

# Housing Land and Property rights

## What is HLP?

Housing, Land and Property (HLP) 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 includes:

*The full spectrum of rights to housing, land, and property*

*Held according to statutory or customary law, or informally.*

*And, for both public and private housing, land and/ or property assets.*

*Humanitarian organizations should respect human rights, including HLP rights, of affected persons at all times – and advocate for their promotion and protection to the fullest extent.*

## What are common HLP risks for displaced persons?

People who have been displaced by conflict here in Gaza, may face a number of risks related to their HLP rights:

- They may be forcibly evicted from where they are staying, for example in a makeshift site, or hosted or rented buildings, etc
- They may have lost the documents or other agreements to permit them to go back home.
- Land tenure documents held centrally may have been destroyed.
- They may return to their homes to find their homes occupied by others.
- They may be denied, or not have access to adequate water, sanitation, or other basic services, which can make their shelter unliveable.
- They may be physically prevented from building or improving their shelters, on the location where they are staying.
- There may be a fear of losing their rights to return to a house, if they are not occupying it currently.

## What can we do?

- **DO** check who owns the land or property and ask how they can show their ownership.
- **DO** ask the landowner together with representatives from the occupant families, if they can write down on paper exactly what the landowner is willing to offer (how many families can stay on the site, for how long, and can they make any changes to the site, eg digging latrine pits), and also what will be the responsibilities for the occupants, in return. If the occupants have not arrived yet, then ask if the landowner can write down what their own terms or expectations are.
- **DO** ask how any disputes will be settled.
- **DON'T** agree to be a part of any dispute-resolution discussion yourself!
- **DO** find out the contacts for the relevant local authorities or organisations, who people can contact in case of questions about HLP.
- **DO** remember that even rubble belongs to someone.
- **DON'T** pay for land if you are setting up a site.
- **DO** ensure that people have access to water and other services.

## What are the HLP rights?

1. The right to adequate housing
2. The right of access to natural resources, such as land
3. The right to security of tenure and protection against forced eviction
4. The right to non-discrimination in accessing HLP rights which often entails special protection for the most vulnerable and marginalised persons
5. The right to property restitution and/or compensation.

## What does this mean?

An **adequate standard of housing** includes:

- security of tenure,
- cultural adequacy,
- affordability,
- availability of services, materials, facilities, and infrastructure,
- habitability,
- accessibility, and location.

**Land tenure** is the relationship between people, as groups or individuals, with respect to land. The rules of **tenure**:

- define how *property rights* are given within societies.
- define how access to rights to use, control, and transfer land, are granted.
- In simple terms, land tenure systems determine *who* can use *what* resources for *how long*, and under *what conditions*.

## Why is HLP important?

- Helps establish a foundation of trust and long-lasting relationships between organizations and local communities and institutions.
- Reduces, as much as possible, the risk that an intervention will harm displacement-affected peoples and their relationships (disputes, evictions, homelessness, violence, further displacement etc).
- Ensures compliance with national and international laws and regulations.
- Reduces legal, reputational, and financial risks for organizations.
- Ignoring HLP also results in funding being wasted.

## Where can I find more help?

Here are some valuable resources:

1. Land Rights and Shelter: The Due Diligence Standard. Global Shelter Cluster, 2013.  
[https://sheltercluster.s3.eu-central-1.amazonaws.com/public/docs/shelter\\_hlp\\_and\\_due\\_diligence.pdf](https://sheltercluster.s3.eu-central-1.amazonaws.com/public/docs/shelter_hlp_and_due_diligence.pdf)
2. Securing Tenure In Shelter Operations. Norwegian Refugee Council, 2018.  
[https://sheltercluster.s3.eu-central-1.amazonaws.com/public/docs/nrc\\_shelter\\_tenure\\_guidance\\_external.pdf](https://sheltercluster.s3.eu-central-1.amazonaws.com/public/docs/nrc_shelter_tenure_guidance_external.pdf)
3. The HLP pages for the Global Shelter Cluster.  
<https://sheltercluster.org/resources/pages/housing-land-and-property>)
4. The Global HLP AoR website. <https://www.globalprotectioncluster.org/AoR/HLP>