

# LAND AND PROPERTY

UN-HABITAT IN DISASTER  
& CONFLICT CONTEXTS

Sudan 2009, Photo: © Dan Dickenson, ECHO

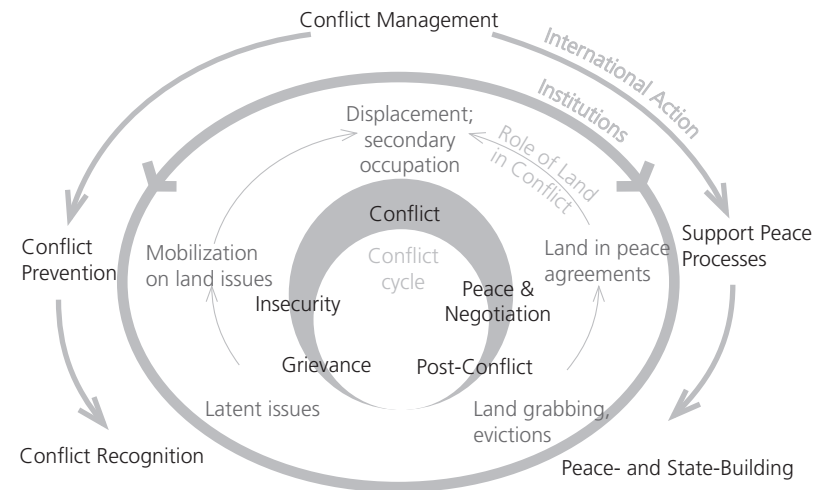


# UN HABITAT LAND AND PROPERTY IN DISASTER & CONFLICT

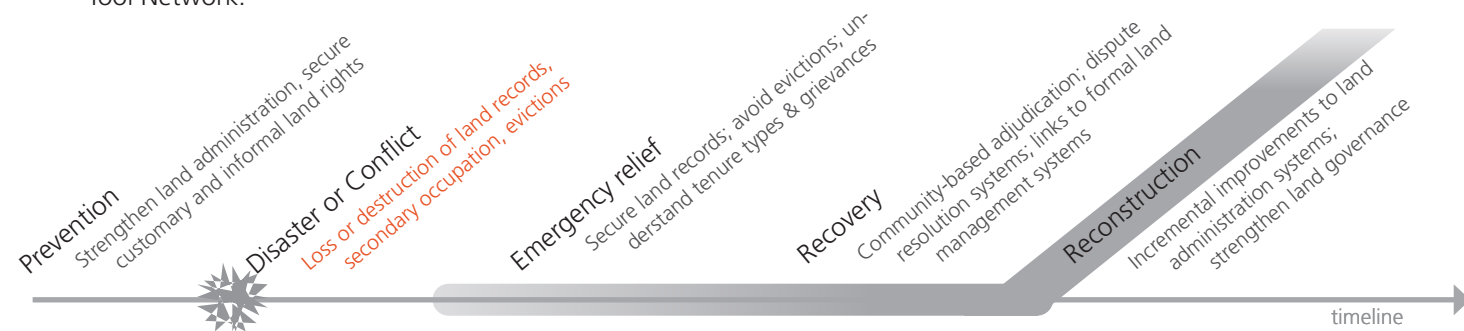
After many years of reluctance to confront land issues, there is a growing recognition of the need to ensure that land issues are addressed early and effectively after both natural disasters and conflicts. Experience has proven, time and again, that failure to do so can result in massive evictions, delays in reconstruction, threats to humanitarian staff and, in the case of violent conflict, a return to war.

Moreover, poor land use and planning, the failure to address land grievances, and weak land governance can increase the impact of disasters and the risk of conflict.

At the global level, UN-HABITAT is mainstreaming land issues in humanitarian response through a variety of mechanisms: the Housing, Land and Property working group within the humanitarian cluster system; collaborating with UNEP and UNDP to develop a common approach to land and natural resource conflict; and promoting land policy and tool development through the Global Land Tool Network.



This diagram describes the relationship between land, conflict, institutions and international response at different stages of the conflict cycle to identify strategies to promote access to land and security of tenure.



Strengthen customary and statutory land administration systems, while protecting the rights of displaced people and non-statutory rights holders.

