



HOUSING, LAND AND PROPERTY COUNTRY LEVEL READINGS

The publications below are an introduction to some of the literature available on HLP-related issues in different countries. The list is regularly updated and readers are invited to submit links to new publications for inclusion in this list. Please send an email suggestion to Szilard.Fricska@unhabitat.org

The list includes readings from:

Afghanistan	Georgia	Myanmar	Somalia
Bosnia	Liberia	Pakistan	Syria
Burundi	Kenya	Philippines	Timor L'Este
Cambodia	Kosovo	Rwanda	Uganda
Cote d'Ivoire	Kyrgyzstan	Sierra Leone	Yemen

Afghanistan

Property Rights and Resource Governance: Afghanistan

USAID (2010)

http://usaidlandtenure.net/sites/default/files/country-profiles/full-reports/AFGHANISTAN_Country_Profile.pdf

The document describes efforts to strengthen land tenure security through improvements to the legal framework, the implementation of a country-wide land survey, mapping and registration system, and the regularization of land rights in informal settlements. The document concludes, however, economic growth and political stability will not be achieved unless and until the Government removes constraints on access to land (especially urban and irrigated agricultural land), provides functional mechanisms to resolve disputes among competing claimants, and provides tenure security to owners and lessees of land in Afghanistan.

Community-State Administration of Private Property Records in Rural Afghanistan

Terra Institute (2008)

http://www.terrainstitute.org/pdf/Com-State%20Admin_Rural%20Land.pdf

This publication reports on an experiment to archive in community centers the agreements about legitimate users of rangeland and community verifications of privately owned agricultural land. It also presents suggestions for linking the administration of these community land rights archives with the traditional administrators of property records in governmental agencies.

A Guide to Property Law in Afghanistan

NRC (2005)

[http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/86A7E9B3EE11392EC125716F002D49E8/\\$file/Property_LawManual\(EngVer\).pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/86A7E9B3EE11392EC125716F002D49E8/$file/Property_LawManual(EngVer).pdf)

The guide outlines the protection that is given to land, housing and property rights under international law and contains advice on how to use international human rights monitoring mechanisms. This publication is based on the experience of working with returnees and illustrates the importance of land and property rights in the process of return and reintegration. It provides an important resource for judges, lawyers and other officials as a guide to the applicable law on land and property, which can be used as a basic reference point and a training resource.

Landmines and Land Rights in Afghanistan

GICHD (2010)

http://www.gichd.org/fileadmin/pdf/ma_development/wk-landrights-oct2010/LMAD-wk-Afghanistan-case-study-Nov2010.pdf

This case study explores the links between landmine contamination and post-conflict land rights issues in Afghanistan. By dealing with landmine contamination, it helps address landlessness and indebtedness in the farming sector, frees up residential areas and opens up access to previously contaminated land, but proper management and administration must be enacted to ensure land rights are justly distributed.

Bosnia

Housing and Property Rights - Bosnia and Herzegovina, Croatia and Serbia and Montenegro

UN-HABITAT (2005)

<http://www.unhabitat.org/pmss/listItemDetails.aspx?publicationID=2130>

The region of former Yugoslavia faced an array of severe difficulties related to housing and property issues. These include more than a million refugees and displaced persons who were unable or unwilling to return to their homes. They also included a dysfunctional housing market in most countries, systematic discrimination against various ethnic groups, in particular the Roma, and an expanding informal housing sector. The privatisation of public housing and the loss of tenure and tenancy rights have rendered many low income people even more vulnerable to sub-standard living conditions, evictions and homelessness.

Land Registration Project for Bosnia and Herzegovina

World Bank (2012)

<http://web.worldbank.org/external/projects/main?Projectid=P096200&theSitePK=362026&piPK=64290415&pagePK=64283627&menuPK=64282134&Type=Overview>

The objective of the Land Registration Project for Bosnia and Herzegovina is to facilitate the orderly development of transparent land markets, through the registration of real estate rights, and complementary policies that enable transactions to be made with security and efficiency. This paper is a restructuring of the outcome indicators of this project in order to reflect the lessons of experience and a more realistic scope. Specifically, three factors necessitate some adjustment of indicators: i) the unanticipated complexity of reconciliation of cadastral information and registry folders; ii) a recently determined interpretation of the law governing apartment registration; and iii) a careful re-evaluation of the registry office spaces.

Land Tenure Issues in Post-Conflict Countries the Case of Bosnia and Herzegovina

GTZ (2000)

<http://www2.gtz.de/dokumente/bib/05-0164.pdf>

The study was performed as part of GTZ's sector project Land Tenure in Development Cooperation. It contributes to a better understanding of specific post-conflict land tenure issues in order for programs to take these into account when trying to find solutions for the manifold problems of displacement and property restitution.

Burundi

Property Rights and Resource Governance: Burundi

USAID

http://www.usaidlandtenure.net/sites/default/files/country-profiles/full-reports/BURUNDI_Country_Profile.pdf

Substantial and sustained economic growth based on increasing agricultural productivity will require continued attention to issues of property rights and resource governance. Outstanding questions include, for example: how sufficient land might be made available to permit rural households, including those headed by women, to increase their incomes through intensified agricultural production; what kinds of rules would increase access to and assure better management of water and wetlands for production; and how forests might be maintained or even enhanced to protect watersheds and produce fuel wood and timber for the population.

