

# Integrating Housing, Land and Property (HLP) Considerations in Humanitarian Mine Action (HMA)

25 - 26 January 2022

Session 1 - Housing, Land and Property:  
Key Concepts and Resources

Jim Robinson, Global Coordinator, HLP AoR







# What is HLP?

- Housing, Land and Property rights are about having:

**...a home, free from the fear of forced eviction – a place that offers shelter, safety and the ability to secure a livelihood.**

# HLP rights: beyond 'ownership'

---



- HLP rights **not just 'ownership'**.
- They include other forms of rights
  - user rights (e.g. rights held by tenants, access to natural resources or for livelihoods)
  - easement rights (e.g. traditional passage through a piece of land or through neighbour's land).
- HLP rights can be held on an individual basis or collectively

# But. Complexity...





# HLP rights: beyond 'ownership'



- HLP rights can be documented (land title, lease agreement) or not.

The lack of documentation does not mean that the right does not exist.

- Important to understand that different people or groups can have rights to the same piece of land, including those who have been displaced.
- Overlapping land tenure systems and rights can be complex to understand.



Mind the gap - between law and practice

# HOUSING, LAND AND PROPERTY IN EMERGENCIES



▶ ⏪ 🔊 0:01 / 5:00 CC ⚙️ 📺 📱 🗉

<https://www.youtube.com/watch?v=FvDOaezLFG4>



# Women's HLP Rights

- Women disproportionately affected by issues related to HLP, including in displacement.
- Often struggle to access their rights.
- Gap between law and practice.
- Addressing HLP rights promotes gender equality.
- Inheritance and marital property laws can protect women's rights.
- Land is one of the most significant assets for women.
- Economic survival and recovery often depends on access and control of land.
- Must not reinforce any existing gender discrimination as part of any response.





# Why are HLP rights important for Humanitarian Mine Action?



Mine Action AoR  
Global Protection Cluster



*Mine action interventions do not take place in a political, legal, social or economic vacuum...*

---

***Mine Action interventions have the potential to:***

- Exacerbate land conflicts or create new ones
- Contribute to land grabbing or forced evictions as value of land increases
- Maintain or entrench gender inequalities in access to land
- Undermine food security if population relies on land for subsistence



# HLP and Mine Action

---

## 'Do No Harm'

- Contribute to **positive protection outcomes** through safe and inclusive programming
- E.g. Previously excluded persons or communities now able to access land as a result of a mine action intervention