## Examples of UN-HABITAT land activities in crisis-affected countries

**African Great Lakes**  
Securing land and property rights of IDPs/refugees in 4 ICGLR States

**Liberia**  
Support to Land Commission; design of dispute resolution system; land sector coordination

**Haiti**  
Post-disaster needs assessment; chair of the land and property working group, alternatives to evictions

**Peru**  
Securing land rights after 2007 earthquake

**DRC**  
Operating 5 land mediation centres in Eastern DRC; support to land policy process

**South Sudan**  
Support to Land Commission; dispute resolution system; surveyor capacity building

**Kosovo**  
Established the Housing and Property Directorate and Housing and Property Claims Commission; restored national cadastre

**Kenya**  
Land sector coordination; support to national land policy process

**Ethiopia**  
Piloting of social tenure domain model

**Iraq**  
Land and housing policies, slum upgrading

**Somaliland**  
Urban structure database; tax collection; urban planning

**Afghanistan**  
informal settlement regularization for 10,000 people in Kandahar; legal framework review

**Pakistan**  
Supporting "Landless Programme" gave 10 000 people access to land after 2005 earthquake

**Cambodia**  
Promoting security of tenure in Phnom Penn

**South Pacific**  
Land and property rights of IDPs/refugees, including due to climate change

**Indonesia**  
Community based land adjudication after tsunami, ex-IDP integration in East



## Issues

### Customary, Informal and Statutory Tenure

In many countries, customary and statutory systems for land co-exist. In many countries informal systems of land tenure emerge, adding to the complexity. In many cases, powerful elites will use the statutory system to gain access to land under customary ownership. A solid understanding of land tenure systems is critical to the design of both emergency relief and early recovery initiatives.

### Weak Land Administration systems

Globally, only 30% of land is currently registered through statutory systems. Many land records in developing countries are out of date or are subject to fraud. Using alternative forms of land rights evidence (oral testimony, tax records, voter registration cards, etc) is critical to obtain a complete picture of land rights and claims after disaster or conflict. Given this lack of clarity, land titling projects should not be undertaken until long after disaster or conflict.

### Unsustainable land use

Even prior to disaster or conflict, many cities in the developing world have been growing at an incredible pace, often resulting in dense informal settlements located on hazardous land. During and after conflict, cities and informal settlements become magnets for IDPs and refugees seeking safety and access to health care, schools and livelihoods. After a disaster or conflict, informal settlements inhabitants can be at risk of eviction, land grabbing or well-intentioned desire to relocate populations to safer or more appropriate areas.

### Gender, land and property rights

Less than 2% of women's land and property rights are registered worldwide. After disaster or conflict, women-headed households – whose land rights are secured through male relatives – may become vulnerable to a loss of land and access to livelihoods.

## Approach

### Promote Security of Tenure

Recognize a range of land rights; individual titles are not the only – or even most – appropriate option, particularly after disaster or conflict. An incremental approach to security of tenure is more pragmatic and sustainable.

### Coordination

Responsibilities for land are fragmented between various Ministries and departments. Strengthening coordination between donors NGOs and government to promote a more efficient and coherent approach to the land sector.

### National Ownership

No land intervention can succeed without strong government and civil society ownership. External actors should support national stakeholders to find the right balance between competing priorities for land use.

### Land Dispute Resolution Systems

Land disputes are common in society and are addressed by a variety of institutions. A systems approach is required to ensure that all institutions – traditional authorities, local government, courts and civil society – are able to play their part in preventing, managing and resolving disputes.

### Multiple Entry Points

Direct engagement on land issues such as conflict resolution or indirect engagement through, for example, urban planning, housing reconstruction, etc.

### Land Governance

Understanding the political economy of land and managing political risks to contribute to improved governance at the community, city and national levels.