Burundi: Land Policy Making in a Conflict-Prone Country

World Bank Conference on Land and Poverty (2012)

http://www.landandpoverty.com/agenda/pdfs/paper/kohlhagen_full_paper.pdf

This short paper gives an overview regarding the different components of policies related to land in Burundi, their commonalities and their achievements. Overall, there is a general tendency towards a valorization of alternative dispute resolution mechanisms and towards better recognition of local land management systems.

Land reform in Burundi: Waiting for Change after Twenty Years of Fruitless Debate

<http://www.nai.uu.se/ecas-4/panels/121-140/panel-139/Dominik-Kohlhagen-full-paper.pdf>

This paper analyses how the situation in Burundi relates to state policies and state land law and how the repeated attempts to reform the land code failed to respond to steadily growing tensions. One section focuses on statutory law, showing its instrumental use by colonial and postcolonial state officials to the detriment of ordinary Burundians throughout history. The second section questions the historical evolution of rules governing land relations at the local level. It stresses the progressive erosion of fundamental social regulation mechanisms since the introduction of present-day state law. The final section describes the ways in which political elites tried – but, up to now, failed – to respond to multiple land tenure problems.

Cambodia

Land and Housing Rights in Cambodia Parallel Report 2009

Land and Housing Working Group (2009)

http://www2.ohchr.org/english/bodies/cescr/docs/ngos/CHRE_Cambodia_CESCR42.pdf

The report focuses in particular on the right to adequate housing in Cambodia, as well as related human rights concerns. Matters addressed include (i) forced evictions; (ii) gaps in the legislative and policy framework on evictions, and a lack of implementation of existing laws and regulations; (iii) the absence of legal security of tenure for many households and obstacles to accessing title; (iv) concerns regarding the donor funded titling system: LMAP and LASSP; (v) land disputes and concerns regarding the efficacy, independence and transparency of dispute resolution bodies; (vi) displacement and other adverse impacts resulting from economic land concessions and mining; (vii) concerns regarding land rights of indigenous peoples; and (viii) the persecution of housing rights defenders.

Cambodia: The Struggle for Tenure

Graeme Bristol (2007)

<http://www.unhabitat.org/downloads/docs/GRHS.2007.CaseStudy.Tenure.Cambodia.pdf>

This case study focuses on the mass evictions occurring in Phnom Penh and throughout Cambodia, specifically focusing on the land tenure rights of the poor. Suggestions are made regarding how the Cambodian government can enact laws protecting land tenure rights over corporate interests.

The Report of Land and Human Development in Cambodia

Supreme National Economic Council (2007)

<http://www.un.org/esa/agenda21/natlinfo/countr/cambodia/land.pdf>

The purpose of this study is threefold: (1) to describe the legal and institutional framework governing land in Cambodia, as well as the current status of land ownership and use; (2) to estimate the impact of access to land on human development and the potential benefits from land reforms; and (3) to discuss implications for land policies and challenges for implementing land reforms.

Land Tenure Database Development in Cambodia

FAO (2006)

<http://www.fao.org/docrep/009/a0306t/A0306T08.htm>

This article examines the role that land tenure data can play in policy-making, and identifies potentially suitable venues for collecting and housing such data in Cambodia. The criteria for assessing institutional venues for data collection and housing include reliability accessibility, interoperability comparability capacity of updating and cost effectiveness. The article concludes that a scheduled agricultural census represents the most sustainable option over time because it is not only mandated by law but enjoys support among key stakeholders, including multilateral donors.

Cote d'Ivoire

Whose Land is This?

IDMC (2009)

[http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/7E1539A6C2849755C125767E0051B518/\\$file/CDI_SCR_Nov09.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/7E1539A6C2849755C125767E0051B518/$file/CDI_SCR_Nov09.pdf)

Armed conflict broke out in Côte d'Ivoire in 2002, causing the mass displacement of hundreds of thousands of people. In the west of the country, the crisis provoked a series of successive displacements involving population groups with competing claims over land. Ongoing land disputes in these areas have been exacerbated by the armed conflict, the resulting displacement, and now the return of internally displaced people (IDPs). Many of the plots they had previously planted were sold or leased by others, thereby depriving IDPs of their principal means of subsistence on their return and fuelling inter-community tensions. It is feared that the land disputes will multiply as more IDPs return.

Democratic Republic of Congo

Land Tenure and Property Rights: Democratic Republic of Congo

USAID (2010)

http://usaidlandtenure.net/sites/default/files/country-profiles/full-reports/DRC_CountryProfile-12-22-11.pdf

Continued poor governance of the country's natural resource base may perpetuate the cycles of exploitation, violence, and conflict over land and resources that have thus far prevented the population from sharing in the nation's wealth and promise. This publication describes the land tenure types, distribution system, legal framework and other aspects of land rights in order to show the need for reform and support for a more equitable tenure system.

