the UN had a role in the emergency phase.

4.2.2 In heavily contested conflict with longer term displacement, protective measures for returnees re-occupying properties are required:

As soon as the situation is sufficiently secure, one or more persons should visit the country/territory to assess the needs of the citizens in relation to land and property problems and security of tenure. This assessment should be made within the framework of the international human rights principles/conventions, particularly in regard to possible discrimination against women.

The type of land and property related user needs that are likely to be found are:-

- A need for immediate shelter where land is required for temporary occupation (e.g. returnees displaced by conflict).
- A need to rebuild houses which have been destroyed, or partially destroyed.
- The allocation of building permits to reconstruct destroyed houses, which permits need evidence of ownership of the land and agreement by the owner.
- Identification of abandoned houses/apartments and a management system to temporarily allocate these houses/apartments.
- Assistance to people evicted from their houses/land requiring evidence which shows their rights to the property
- Invasions of public land and property, which may be needed in the emergency and/or have symbolic value for the interim administration.
- Allocation of temporary land use rights for drawing water, harvesting etc.
- Allocation of temporary land use rights for peacekeeping/military interventions.
- Eviction of women, especially widows and children, by families from family property.

- Evictions and land/house invasions by one group against another group as part of the conflict.
- The informal and sometimes violent restitution of property taken during the conflict.
- Land information for the installation of services or the restoring of services.
- The theft and/or illegal alteration of land records describing users property rights.
- Emerging of previously unrecorded contracts and/or data, giving evidence of land rights, from parallel/informal structures.
- Minor warlords and/or gangs allocating land/properties –public or stolen from the rightful owners in terms of the registry records.
- People not having any security of tenure for one or other reason.
- A basic legal framework and administrative infrastructure to record disputes/claims, give information and/or assistance.

4.2.3 First steps might include

- the handling of immediate land/property issues, in particular establishing tenure where no disputes exist
- evictions, establishment of procedures and capacity to protect citizens from arbitrary eviction
- discrimination, establishment of protection measures for marginalised populations
- the allocation of land use for temporary purposes, including housing and commercial enterprises
- securing of the land records, (registry, cadastre, maps, possession lists, survey field records, text and graphic, digital backups, paper plans) and determining/scoping the scale of gaps/deficiencies in land records, and administrative institutions
- supplying remotely sensed imagery (aerial photography and/or satellite photography) for de-mining, servicing and management of the emergency,
- supplying information to people who have lost their property rights, establishing mass media and information dissemination mechanisms

Even though better results are obtained when these activities are undertaken as soon as possible after the conflict has ended, it is also important to have the reconstruction phase in mind from the outset. As much as possible, each step in the emergency phase in regard to land and property should also be creating building blocks for the reconstruction phase.

Other types of interim tenure issues also need to be explored such as anti-eviction rights, adverse possession, occupancy rights, local forms of records, undivided shares, group rights etc. Fixing the land administration inconsistencies, registration/cadastre mechanisms, etc, in a country the size of Iraq could take 10-25 years (depending on the current situation in terms of coverage, state of records, no. land professionals in

place etc). UN-Habitat also has some experience in this area as well (some of which will soon be published on the web by the land and tenure section).

Conclusions

In conclusion, much of this discussion is focusing on situations where immediate measures are required to address pressing land and tenure issues following conflict. From our own experiences, and that of others, it is clear that these issues are real, and that care must be taken to ensure that further conflict is avoided. In my view however, it is important that the work we do in this field is not wasted in short term measures, and that we think clearly about leveraging the short term interventions we make into longer term impacts.

Conceptual gaps between relief and development must be addressed. Any resettlement process, irrespective of its short- or long-term planning horizon, necessarily has to consider in addition to meeting urgent human needs, the physical infrastructure and human settlements problems that arise, including adequate shelter for all; one of the UN-HABITAT's twin goals of achieving adequate shelter for all and sustainable human settlements development. UN-HABITAT experience proves that in many post-disaster/crisis scenarios it is most effective when interventions are designed to begin simultaneously; consideration of long term impacts of short term interventions can add value to the latter, and depth to the former. A process of long-term reconstruction and economic recovery should therefore begin while post-emergency actions aimed at restoring normality for the displaced populations returning home or settling in new places are being undertaken. In this manner, strategic investment during emergency and relief stages can contribute significantly to building foundations for development.

We've seen that land can be a factor in prolonging conflict, and care must be taken during a regularization programme to avoid exacerbating existing tensions arising from historic enmity. But how? I don't have the answers, but you've heard some of the questions, and some opinions I've shared; we are publishing a handbook based on experiences gained through attempting to address these issues in post-conflict situations, and together with my colleagues look forward to your enhancing this tool with experiences of your own. Again, it is not the definitive answer, I'm not sure that exists. I am sure however, that in fora such as this one, and others taking place from time to time, the potential for learning and getting better at our responses is highest.

Thank you,

BIOGRAPHICAL NOTES

Daniel Lewis is the Chief, Disaster Post Conflict and Safety Section, Urban Development Branch, Global Division UN-HABITAT. He has worked for UN-HABITAT since 1997 based in Somalia, Kosovo, and Nairobi. As a Civil Engineer, and private consultant, he has worked in urban reconstruction and housing programmes in South Africa and Chile as well as with First Nations communities in his home region on Vancouver Island, Canada since 1987.

CONTACTS

Daniel Lewis
UN-HABITAT
PO Box 30030, Room N-210
Nairobi
Kenya
Tel. +254 20 623826
Fax + 254 20 624263
Email: dan.lewis@unhabitat.org
Web site: <http://www.unhabitat.org/programmes/rdmu>