# Two key HLP concepts...

- Security of Tenure
- Due Diligence

**NRC**

NORWEGIAN  
REFUGEE COUNCIL

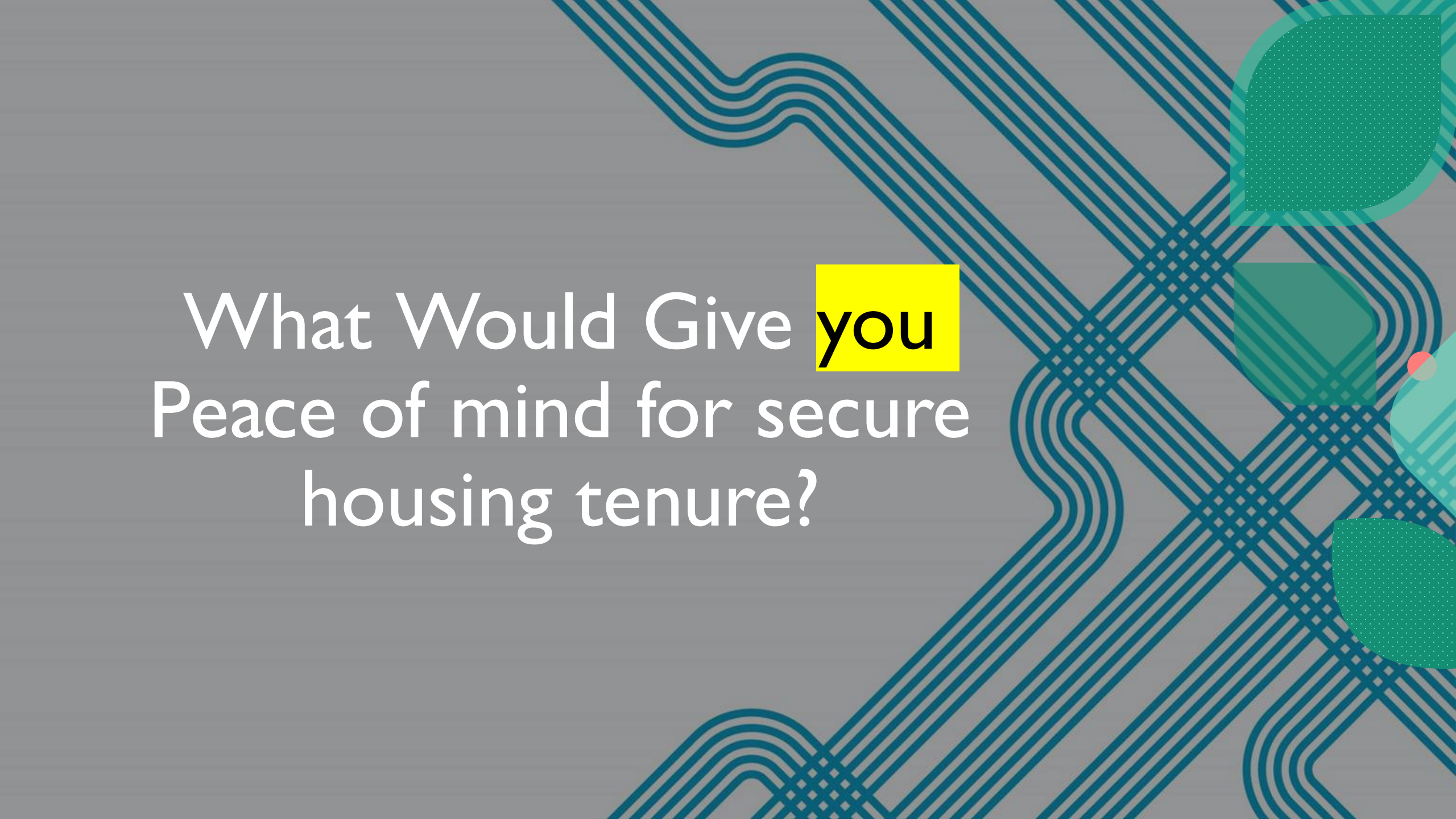


Global Protection Cluster  
Housing, Land and Property

# What is Tenure Security?

- Tenure is the relationship among groups or individuals with respect to housing and land
- **Tenure** is the system of rules that governs **Who**, can do **What**, for **How long** on **Which** housing, land and property
- Common tenure arrangements include 'ownership', 'renting' and 'possession'
- **Security of tenure**: the right of all individuals to have guaranteed legal protection against forced eviction, harassment and other threats
- Particular focus on Women's Tenure Security and HLP





What Would Give **you**  
Peace of mind for secure  
housing tenure?

# What is Due Diligence?

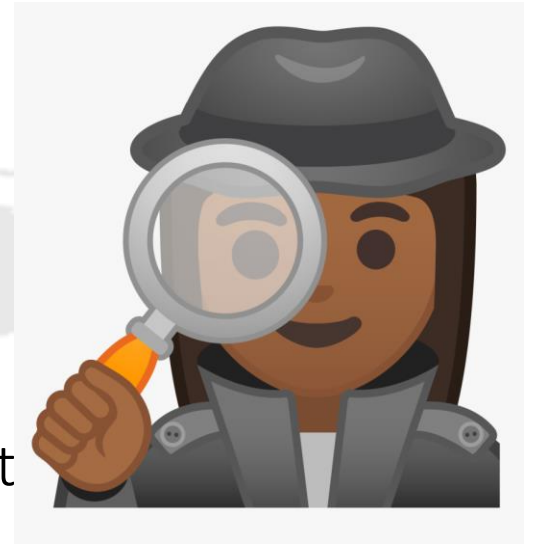
## Definition of *due diligence*

- A process of research and analysis in any given situation to avoid harm to other persons or property
- **Why?** Verify property rights, reduce/avoid disputes. Durable solutions. Do No Harm and safer programming
- **When?** At all stages of intervention
- **How?** Specific to each intervention, each context.

# Due Diligence – How?

## For Example...

- Find out who has rights in the land;
- Check existing property records at land registry or equivalent
- Consult local authorities.
- Walk around the boundaries of the property and across it to see if there are signs of contested claims.
- Ask neighbours about the property and its owner.
- Consult local elders about the history of the property.
- Identify and mitigate potential disputes





# HLP and the SPHERE standard

---

The affected population has security of tenure in its shelter and settlement options...

## KEY ACTIONS

1. Undertake due diligence in programme design and implementation
2. Understand the legal framework and the reality on the ground
3. Understand how tenure systems, arrangements and practices affect security of tenure for at-risk groups
4. Implement shelter and settlement programmes to support security of tenure
5. Support protection from forced eviction

### **The Sphere Handbook**

The Sphere Handbook: *Humanitarian Charter and Minimum Standards in Humanitarian Response* is available in [English](#) as well as in many other [language versions](#).

The full content of the Handbook is also available online as a micro-website at [SphereHandbook.org](http://SphereHandbook.org)

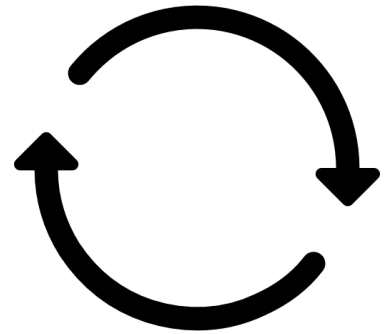


# HLP and Mine Action – HOW?

---

## **COLLABORATION!**

- Ensure awareness about the relationship between HLP rights and mine action
- Due diligence -
  - Map key HLP actors (community liaison, survey, local administration)
  - Map HLP issues, dispute resolution, HLP concerns - ongoing process
- Collaborate closely with HLP coordination groups







[www.globalprotectioncluster.org/themes/housing-land-and-property](http://www.globalprotectioncluster.org/themes/housing-land-and-property)



[Jim.Robinson@nrc.no](mailto:Jim.Robinson@nrc.no)





# Find out More...

[www.globalprotectioncluster.org/themes/housing-land-and-property](http://www.globalprotectioncluster.org/themes/housing-land-and-property)

Contact me for support

[Jim.Robinson@nrc.no](mailto:Jim.Robinson@nrc.no)