Land Rights in the Democratic Republic of Congo – A New Model of Rights for Forest-Dependent Communities? (2007)

http://www.mokoro.co.uk/files/13/file/lria/land_rights_in_the_DRC-2.pdf

This publication starts with a short summary of some of the main issues in current debates on African land reform and land rights that are relevant to DRC's context. The chapter then traces the history of land tenure and land rights in the DRC from the colonial period to the present day. It then identifies certain ongoing processes around forest policy and legislation in particular. Through examining these processes, and other drivers and pressures on land tenure in DRC, the chapter considers the role of civil society in responding to and influencing land-based change. In particular, the role of external actors, (such as donors and private investors), is noted, in order to assess how civil society can gain traction in influencing the DRC government on land issues.

The Dispossession of Indigenous Land Rights in the DRC: A History and Future Prospects

Forest Peoples Program (2009)

<http://www.forestpeoples.org/sites/fpp/files/publication/2010/05/overviewlandrightsstudy09eng.pdf>

This study looks at the problems of land acquisition in the DRC from pre-colonial times to date and shows that the indigenous peoples have been dispossessed of the lands they inhabited in the past. Part I provides a historical overview of the main legislative developments and also briefly addresses the reform of the land tenure system which has been taking place since 2002. Part II describes the constitutional guarantees and international instruments relating to the protection of land rights of indigenous peoples that are applicable in the DRC. It then makes some observations about approaches that would help to provide solutions to the land tenure problems raised.

Land, Power and Identity

International Alert (2010)

<http://www.international-alert.org/sites/default/files/publications/201011LandPowerIdentity.pdf>

This study identifies disputed control over land as a root cause of conflict in the Eastern Democratic Republic of Congo (DRC). The report focuses on conflicts between customary and state-run land tenure systems, as well as claims by some communities to "indigenous" status that are used to relegate others to "migrant" or "foreigner" status. Waves of population displacement have created overlapping claims to land, and an ongoing process of refugee return is currently increasing tensions over these claims in parts of Eastern DRC. The report examines efforts to manage this return process and offers recommendations for action by local and international actors.

Georgia

Land, Tenure and Housing Issues for Conflict-Displaced Populations in Georgia

UN-HABITAT (2008)

www.unhabitat.org/pmss/getElectronicVersion.aspx?nr=2906&alt=1

The first half of this report provides basic facts on the administrative-territorial organization of Georgia, along with socio-economic data. The second half of this report reviews the specific rights of displaced persons regarding housing, land and property, providing relevant figures and information. This report concludes with general recommendations and a suggested two-fold strategy for a future UN-HABITAT role in post-recovery assistance in Georgia. To begin with, and as an immediate response, UN-HABITAT should focus on developing well-adapted technical assistance programs for the Georgian authorities, in partnership with international and local entities.

Liberia

Property Rights and Resource Governance: Liberia

USAID (2010)

http://www.usaidlandtenure.net/sites/default/files/country-profiles/full-reports/Liberia_Country_Profile.pdf

The causes of Liberia's recently concluded 14-year civil war were multiple, but central to the war was conflict over land and natural resource rights. While key sector reforms have been introduced in the post-conflict period, there is still more work to be done with respect to land policy reform, land dispute resolution, legal recognition of customary rights and the promotion of community forestry development. This publication outlines the main issues remaining and proposes ways forward.

An Investigation into Forest Ownership and Customary Land Rights in Liberia

SDI (2007)

http://www.sdiliberia.org/sites/default/files/documents/So%20Who%20Owns%20the%20Forest_full%20report.pdf

The FDA (the Forestry Development Authority) and the Liberian government in general are fully aware of the need for legislative clarity and justice, to be laid out in a Community Rights Law. This study attempts to unravel the facts and to identify a practical way forward. This, the study concludes, is achievable given the many positive conditions exceptional to Liberia. These range from the relatively recent diminishment of customary ownership of forests and the uncertainty and weakness of the judicial foundation of such moves, to the strength of collective tenure in the present day rural community, and the existence of a solid history of legal collective entitlement that includes forestlands.

Land Grabbing and Land Reform Diamonds, Rubber and Forests in the New Liberia

Partnership Africa Canada (2007)

http://www.pacweb.org/Documents/diamonds_KP/17_Liberia-Land-Grabbing-Reform_Jul2007.pdf

The recommendations in this report deal with the specifics of the country's three most prominent natural resources – diamonds, rubber, and forests. But donors, NGOs and friendly governments should remember that the needs of Liberia – and some of its neighbors – do not begin and end with peacekeeping. Nor can good governance be achieved or sustained without the help of civil society and their willingness to sustain meaningful support where it is needed and deserved. This publication provides an overview of land-based conflict, and stresses multilateral cooperation for good governance.

Kenya

Land Tenure and Property Rights Assessment

USAID (2009)

http://pdf.usaid.gov/pdf_docs/PNADP496.pdf

This assessment attempts to provide knowledge, particularly on the land and property rights arrangements, and implications for natural resource management, tourism and income generation. To that end, the assessment examines the following themes and how they constrain or enhance performance at targeted sites: land ownership and control, land redistribution and rights formalization, land and natural resource use and management, and land administration institutions.

