

Housing, Land and Property in Shelter Operations

Operations

Housing, Land and Property

Temporary or long-term lack of access to Housing, Land and Property (HLP) are inherent features of any form of displacement, regardless of whether the displacement is induced by man-made or natural disasters and irrespective of status. Access to HLP often means having basic protection such as security and shelter in the short term, but also security of tenure in the longer term. The lack of access to HLP can thus consequently be seen to allow for secondary displacement and an increase in vulnerability during the emergency phase of crisis and hamper post-emergency programming initiatives.

To ensure adequate attention and contextual awareness of HLP rights in IOM emergency shelter operations the organization makes use of the Housing, Land and Property due diligence standard. This concept requires shelter actors to: (1) achieve as much legal certainty about land rights as is reasonable, given the context and constraints on resources and time; and (2) reduce, as much as possible, the risk that the construction of shelter causes or contributes to increasing tensions and conflicts around land; and (3) avoid future eviction of the beneficiaries.

This is done by IOM emergency shelter operations establishing a process that anticipates and responds to issues relating to land rights, as they emerge or where there is a risk that they may emerge during shelter construction.

Key to establishing this process is the:

- Awareness amongst key staff members of the connections between land rights and shelter;
- Mainstreaming of basic land rights verifications and monitoring in all shelter activities (either directly by IOM or through out-sourcing);
- Creation of information sharing protocols regarding land rights issues with other shelter actors active in the same context.

Moreover, mainstreaming HLP rights in shelter operations will require shelter actors to consider the following HLP objectives in the **1)** planning, **2)** before construction, **3)** implementation and **4)** evaluation phase of the operation. In each of these phases, actions shall be taken to **a)** clarify the tenure status of land and property and **b)** strengthen tenure security for beneficiaries. These phases and their respective necessary precautions in terms of HLP rights will be introduced below.

For a brief overview on incorporating HLP into humanitarian interventions, please see this [short video](#) from the Global Shelter Cluster.

Planning

Objective: To obtain general information about land rights and clarify tenure arrangements.

This entails:

- Understanding the regulatory environment and formal land-related rights and institutions;
- Understanding informal land tenure arrangements and practices;
- Verifying who has what right(s) over land for shelter;
- Gaining an overview of how land and property relations are managed (i.e. gain an overview of the land tenure system that is in place); Identifying the land rights' situation of the land as well as the legal or de-facto situation (especially with regard to women) of households in respect of the land;
- Deciding whether there is sufficient tenure security to carry out the provision of shelter assistance;
- Establishing what the laws of inheritance are in relation to HLP and the impact that may have on female/child headed households.

Before Construction

Objective: To reduce the risk of evictions and land disputes.

This will require the shelter actor to obtain a sufficient level of certainty regarding:

- The legal status of the identified plot (whether the land parcel is under State or private ownership, which institution has power over its use – i.e. local/national authority, church, mosque, school, military, etc.);
- The tenure status of the beneficiaries in relation to the plot and the shelter to be built (i.e. the type of right he/she has to the identified plot (ownership, undocumented possession, customary tenure, tenancy, etc.).

Implementation

Objective: To ensure that shelter actors are prepared to react to land issues that emerge during the construction of the shelter appropriately and efficiently, thereby reducing or mitigating the risk of escalation and undue delays or stoppages for the shelter project.

Ensuring this objective includes:

- Training of key personnel and the development of procedures and structures that either refer land issues to the appropriate actor(s) or address the emerging issues themselves.

Evaluation

Objective: To ensure that actors who work on land rights' issues in the area where the shelter was constructed are fully informed about the shelter project, and know the steps that were taken to obtain and ensure legal certainty regarding the land rights over the shelter plot and the legal status of the beneficiaries as regards the shelter.

For more in depth information and guidance on HLP in Shelter programming please refer to the Land Rights and Shelter Due Diligence Standard document. Moreover, information and guidance on HLP can also be sought by contacting the [Land, Property and Reparations Division](#) at IOM Headquarters.

The Land Rights and Shelter Due Diligence Standard within the [Guidance Documents and Tools for Shelter-NFI](#) entry provides more in depth information on HLP rights in Shelter programming.

Be aware that in some contexts making land and property an issue can lead to evictions or increase land tenure insecurity for vulnerable people. Sometimes, after analyzing the issues, it is better to do nothing.

Links

- [IOM Shelter Website](#)
- [HLP in Displacement Online Course: An Interactive-Video Experience \(INTERNAL\)](#)

Media



[HLP in Emergencies](#)

Other Entries in this Topic

- [Shelter and NFI Coordination](#)
- [Shelter and NFI Operations](#)
- [Rubble Removal in Shelter Operations](#)
- [Water, Sanitation and Hygiene \(WASH\)](#)
- [Feedback and Complaint Mechanisms in Shelter Operations](#)
- [HLP and Displacement: An Interactive Video Experience](#)

Contacts

For more information, please contact the Shelter and Settlements Unit in Geneva: ShelterSupport@iom.int and the Global Housing, Land and Property (HLP) Adviser: ilopes@iom.int.

Please also find the contact information to the larger IOM Shelter Reference Group, composed of operational staff in the field: ShelterReferenceGroup@iom.int.

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