

Durable Solutions for Displacement Affected Communities in Somalia Training

M3. Session 1:What is HLP and why is it at the heart of durable Solutions?

Summary

This third module focuses on Housing, Land and Property, a key dimension of durable Solutions processes. In this first session we will focus on defining HLP and explaining that it entails much more than a roof over one's head. We will do so by showing that Housing, Land and Property are anchored in various legal frameworks and that access to these rights are key prerequisites to progress towards durable solutions. We will start identifying the main HLP-related issues and obstacles faced by Displacement Affected Communities in Somalia through a case study. The last part of the session will be dedicated to linking HLP criteria to other durable solutions to show both the interconnection between the different criteria and the importance of HLP in the durable solutions process. An emphasis is put throughout the session on the specific issued faced by women to access their HLP rights in Somalia.

Objectives

By the end of the session, the participants will be able to:

- Explain the concept of Housing, Land and Property and its relevance for the progression durable solutions
- Identify and categorize the main HLP-related issues preventing DAC from progressing toward durable solutions.
- Identify the specific issues faced by women in accessing their HLP rights

Key messages

1. **HLP rights are universally recognized human rights and components of the right to an adequate standard of living**
2. **Much more than just walls and a roof over one's head, HLP rights are key to ensure safety, security and dignity, access to livelihood and an adequate standard of living. They are therefore at the heart of durable solutions processes.**

3. **Regardless of their tenure arrangements, Displacement Affected Communities should have access to their HLP rights, including the security of tenure that protect them against forced evictions.**

Note that facilitation notes and tips as well as key messages are provided for each slide in the note boxes.

Delivery modalities

Structure

You can start the session by showing the ReDSS video on "understanding Housing, Land and Property in Somalia" which is available online in both English (7 minutes) and Somali (11 minutes) languages.

This session is divided into three main parts:

1. **What is HLP?**
   This short section aims at defining what the terms of the HLP acronym and start identifying why it is at the heart of durable solutions through a short brainstorming session in plenary.

2. **More than a roof over our head**
   The aim of this section is to show that HLP are, before all, human rights derived from the rights to security of a person, the right to adequate housing and other socio economic rights such as the right to work, for instance. Some specific legal frameworks and guidance were developed to support national authorities and their partners in ensuring that DAC have access to HLP rights to progress towards durable solutions. Somalia, its constitution, and the recently developed policies targeting IDPs and refugee returnees provide provision and guidance to respect, protect, and fulfill these rights.
   Then the second part of the session is about tenure security and the right to adequate housing which are key elements of HLP rights and durable solutions. It starts with the different types of existing tenure arrangements to ensure access to HLP and security of tenure. This gives the opportunity to insist on the fact that regardless of the types of arrangement and whether or not the arrangement is formal or not, legal or not, the right to access security of tenure, not to be forcibly evicted and the right to adequate housing are valid for all, including IDPs and refugee returnees. The last two slides of the section clearly define the concepts of security of tenure and adequate housing.

3. **HLP and durable solutions**

The main goal of this section is to link HLP and the progression toward durable solutions through two main activities:
- A group activity aiming at identifying the main obstacles to security of tenure and access to HLP rights in Somalia through case studies and a more general reflection. The main obstacles will then be clustered as obstacles in the place of displacement and obstacles in the place of origin to show the extent to which HLP issues can impact durable solutions, whichever route its takes.
- The last activity which is optional aims at showing the interrelation between the IASC criteria, and especially HLP and access to documentation, livelihood and employment, social cohesion, and adequate standard of living.

Timing

This session is planned to last one hour and a half to two hours depending on whether you show the video and run all activities or not.

- About 20 minutes for the first session if you show the video
- 20 minutes for the second part
- 50 minutes for the last part including both activity 2 and 3.

Activities

1. **Activity 1: Why HLP?**
   This is a short brainstorming session that should not last more than 7 minutes aiming at answering the following question: Why are HLP rights at the heart of durable solutions, according to you?
   Show the content of the slide after the brainstorming to sum up and suggest points that were not mentioned.

2. **Activity 2: HLP-related issues or obstacles faced by DAC.**

This is a group activity. Distribute the case scenario document. Assign a character to each group and ask the group to work in two steps:

1. Based on the case scenarios, identify the HLP-related issues faced by the characters:
   - In the place of refuge
   - In their place of origin
2. Identify the most common HLP-related issues faced by displaced persons in Somalia

3. **Activity 3 (optional): interrelation between HLP and other DS criteria.**
    - Form five groups and assign one criteria to each group.
    - Ask them to show the link between Housing land and Property and the assigned criteria and to give examples in the Somalia context.

Preparation

- ☐ Print the handout on forced evictions related concepts and definition to be distributed at the end of the session.
- ☐ Print the case studies for activity two. You can cut it and only give each group their assigned character. Only print five to six of them.

Useful resources

- ☐ NATIONAL EVICTION GUIDELINES, Federal, Government of Somalia, 2019
- ☐ interim protocol on land distribution for housing to eligible refugee returnees and idps, Federal, Government of Somalia, 2019
- ☐ National Policy on Refugee-Returnees and IDPs in Somalia, Federal, Government of Somalia, 2019
- ☐ Actions taken in support of the protection against forced evictions during COVID-19, UNOCHA, 2020.
- ☐ Constant risks, looming disaster: the urgent case for a moratorium on evictions, Somalia Protection Cluster, April 2020
- ☐ ReDSS aspiration survey, Housing, Land and Property, 2020.
- ☐ HOUSING, LAND AND PROPERTY RIGHTS FOR SOMALIA'S DISPLACED WOMEN, NRC, 2016
- ☐ Lessons learned from three EU RE-INTEG Consortia (EIDACS, JSC, SDSC), ReDSS, Oct 2019
- ☐ Kismayo Urban Profile, Working Paper and Spatial Analyses for Urban Planning, Jubaland Ministry of Public Works, Reconstruction and Housing, Oct. 2020
- ☐ An Unnecessary Burden: Forced Evictions and Covid-19, NRC Briefing note, July 2020.
- ☐ The Pinheiro Principles United Nations Principles on Housing and Property Restitution for Refugees and Displaced Persons, 2005
- ☐ The Guiding Principles on Internal Displacement

- ☐ Kampala Convention on the Protection and Assistance to Internally Displaced Persons in Africa
- ☐ The OAU Convention governing the specific aspects of refugee problems in Africa
- ☐ The 1951 Geneva Convention and the 1969 Protocol
- ☐ The IASC Framework on Durable Solution for Internally Displaced Persons, 2010
- ☐ The International Covenant on Civil and Political Rights, 1966
- ☐ The International Covenant on Economic, Social and Cultural Rights, 1996
- ☐ The UN Basic Principles and Guidelines on Development-based Evictions and Displacement, 2007
- ☐ The UN Guiding Principles on Security of Tenure for Urban Poor, 2013
- ☐ The Food and Agriculture Organisation (FAO) Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests, 2012
- ☐ The ILO Convention No.169 on Indigenous Peoples rights
- ☐ The Convention on Elimination of All forms of Discrimination Against Women (CEDAW) and all its protocols