Institutional Harmonization Processes in the Kenyan Land Sector: A Case Study of the Time Period 2003–2007
UN-HABITAT (2008)

<http://www.unhabitat.org/pmss/listItemDetails.aspx?publicationID=2509>

The objectives of the study are to chronologically document institutional harmonization processes in the Kenyan land sector between 2003 and 2007, to describe challenges experienced, to analyze the roles of different partners as well as the methodologies/ tools used to foster Harmonization, Alignment and Coordination (HAC) processes. The final section draws conclusions and gives recommendations for the partners supporting the Kenyan land sector, for UN-HABITAT as well as the GLTN.

Kenya Land Policy: Analysis and Recommendations

USAID (2009)

http://pdf.usaid.gov/pdf_docs/PNADP494.pdf

This policy identifies the critical problem facing Kenya's land tenure system as the inequitable distribution of land, rooted in land injustices of the past, in acts that it sometimes characterizes as illegal, at others as illegitimate or unfair. It mandates land restitution or resettlement on new land to remedy those dispossessed in injustices going deep into colonial times, and calls for reconsideration of constitutional protection for the property rights of those who obtained their land illegitimately. It repudiates the longstanding priority of land administration in Kenya, the conversion of customary land tenure into individual ownership. It calls for the program's systematic land registration (the prime conversion mechanism) to be suspended pending revision and for the reassertion of customary land tenure rights.

Kosovo

An Assessment of Property Rights in Kosovo

USAID (2004) (David Stanfield, Scott Thomas, Kathrine Kelm, and Jeff F. Dorsey)

http://pdf.usaid.gov/pdf_docs/PNACX731.pdf

This publication assesses how property rights are currently influencing conflict, investment, agriculture, and municipal governance in Kosovo. The report also identifies possible areas where USAID/Kosovo might provide technical assistance to draft laws, strengthen institutions, and/or resolve conflicts which will enhance household property security and business investment, improve economic growth, and lead to more effective local governance.

Property Rights and Resource Governance: Kosovo

USAID (2010)

http://www.usaidlandtenure.net/sites/default/files/country-profiles/full-reports/KOSOVO_Country_Profile.pdf

This publication gives an overview of the main land-based issues facing Kosovo. Kosovo has an abundance of coal and some other mineral resources. Given the immense potential for Kosovo to produce and export energy generated from coal to the rest of southeastern Europe, Kosovo needs to develop environmentally sound coal extraction and energy-generation techniques and introduce clean technologies into the coal-mining industry. Land records are nonexistent or unreliable, and competing land claims contribute to continued violence.

Land Consolidation and Rural Development in Kosovo

FAO (2007)

http://www.fao.org/fileadmin/user_upload/Europe/documents/Events_2007/Land2007/Kosovo.pdf

The overall policy for the transformation of the Kosovo agrarian sector is outlined in the Agricultural and Rural Development Plan 2007-13. Land consolidation will be an important instrument to implement the land related objectives. These include, firstly, the objective to "restructure the physical potential" in the agricultural sector; often phrased as a need to "increase farm size". Secondly, objectives aiming to improve forest management may apply land consolidation as also the forests are heavily fragmented. Thirdly, the strategy of local community development may formulate village renewal projects that in varying degrees may also involve re-organization of land.

Kyrgyzstan

Moving from 'Land Titling' to 'Land Governance': The Case of the Kyrgyz Republic

http://ageconsearch.umn.edu/bitstream/90831/2/Undeland_IAMO_Forum%202010.pdf

There is a growing recognition that well-defined and enforceable property rights to land are important for a range of economic and social functions. This paper summarizes the main results obtained from the Kyrgyz pilot to illustrate the case of land governance issues that arise in a post-transition economy formerly influenced by Soviet-style land administration and which made the transition towards private ownership of land over a decade ago. Policy recommendations are derived based on the assessment.

Property Rights and Resource Governance: Kyrgyzstan

USAID (2010)

http://www.usaidlandtenure.net/sites/default/files/country-profiles/full-reports/Kyrgyzstan_Country_Profile.pdf

This publication provides an overview of the main land tenure issues and natural resource disputes within Kyrgyzstan. Ongoing projects supported by the international community are continuing to strengthen the overall system of property rights and institutional capacities for management of registration. But further assistance may be necessary to: maintain transparent land-market development while averting interventions that would raise issues of corruption or nepotism; advance sustainable development initiatives in agriculture, energy, and mining; and address issues in border areas that are particularly vulnerable to conflict over resources.

Introducing more Transparent and Efficient Land Management in Post-Socialist Cities: Lessons from Kyrgyzstan

International Journal of Strategic Property Management (2008) 12, 161–181

http://www.urban.org/UploadedPDF/411822_land_management.pdf

The paper first reviews the country context for the Strategic Land Management Plans (SLMPs), including an overview of Kyrgyzstan's land management and decentralization reforms and a listing of key factors blocking effective public land management at the local level. Then, the paper outlines a detailed framework for strategic land management and discusses results and implications of applying this framework in five cities. It concludes with reflections on lessons that can be learned by donors and local actors.