# Expertise

**Assessment:** PDNA/PCNA and real-time

**Land sector coordination:** donors & partners

**Land and Property Rights:** IDPs/Refugees and slumdwellers.

**Land dispute resolution systems** design and implementation.

**Land Information Systems** for overlapping rights and claims and customary tenure.

**Land Administration and Management.**

**Land-use planning:** hazard/risk reduction.

**Policy, Legal and Institutional reforms.**

# Cross-Cutting

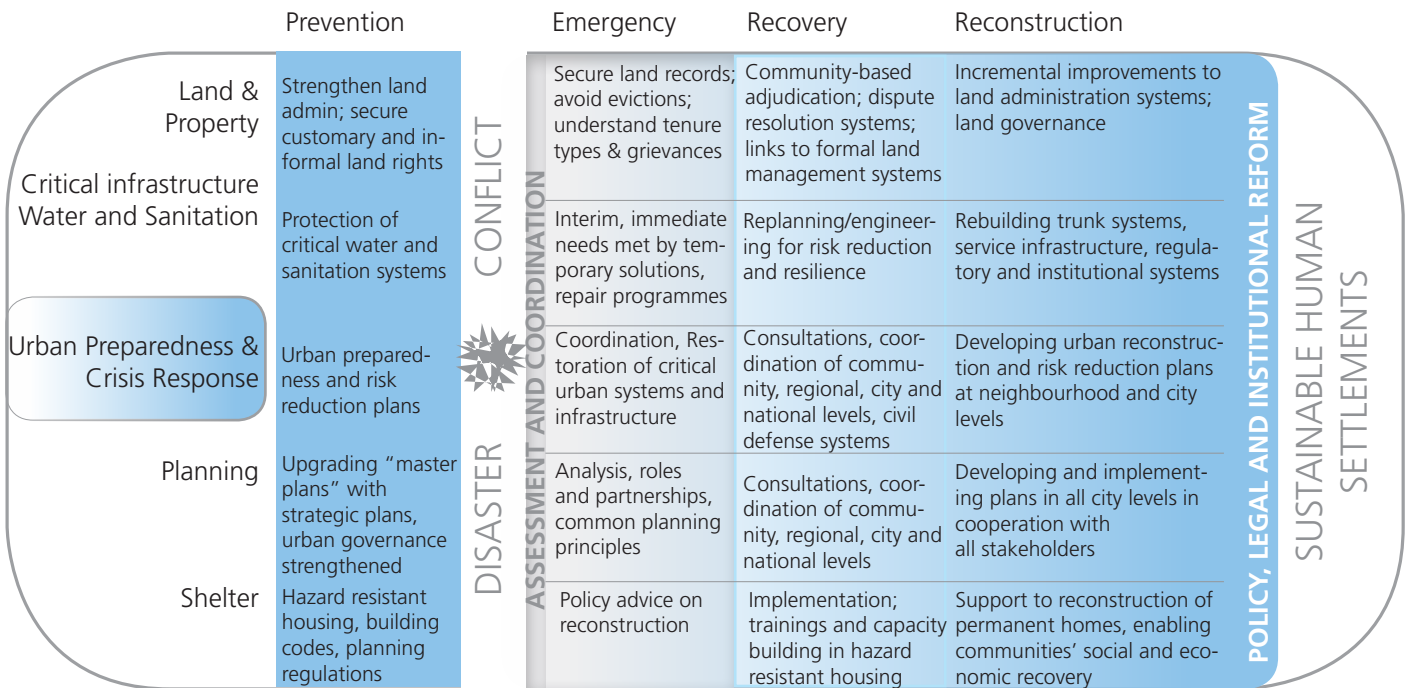
**Governance:** Land is finite, yet there are many competing potential uses for land. Strengthening decision-making and conflict management contributes to overall stability and good governance.

**Livelihoods:** land is critical for rural and urban livelihoods, food security and poverty reduction.

**Environment:** poor land use increases vulnerability; secure land rights promote sound land use.

**Gender and Youth:** Joint registration of women and men's land rights. Engaging de-mobilized youth in local governance is critical to land conflict management.

# UN-HABITAT



# Contact

## UN HABITAT

HEADQUARTERS: NAIROBI  
Disaster and Post-Conflict Section  
dmp@unhabitat.org

GENEVA  
unhabitat@unog.ch

AFRICA AND ARAB STATES  
roaas@unhabitat.org

ASIA-PACIFIC  
habitat.fukuoka@unhabitat.org

LATIN AMERICA & CARIBBEAN  
rolac@habitat-lac.org

www.unhabitat.org

### Networks and Partners

HLP Working Group  
UN Interagency Framework Team for Preventive Action (natural resources and conflict)  
Global Land Tool Network  
United Nations High Commissioner for Refugees  
Office of the High Commissioner for Human Rights:  
Special Rapporteur on the Right to Adequate Housing  
Norwegian Refugee Council

### Publications

HLP Assessments: Crimea, Georgia, Uganda, Somalia  
Handbook for Post-Conflict Land Administration  
Quick Guide to Land and Conflict  
Land and Conflict - Guidance Note for Practitioners  
Women's Rights to Land, Housing and Property in Post-conflict Situations and During Reconstruction: A Global Overview  
Addressing Land Issues after Natural Disasters  
Land and Conflict Training  
Islamic Land and Property Rights Training

# Resources