

Housing, Land and Property Rights Restoration

Overview

Violations of basic human rights including rights to housing, land and property (HLP) have occurred in the majority of historic and current conflicts around the globe. Although frequently masked by ethnic hatred or political divisions, most of the conflicts are primarily driven by competition for scarce resources, including access to land and productive assets, or, in some cases, deep feelings of historical injustice and marginalization. They are typically characterized by massive human rights violations such as murder, indiscriminate attacks on civilians, torture and sexual violence, enforced disappearances and displacement, as well as destruction and dispossession of land and property. Addressing the above causes and consequences of conflict is a precondition for creating an environment suitable for sustainable peace and security, facilitating effective reconstruction and enabling durable solutions and social cohesion for displacement affected populations.

Restoration of HLP rights plays a prominent role in reconciliation, peacebuilding and reconstruction efforts for countries in transition. Areas of IOM's expertise within HLP issues includes the resolution of land and property disputes; increasing and protecting access to land and land tenure security for vulnerable populations in rural and urban settings; reinforcing land management institutions and mechanisms; supporting community or State-driven land titling and land rights identification; resolving land and property issues in shelter and/or camp programmes; and addressing housing issues in the context of displacement caused by climate change and planned relocations. Further, IOM is committed to sensitizing international and national actors to the centrality of land issues in post-conflict and post-disaster environments.

IOM provides policy guidance, expert advice, and technical assistance to resolving issues relevant for restoring HLP rights, including but not limited to restitution.

Key Points

- Housing, land and property (HLP) violations are often part of conflicts around the globe, which are frequently driven by competition for scarce resources. Therefore, the restoration of HLP rights is important in reconciliation, peacebuilding and reconstruction efforts for countries in transition. IOM provides policy guidance, expert advice, and technical assistance in HLP issues.
- Programming in HLP includes several areas related to land and property disputes, access to land and land tenure security for vulnerable populations, land management institutions and mechanisms. IOM is also engaged in the sensitization of international and national actors to the centrality of land issues in post-conflict and post-disaster environments.
- Key programming principles include compliance with international standards, participatory approach, victim-centered orientation, feasibility, efficiency and effectiveness and the humanitarian-development-peace nexus (HDPN).

Key Considerations

Programming Principles

Compliance with international standards

Including the Inter-Agency Standing Committee (IASC) Durable Solutions Framework, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law; the Guidance Note of the UN Secretary General on Reparations for Conflict Related Sexual Violence; the Pinheiro Principles on housing and property restitution for refugees and displaced persons and International Human Rights Law (IHRL) and International Humanitarian Law (IHL) provisions.

Participatory approach

Ensuring meaningful and effective individual and community participation in the development of policies and mechanisms of redress of human rights and land and property rights violations.

Victim-centered orientation

Enabling design and implementation of programmes in accordance with victims' and beneficiaries' vulnerabilities, capabilities, needs and expectations.

Feasibility, efficiency and effectiveness

Ensuring that the needs and expectations of an affected population are met by the governmental and institutional capacities and resources.

Humanitarian-development-peace nexus (HDPN)

Reinforcing collaborative, coherent and complementary programming through simultaneous engagement of stakeholders for increased impact and more efficient use of resources.

Relevance to IOM's Emergency Operations

By addressing the issues related to access to land and property rights, the work of IOM's Transitional Restitutive Justice Unit (TRJU) contributes toward equitable and sustainable development. Similarly, by facilitating access to remedies for human rights violations, the Unit also contributes towards rule of law, good governance, and social cohesion. The combined focus enables TRJU to fill an important gap in the humanitarian-development-peace nexus. In doing so, TRJU draws its expertise and experience from the work done by its predecessors, the IOM Claims Programmes and the IOM Land and Property Division, which were responsible for the design and implementation of variety of projects across the globe.

Operations

Land and Property is part of IOM's Migration Crisis Operational Framework (MCOF). This sector of assistance seeks to support the restoration of housing, land and property rights which play a prominent role in reconciliation, peacebuilding and reconstruction efforts.

Given the complex interrelationship between land and crisis, efforts within this sector aim to support the resolution of land and property disputes, including disputes in shelter and/or camp programmes; increase and protect access to land and land tenure security for vulnerable populations in rural and urban settings; reinforce land management institutions and mechanisms; support community or State-driven land titling and land rights identification; and address housing issues in the context of displacement caused of climate change and planned relocations. Further, IOM sensitizes international and national actors to the centrality of land issues in post-conflict and post-disaster environments. IOM provides policy guidance, expert advice, and technical assistance to resolving issues relevant for restoring housing land and property rights, including, but not limited to, restitution.

Key types of programming that fall under the Transitional Justice sector of assistance include:

- Housing, Land and Property Rights Restoration
- Reparations and Assistance to Survivors of Human Rights Violations

Lessons Learned / Best Practice

[Housing Land Property Guidance Note](#)

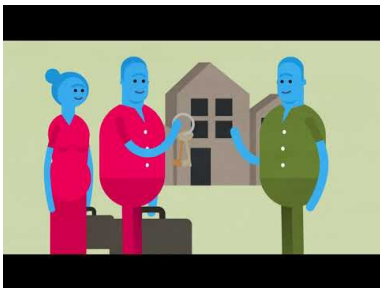
[Property Restitution Compensation: Practices and Experiences](#)

[The Pinheiro Principles – Housing and Property Restitution for Refugees and Displaced Persons](#)

Links

- [Housing, Land and Property SharePoint site \(INTERNAL to IOM\)](#)
- [Online Course: Introduction to Transition and Recovery Programming](#)

Media



[IOM and Transitional Justice – Land, Property and Reparations](#)

References and Tools

- [Transitional and Restitutive Justice Infosheet](#)

Other Entries in this Topic

- [HLP and Displacement: An Interactive Video Experience](#)

Contacts

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