Myanmar

Housing, Land and Property Rights in Burma: The Current Legal Framework

Scott Leckie and Ezekiel Simperingham (2009)

http://www.displacementsolutions.org/files/documents/Burma_HLP_book.pdf

This volume contains all of the existing housing, land and property laws in Burma, and makes a vital contribution to understanding the impact that these legal structures have on communities across the country. Understanding how these issues are dealt with in both law and practice will enable more creative thinking about Burma's HLP future, in order that the peoples of the country can most fully enjoy their legitimate housing, land and property rights.

Housing, Land, and Property Rights in Burma

Centre for Housing Rights and Evictions (2004)

http://www.ibiblio.org/obl/docs4/Housing_and_Property_Rights_in_Burma.pdf

The main objective of this research is to examine housing, land, and property rights in the context of Burma's societal transition towards a democratic polity and economy. It then offers suggestions on how to fix many of these HLP issues in Myanmar.

Pakistan

A Guide to Land and Property Rights in Pakistan

UN-HABITAT (2011)

<http://demo.unhabitat.org.pk/a-guide-on-land-and-property-rights-in-pakistan/>

This publication serves as a guide to facilitate a basic understanding of the major principles of the Pakistani land administration system. The publication elaborates on the land administration system in settled areas, the types of land ownerships, the process for the transfer and sales of land, the land acquisition process, and tenant tenure types.

Land Tenure and Property Rights in Pakistan

USAID (2010)

<http://www.usaidlandtenure.net/sites/default/files/PakistanIssueBrief012010js.pdf>

This brief describes the widespread discontent over land tenure and property rights in Pakistan. Pakistan has retained a feudal system of land tenure in which elite landowners own vast holdings worked by tenant farmers and laborers who live in persistent poverty. The Taliban is building popular support based in part upon anger over unequal distribution of land and unfair owner-tenant contracts. The insurgents are therefore exploiting deep resentment among landless tenants toward 'wealthy landlords,' engineering a class revolt with significant implications for the rest of Pakistan.

Women's Land Rights in Pakistan: Consolidated Research Findings

Sustainable Development Policy Institute (2008)

<http://www.glt.net/ar/e-library/land-rights-and-records/womens-land-rights-in-pakistan-consolidated-research-findings/details.html>

The degree of female land ownership has an important connection with their empowerment in Pakistan's agricultural context. SDPI carried out a multiple part research study to explore the causality behind the two. The research focuses on women's rights vis-à-vis the inheritance framework of private agrarian land; it does not encompass private residential or commercial property. It spans rural areas across all of Pakistan, drawing on national laws, existing policies, literature review and field work.

Six months into the floods: Resetting Pakistan's priorities through reconstruction

Oxfam (2011)

<http://www.oxfam.org/sites/www.oxfam.org/files/bp144-resetting-pakistans-priorities-6month-260111-en.pdf>

Six months after the flood disaster began, this briefing paper evaluates the humanitarian response so far, the continuing crisis, and the challenges that lie ahead. It looks at the immediate reconstruction task, as well as the underlying socio-economic and political issues that need to be tackled by the Government of Pakistan, backed by the international aid community, in order to help vulnerable Pakistanis rebuild stronger, safer communities and a more equitable and self-reliant country.

Philippines

The Search for Durable Solutions

World Bank (2011)

[http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/E7AED9BB159CCB04C12578880027DCCE/\\$file/Durable+Solutions+Conflict+and+Displacement-Mindanao.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/E7AED9BB159CCB04C12578880027DCCE/$file/Durable+Solutions+Conflict+and+Displacement-Mindanao.pdf)

The purpose of this strategy note is to: (i) understand the underlying structural causes, cyclical nature, scale, and impact of involuntary internal displacement due to armed conflict and; (ii) identify development options and actions to enable durable solutions for internally displaced persons (IDPs) resulting from the armed conflict in Mindanao. The note moves from an understanding of the context to recommended strategic knowledge building and operational program components including suggestions for partnering, financing, and an analysis of risks and attendant mitigating actions. The note's strategic focus of durable solutions will be on: (a) social and economic integration of IDPs into existing localities; (b) return and reintegration into places of origin; and/or (c) resettlement into other (new) areas.

Violent Conflicts and Displacement in Central Mindanao

WFP, World Bank (2011)

[http://www.peacebuildingdata.org/sites/m/pdf/CentralMindanaoSurveyFull\(2\).pdf](http://www.peacebuildingdata.org/sites/m/pdf/CentralMindanaoSurveyFull(2).pdf)

The report consists of a large-scale survey of 2,759 individuals in eight provinces and one urban center (Cotabato City) of Central and Western Mindanao. The first section provides an overview of the context, scope and nature of displacement in Central Mindanao. The second section explores the environment (e.g. security) and resources or capital (social, natural, economic) available to households. The third section explores respondents' priorities for resettlement, recovery and reconstruction, analyzing the complex set of factors that influence whether displaced households decide to return to their places of origin, settle in new sites, or remain displaced.

