



DISPLACED
WOMEN'S RIGHTS
TO HOUSING, LAND AND PROPERTY

The Norwegian Refugee Council, one of Europe's leading humanitarian organisations, has embarked on a five-year project aiming to increase displaced women's access to housing, land and property (HLP) rights through international and national advocacy.

The project aims to provide well-researched legal, policy and practice recommendations for the humanitarian community, including practitioners, donors, governments and civil society.

The project's evidence base is drawn from NRC's extensive operational experience as a provider of information, counselling and legal assistance (ICLA) related to HLP rights in 15 countries afflicted by conflict and post-conflict situations for over 15 years. The project's analysis and recommendations are based on a strategic assessment of NRC's legal cases and commissioned country research. NRC is looking at its own experience too. One of the project's objectives is to draw lessons that can help NRC improve the assistance it provides to displaced women in conflict and post-conflict situations.



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DISPLACED WOMEN AND HLP RIGHTS

When families are separated or displaced by war, it is generally women who battle their way through justice systems, institutions and traditions that often discriminate against them, to provide for their families. They face daily struggles for survival, as refugees and internally displaced persons and as widows and heads of household.

NRC's own experience and research indicates that the humanitarian community could do much more to support women as they claim their HLP rights. In many cases, support for displaced women is only provided as an 'add-on' to existing programmes. In other cases, humanitarian programmes may unintentionally reinforce existing inequalities, to the detriment of women's rights.

There is growing recognition that interventions following conflicts can address the underlying, structural inequalities that women faced before a conflict. The longer-term legacy of humanitarian assistance could include a transformed environment and better prospects for women and girls. UN resolutions and many international organisations have also underscored the need to take into account the special needs of women and girls during times of conflict and post-conflict reconstruction.

Nevertheless, the experiences of displaced women who have received support from NRC clearly show that their justice systems cannot guarantee their HLP rights without legal assistance. Despite major investment by international donors to reform legal frameworks and strengthen the rule of law, women's access to justice remains unattainable when it comes to HLP rights.



WHAT ARE HOUSING, LAND AND PROPERTY (HLP) RIGHTS?

Drawn from international humanitarian law and human rights law, HLP rights entitle displaced people to a safe place to live, where they can be sheltered and free from forced eviction. HLP rights are essential as displaced people seek to rebuild their lives and secure a dignified livelihood for themselves and their families in some of the world's most unstable environments.

Disputes over land tenure are often at the centre of conflict. When conflict ends, disputes over occupied property are a continued source of instability, often thwarting long-lasting solutions for returning populations and threatening fragile peace agreements. Given the protracted nature of many of today's conflicts, supporting HLP rights can help humanitarians make a more significant contribution during the transition gap, particularly given the continued shift in humanitarian action from rural to urban areas.

NRC is widely recognised as a leading provider of assistance to displaced people seeking to secure their HLP rights. Its track record is built on 15 years of successful legal interventions, which include work in partnership with local organisations, local authorities and customary or faith-based organisations and authorities. NRC is uniquely positioned in the humanitarian community to share its experiences and to advocate for improvements in the way HLP rights are supported during emergencies and protracted displacement situations.

THE ACCESS TO JUSTICE REPORT

In March 2014, NRC published the first global report on displaced women's access to justice for HLP rights. The report discusses the severe challenges that women face in accessing justice in the aftermath of conflict, as well as the enormous opportunities for change that can emerge in these most difficult times.

The report identifies the practical barriers that displaced women face to negotiate justice systems following conflicts and includes case studies and potential solutions. It

explores ways in which the law and justice systems can be made to work for women so they overcome the inequality, violence and lack of choices they often face.

The building blocks for the rule of law – a strong legal framework and a functioning justice system – tend to be weak, absent or discriminatory in post-conflict situations. Yet, support for access to justice for women's equality at this critical time can set the groundwork for sustainable development and recovery.



FOCUS COUNTRIES

A set of research projects were specially commissioned as part of this project to look at different aspects of displaced women's HLP rights in Afghanistan, Ecuador, Lebanon, Liberia, Palestine and South Sudan. These reports document the main challenges for displaced, refugee and returnee women's HLP rights in each

of these countries considering the national legal and social context, and in some cases the role of customary and religious justice mechanisms in securing HLP rights. In addition, new country reports for Côte d'Ivoire, Panama, Venezuela and Somalia will be available in 2014.

Visit the project website womenshlp.nrc.no for more information, reports and other updates.