Joint Needs Assessment for Reconstruction and Development of Conflict-Affected Areas in Mindanao: Rural Development Report (Vol 3)

Government of the Philippines, International Funding Agencies, and Mindanao Stakeholders (2005)

[http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/549A2370BE5377CDC125723500504AD3/\\$file/JNA_Rural.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/549A2370BE5377CDC125723500504AD3/$file/JNA_Rural.pdf)

The rural development sector is one of four important sectors that comprise the JNA, which is a broader examination of the needs and requirements of those affected by the Mindanao conflict carried out in preparation for the creation of a multi-donor Mindanao Trust Fund-Reconstruction and Development Program (MTF-RDP). The assessment team designed a set of interventions within the context of the fundamental relations between resources and institutions, noting that interventions geared towards agricultural development, agribusiness and rural infrastructure can only be successful if elements of resource ownership and distribution are considering. Cross-cutting issues such as tenurial concerns, environment, and institutional development are also addressed in the context of rural development.

Involuntary Resettlement: Policy and Institutional Frameworks, Practices and Challenges

World Bank (2008)

http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2009/12/18/000333037_20091218001022/Rend ered/PDF/522960WP0Invol10Box338939B01PUBLIC1.pdf

This study reviews the policy and institutional framework for involuntary resettlement in the Philippines. Its purpose is to assess the prospect of harmonizing the country's involuntary resettlement framework with World Bank and international good practices. The study looks into different laws on land valuation, housing provisions for poor informal settlers, and other types of compensation for lost assets and related rules and regulations. Case studies are presented in order to determine practice procedures. The review provides strategic guidance to both the Bank and the Government of the Philippines for strengthening the application of social safeguards for the benefit of displaced persons.

Rwanda

Conflict and Land Tenure in Rwanda

JICA (2009)

http://jica-ri.jica.go.jp/publication/assets/JICA-RI_WP_No.1_2010.pdf

The purpose of this paper is to shed light on the historical relation between conflict and land tenure in Rwanda. Land tenure policy has been inconsistent due to the various conflicts and power-shifts that have taken place since independence in 1960's. Different patterns of land holding and land division are explained in the paper based on data gathered through the authors' fieldworks in the southern and eastern parts of Rwanda. Currently, the land rights of the Tutsi returnees must be considered unstable because their legitimacy depends primarily on the strength and political stability of the Tutsi RPF (Rwandan Patriotic Front)-led government.

Improving Tenure Security for the Rural Poor

FAO (2006)

<ftp://ftp.fao.org/docrep/fao/010/k0784e/k0784e00.pdf>

This paper's main focus is Rwanda, specifically current land reform efforts meant to improve tenure security of Rwanda's poor. However, the components of the envisaged reform necessary for improving access to land in Rwanda are not sufficient to provide sustainable livelihoods to poor groups. The study questions whether external advice and resulting regulations for improving security of tenure for the poor in Rwanda can actually provide solutions to problems of sustainable livelihoods, especially in terms of reducing specific forms of poverty, vulnerability and marginalization. In particular, it is questionable whether current land reform efforts in Rwanda can be expected to be effective in reducing poverty and promoting sustainable and pro-poor growth.

Sierra Leone

Land and Pro-Poor Change in Sierra Leone

EU-DFID (2006)

<http://www.britishcouncil.org/land-and-pro-poor-change-in-sierra-leone.pdf>

The study contains situational analysis, policy context, tentative conclusions and options for intervention. The publication addresses the question of how to increase security of land rights for the urban and rural poor. Examines the existing multiple land tenure system. The study argues that land reform in Sierra Leone is both necessary and possible though there are many constraints. The costs of doing nothing will likely include further civil unrest and environmental degradation.

Land tenure, food security and investment in postwar Sierra Leone

FAO (2006)

<ftp://ftp.fao.org/docrep/fao/009/ah243e/ah243e00.pdf>

The purpose of this study is to understand the land tenure story in postwar Sierra Leone, and how it intersects with food security, and small and large-scale investment in the country. There is much arable land that remains uncultivated, with an underlying suspicion being that land tenure issues are keeping it out of productive use. The study examines: 1) rural social dynamics and land tenure; 2) tenure security and land access; 3) the labour problem; 4) mechanization issues for agriculture; 5) loans and land as collateral; 6) leasing and partnerships - options for investment; 7) the problem with changing to freehold; 8) legislative reform; and, 9) themes from Mozambique's land policy reform experience. Recommendations are then suggested, followed by areas for future research.

Understanding Land Investment Deals in Africa

The Oakland Institute (2011)

http://www.oaklandinstitute.org/sites/oaklandinstitute.org/files/OI_SierraLeone_Land_Investment_report_0.pdf

This report is part of the OI's seven-country case study project to document and examine land investment deals in Africa (Ethiopia, Mali, Mozambique, Sierra Leone, Sudan, Tanzania, and Zambia) in order to determine social, economic, and environmental implications of land acquisitions in the developing world. The report provides background on the institutional and political context of the country, the current macroeconomic situation, the state of food and agriculture, and the current investment climate. Additionally, it documents detailed information regarding four land investment deals currently being carried out in Sierra Leone. In each case it observed a lack of transparency and public disclosure, an extremely weak regulatory framework, confusion around 'availability' of land, lack of environmental protection; conditions ripe for exploitation and conflict.

Somalia

Land, Property, and Housing in Somalia

UN-HABITAT (2008)

www.unhabitat.org/pmss/listItemDetails.aspx?publicationID=2601

Land, Property, and Housing in Somalia focuses on the Somali legal frameworks and institutional systems relating to land and on the historical background of the current landholding and ownership patterns in Somalia. It also looks at a much wider range of social, cultural, political, economic, and environmental contexts and examines some of the theoretical debates on land issues.

Puntaland and Somaliland: The Land Legal Framework

UN-HABITAT (2006)

http://www.unhabitat.org/downloads/docs/4417_21585_somaliland.pdf

The aim of this paper was to develop a basic knowledge of the land legal framework in Somaliland and Puntland. It provides a description of the current situation in both regions concerning the land management with an emphasis on the land laws, registration system and land disputes and the institutional framework. As part of a global process aimed at developing a land management system for the whole country, this study may be used as a tool for a better understanding of the existing situation.

Housing, Land and Property Rights in the South Central Somalia

Displacement Solutions (2008)

[http://www.internal-displacement.org/8025708F004CE90B/\(httpDocuments\)/9430F86E51FB5A08C12574BE002DB8A4/\\$file/HLP+Somalia+DS+Report+FINAL+Aug08.pdf](http://www.internal-displacement.org/8025708F004CE90B/(httpDocuments)/9430F86E51FB5A08C12574BE002DB8A4/$file/HLP+Somalia+DS+Report+FINAL+Aug08.pdf)

This report initially examines the complex HLP rights contexts prevailing in SCS today, including the impact of the armed conflict on HLP rights, the differing ways in which displacement is manifested and a series of additional

constraints in resolving HLP challenges. It then outlines a series of specific HLP rights concerns in SCS that require resolution. The report concludes with a detailed list of recommendations for practical action designed to improve the HLP rights prospects for the displaced population concerned. This report recommends to the international humanitarian community in Somalia to gradually prioritise (wherever security conditions permit) durable HLP solutions for the displaced population that go beyond satisfying immediate emergency shelter needs.

Land Use Planning Guidelines for Somaliland

FAO (2009)

http://www.faoswalim.org/ftp/Land_Reports/Cleared/L-13_Land_Use_Planning_Guidelines_for_Somaliland.pdf

The purpose of the present Guidelines is threefold: (1) to explain the basic principles of land use planning, (2) indicate which land use planning activities could be carried out in Somaliland at different levels, and how, and (3) provide a number of tools and resources which could be of practical use for land use planners in Somaliland. The guidelines are meant for technicians and administrators involved in land use planning and natural resources management in Somaliland. They could be civil servants from various line ministries, or project staff of national and international NGO's and consultants.

The Scarcity of Land in Somalia

BICC (2009)

http://www.bicc.de/uploads/pdf/publications/papers/occ_paper_03/occasional_paper_III_04-09.pdf

This paper describes the role of natural resources and the impact of the Barre dictatorship on local land use, and it also describes traditional ways of resolving conflicts over land. The traditional conflict resolution system is covered in the first section, whilst the role of land and the state's political impact on land use is detailed in the second. Finally, some preliminary conclusions and policy recommendations are provided.

Syria

Land Tenure Systems Structural Features and Policies

FAO (2001)

<http://www.fao.org/world/syria/gcpita/pubs/policystudies/08-LandTenure-En.pdf>

This report begins by describing the multiple forms that relations between people and land in Syria take, having evolved during the history of the country, in both customary and formal legal systems. Problems such as increased pressure on land due to high population growth, high proportions of agricultural households without access to land and fixed employment, and the conflicts that these issues have led to are all highlighted. The role of the state as the largest owner of land is emphasized as an important factor in understanding Syrian land tenure and distribution.

Ownership to Occupation: The Forced Evictions and Internal Displacement of the People of the Syrian Golan

AL- Marsad, Arab Human Rights Centre in the Golan Heights & Golan for development of the Arab villages (2012)

<http://golan-marsad.org/Images/062012/OwnershipToOccupation.pdf>

The purpose of this report is to highlight the persistent human rights violations associated with internal displacement and forced evictions that are endured by the Syrian Arab population of the occupied Golan. These violations have occurred as a direct result of Israel's land policies in its position as the occupying force within the Golan. Since its occupation in 1967 the Syrian Golan has been transformed from a thriving Arab community, based on agriculture and labour, to an area dominated by Israeli settlements, military training camps, and tourism. This report will show how this transformation and the land expropriation which took place within the occupied Golan contravene both international humanitarian law and international human rights law

State policies and military actions continue to threaten further displacement

IDMC (2011)

[http://www.internal-displacement.org/8025708F004BE3B1/\(httpInfoFiles\)/85D4C57B52517548C1257945004A6235/\\$file/syria-overview-nov2011.pdf](http://www.internal-displacement.org/8025708F004BE3B1/(httpInfoFiles)/85D4C57B52517548C1257945004A6235/$file/syria-overview-nov2011.pdf)

This report contains an overall description of the IDP situation in Syria. It divides them into four distinct groups. Those displaced by the ongoing violent repression of the popular protests which started in March 2011 are the central focus of the report, while the three other groups that have faced protracted internal displacement are also

given historical context. These older situations were caused by the destruction of the centre of the city of Hama in 1982, the displacement of Kurds from their homeland in the northeast of the country in the 1970s, and the occupation of the Golan Heights by Israel since 1967. The report first discusses the background to displacement, providing recent figures on IDPs; it then moves on to the protection needs of IDPs and national and international responses to them.

Timor L'Este

Mediating Land Conflict in East Timor

AusAID (2008)

http://www.ausaid.gov.au/Publications/Documents/MLW_VolumeTwo_CaseStudy_9.pdf

In 2000 the UN Transitional Administration introduced a mediation model to resolve conflicts involving customary land in East Timor. The model is now managed by East Timor's Land and Property Directorate. This case study reviews the mediation procedures involved in four cases of conflict in Maliana and assesses the successes and limitations of those procedures in reducing and resolving conflict. It also explores whether East Timor's mediation model could be used in a Pacific context, recognizing that any type of policy or policy model requires adaptation if it is to be adopted in another country.

New Issues in Refugee Research

UNHCR (2002)

<http://www.unhcr.org/refworld/pdfid/4ff3fe9e2.pdf>

This paper seeks to draw lessons in relation to land policy from the post-conflict experience of the UN peace-building mission in East Timor. It focuses on three issues: (1) Ad hoc housing occupation and conflict caused by population displacement and property destruction, (2) Allocation of public and abandoned properties for humanitarian, security and commercial purposes, and (3) Establishing an interim form of land administration, particularly so as to minimise the risks of a developing informal market in private land. It is argued that the way these issues are managed plays a large role in achieving broader objectives of reconstruction and development.

Managing Land Conflict in Timor-Leste

International Crisis Group (2010)

<http://www.crisisgroup.org/~media/Files/asia/south-east-asia/timor-leste/B110%20-%20Managing%20Land%20Conflict%20in%20Timor-Leste>

This briefing examines the country's current tangle of land ownership claims, and recommends that the government and its partners act now to supplement titling with clear public information, clarify protections for those who will be evicted or resettled, and strengthen support to local mediation. Measures to resolve land disputes in Timor-Leste must go beyond a draft law on land titling if they are to comprehensively reduce the risks posed; otherwise the law could bring more problems than solutions. It also provides a comprehensive background to HLP issues in East-Timor.

Uganda

A Guide to Property Law Uganda

UN-HABITAT (2007)

www.unhabitat.org/pmss/getElectronicVersion.aspx?nr=2444&alt=1

This guide outlines the main provisions of Uganda's constitutional and legal framework and the protection these provide to property rights. It briefly outlines the historical background to existing land tenure relations, describes the constitutional provisions relating to land in the 1995 Constitution and sets out the main provisions of the Land Act 1998. It also describes the protection given to land, housing and property rights under international law, which, while not directly applicable, forms an important framework within which the courts should operate. It provides practical guidance on how international human rights monitoring bodies can be used to draw attention to particular violations of land, housing and property rights.

Yemen

Developing Effective Policy and Planning in Yemen

FIG (2011)

http://www.fig.net/pub/fig2011/papers/ts02j/ts02j_burns_dabbas_5232.pdf

This paper will provide an insight into what considerations have been made to strengthen the reforms in land administration through a few policy studies and by enabling the formulation of Land and Urban Planning Policy. It also looks at the legal and institutional changes recommended to achieve efficient procedures for the issuance of land titles and registration of property transactions, and transparent processes for the management and disposal of public land. This paper sets out the results of these studies and plans for the future development of land administration in the Republic of Yemen. Common themes are identified in this paper that are adaptable across the region.

USAID Country Profile: Property Rights and Resource Governance

USAID (2010)

http://www.usaidlandtenure.net/sites/default/files/country-profiles/full-reports/YEMEN_Country_Profile.pdf

This document provides a general overview of the property and resource ownership situation in Yemen. Key issues covered are (1) Lack of access to land, increasing concentration in the hands of a small number of wealthy families, (2) Unsophisticated land and water dispute resolution system, as Yemen's formal court faces significant challenges, functions poorly and is less accessible to the rural poor and women, (3) Women rights; women have responsibility for most of the work on agricultural land, yet have limited rights to the land and are excluded from education and employment, and (4) The lack of a legal framework governing forest land and forest resources – resources that are critical to the livelihoods of the poorest Yemeni households.

Landmines and Land Rights in Yemen

GICHD (2010)

http://www.gichd.org/fileadmin/pdf/ma_development/wk-landrights-oct2010/LMAD-wk-Yemen-case-study-Nov2010.pdf

This paper argues that land and land tenure are probably the most contentious issues in Yemen, which cause the vast majority of internal conflicts. Surveys in Yemen consistently show that land issues make up 75 to 80 per cent of the root causes of conflict. Poverty, combined with increasing land stress, i.e., too many people and too little land, provide the context for these disputes, which are then exacerbated by the internal armed struggles occurring throughout much of the country. The paper covers a diverse range of issues related to land rights in Yemen, which include the lack of an effective land registry system, ownership patterns, constitutional and tribal land laws, gender inequality, economic and tribal inequality, migration, natural resources (such as oil), and land conflict itself.